

**Congress of the United States**  
Washington, DC 20515

June 11, 2024

The Honorable William J. Burns  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Burns:

On March 21, 2024, pursuant to the House of Representatives' ongoing impeachment inquiry, the Oversight and Judiciary Committees requested documents and information regarding the Central Intelligence Agency's (CIA) effort to impede the Internal Revenue Service (IRS) and the Department of Justice's (DOJ) investigation into the President's son, Hunter Biden.<sup>1</sup> On April 4, 2024, James A. Catella, the Director of the CIA's Office of Congressional Affairs, responded on your behalf, asserting the "allegation" detailed in our letter was "false."<sup>2</sup> However, information in a recently released affidavit and supporting documents from a senior IRS official call into question the accuracy of Mr. Catella's assertion and raise the concern that Mr. Catella may have provided false and/or misleading information to the Committees. Due to the seriousness of this matter, we are compelled to write to examine the circumstances that resulted in the CIA's provision of apparently false and/or misleading information to the Committees.

In the March 21 letter to the CIA, the Committees detailed how a whistleblower indicated that in August 2021, when IRS investigators were preparing to interview Patrick Kevin Morris, an associate of Hunter Biden, the CIA intervened to prevent the interview from going forward.<sup>3</sup> To communicate this information to the IRS and DOJ, the CIA summoned two DOJ officials to CIA headquarters in Langley, Virginia for a briefing.<sup>4</sup> To further the Committees' ongoing oversight and impeachment inquiry, the Committees asked the CIA to produce related documents and information.

On April 4, 2024, Mr. Catella provided a narrative response to the Committees' request that concluded unequivocally: "Without confirming or denying the existence of any associations or communications, CIA did not prevent or seek to prevent IRS or DOJ from conducting any

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<sup>1</sup> Letter from James Comer, Chairman, H. Comm. on Oversight & Accountability, & Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. William J. Burns, Dir., Central Intel. Agency (Mar. 21, 2024).

<sup>2</sup> Letter from James A. Catella, Dir., Off. of Congressional Affairs, Central Intelligence Agency, to Jim Jordan, Chairman, H. Comm. on the Judiciary, & James Comer, Chairman, H. Comm. on Oversight & Accountability (Apr. 4, 2024).

<sup>3</sup> Letter from James Comer, Chairman, H. Comm. on Oversight & Accountability, & Jim Jordan, Chairman, H. Comm. on the Judiciary, to Hon. William J. Burns, Dir., Central Intel. Agency (Mar. 21, 2024).

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

such interview. The allegation is false.”<sup>5</sup> On April 16, 2024, Judiciary Committee staff spoke to CIA Congressional Affairs staff regarding, among other things, Mr. Catella’s April 4 response.<sup>6</sup> Judiciary Committee staff asked the CIA if it could provide more information to corroborate Mr. Catella’s unsupported assertion.<sup>7</sup> To date, the CIA has failed to supplement its response or provide any documents responsive to the Committees’ March 21 letter.

Recently, in accordance with 26 U.S.C. § 6103, IRS Supervisory Special Agent (SSA) Gary Shapley provided information to the House Committee on Ways and Means regarding the CIA’s role in the events that led to senior IRS and/or DOJ officials not pursuing an interview with Mr. Morris.<sup>8</sup> Mr. Shapley’s affidavit, enclosed herein, states that in “August 2021, Assistant U.S. Attorney (AUSA) Lesley Wolf told the team that she and DOJ Tax Attorney Jack Morgan had recently returned from the [CIA] headquarters in Langley, Virginia, where they had been summoned to discuss Kevin Morris.”<sup>9</sup> At that meeting, AUSA Wolf indicated she and Mr. Morgan received a classified briefing regarding Mr. Morris and as a result of the briefing, they “could no longer pursue him as a witness.”<sup>10</sup> Notably, Mr. Shapley stated that “[i]t is unclear how the CIA became aware that Mr. Morris was a potential witness in the Hunter Biden investigation. . . .”<sup>11</sup> Investigators sought more information from AUSA Wolf but she was unable to share additional details due to the classified nature of the CIA’s briefing.<sup>12</sup>

According to email communications produced by SSA Shapley, also enclosed herein, he then requested a classified briefing from AUSA Wolf regarding the information that the CIA provided to her.<sup>13</sup> AUSA Wolf tasked Matthew McKenzie, a DOJ National Security Division attorney, with coordinating the meeting.<sup>14</sup> Mr. McKenzie indicated that a CIA-specific security clearance was required to receive the briefing—a clearance “that was unlikely to have been obtained by DOJ Tax Attorney Morgan or AUSA Wolf.”<sup>15</sup> AUSA Wolf then ignored SSA Shapley’s subsequent attempts to arrange the briefing, and SSA Shapley ultimately stopped requesting the briefing.<sup>16</sup>

In sum, SSA Shapley’s affidavit and the supporting documentation present clear and contemporaneous evidence that Mr. Catella’s assertion in his April 4, 2024 letter to the Committees was potentially false and/or misleading. Accordingly, in light of this new information, the Committees reiterate the requests in our March 21 letter, enclosed herein. In addition, given the seriousness of this matter and the importance of Congress receiving truthful

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<sup>5</sup> *Id.*

<sup>6</sup> Call between Committee Staff, H. Comm. on the Judiciary, and Off. of Congressional Affairs, Central Intelligence Agency (Apr. 16, 2024).

<sup>7</sup> *Id.*

<sup>8</sup> Statement of Gary Shapley, Supervisory Special Agent, Internal Revenue Serv. (May 14, 2024).

<sup>9</sup> *Id.* at 1-2.

<sup>10</sup> *Id.* at 2.

<sup>11</sup> *Id.*

<sup>12</sup> *Id.* at 2

<sup>13</sup> *Id.* at 2-3; *see also id.* at ex. 1.

<sup>14</sup> *Id.* at 3; *see also id.* at ex. 1.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

The Honorable William J. Burns

June 11, 2024

Page 3

and accurate information, we also request that you produce all documents and communications referring or relating to the preparation, drafting, editing, and review of Mr. Catella's April 4 letter. Please provide this information as soon as possible but not later than 5:00 p.m. on June 25, 2024. The Committees are prepared to resort to compulsory process to obtain compliance with our requests.

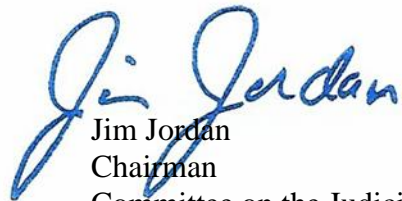
Finally, the Committees request a staff-level briefing by Mr. Catella and other relevant CIA employees concerning the circumstances that resulted in the CIA providing the Committees with potentially false and/or misleading information in its April 4 response. Please schedule this briefing as soon as possible but no later than 5:00 p.m. on June 25, 2024. To schedule the staff-level briefing, please coordinate with Oversight Committee staff at (202) 225-5074 and Judiciary Committee staff at (202) 225-6906.

Thank you for your prompt attention to this matter.

Sincerely,



James Comer  
Chairman  
Committee on Oversight and Accountability



Jim Jordan  
Chairman  
Committee on the Judiciary

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

The Honorable Jerrold L. Nadler, Ranking Member  
Committee on the Judiciary

Enclosures

IN THE MATTER OF: )  
)  
**WhistleBlower Disclosure Pursuant)**  
**To 26 U.S.C. § 6103(f)(5)** )  
)

**STATEMENT OF GARY SHAPLEY**

I, Gary Shapley, hereby provide the following statement:

1. I provide this statement to supplement the testimony I provided to both the majority and minority staff of the United States House of Representatives Committee on Ways & Means on Friday, May 26, 2023.
2. Since April 2018, I have been a Supervisory Special Agent for IRS-Criminal Investigation, U.S. Department of the Treasury ("IRS-CI"). In that role, I supervised line agents in carrying out the investigation of Hunter Biden for IRS-CI as that investigation related to potential criminal violations of Title 26 of the United States Code beginning in approximately January 2020.
3. I continued in that role until I was removed from the investigation by the U.S. Department of Justice in May 2023, after providing protected disclosures concerning prosecutors' mishandling of the investigation of Hunter Biden, to include conflicts of interest, preferential treatment, deviations from normal investigative procedures and conflicting information provided by Attorney General Merrick Garland to Congress related to the independence of the U.S. Attorney for the District of Delaware.
4. In and around August 2021, discussions were ongoing within the prosecution team on the Hunter Biden investigation concerning witnesses who needed to be interviewed in furtherance of the investigation. During a recurring prosecution team conference call in or around late August 2021, Assistant United States Attorney (AUSA) Lesley Wolf told


the team that she and DOJ Tax Attorney Jack Morgan had recently returned from the Central Intelligence Agency headquarters in Langley, Virginia, where they had been summoned to discuss Kevin Morris.

5. AUSA Wolf stated that they were provided a classified briefing in relation to Mr. Morris and as a result we could no longer pursue him as a witness. Investigators probed AUSA Wolf, but since her briefing was classified and she was apparently sanitizing it to an unclassified form to share over an open phone line, she did not elaborate with more information. She reiterated more than once that they were summoned to the CIA in Langley concerning Mr. Morris, and that because of the information provided there, he could not be a witness for the investigation.
6. AUSA Wolf proudly referenced a CIA mug and stated that she purchased some CIA “swag” at the gift shop while she was there.
7. It is unclear how the CIA became aware that Mr. Morris was a potential witness in the Hunter Biden investigation and why agents were not told about the meeting in advance or invited to participate. It is a deviation of normal investigative processes for prosecutors to exclude investigators from substantive meetings such as this.
8. On August 20, 2021, I emailed AUSA Wolf to request a classified briefing on the information that the CIA had provided concerning Mr. Morris (Exhibit 1, Page 3). The email stated, “Can you give me a call when you have a minute? I am looking to set up a time to talk with you in a secure location to get an update on one of the witnesses. My clear[redacted] is T[redacted] S[redacted]. I’m sure you understand that I have to, at a minimum, understand the issue at hand. I can come to Delaware. I can go to Baltimore and call to Delaware. Joe Gorden offered to facilitate whatever is most convenient.”

9. AUSA Wolf initially solicited DOJ National Security Division (NSD) Attorney Matthew McKenzie to assist with setting up the meeting. I do not recall whether it was on a telephone call or through another means, but NSD Attorney McKenzie referenced a clearance level of T S - HCS-O as a compartmentalized section required to receive the briefing. It is believed that the HCS-O compartment is a CIA-specific sensitive compartment that was unlikely to have been obtained by DOJ Tax Attorney Morgan or AUSA Wolf. It is possible that this was simply another roadblock placed in front of investigators to continue to deny investigators access to all relevant information.
10. Although AUSA Wolf initially appeared to be receptive to facilitating a briefing for me on the information, she ignored multiple attempts by me to arrange the briefing. Since obtaining this briefing was outside of my control, eventually I was forced to accept it would not happen. However, it served as yet another example of deviations from normal investigative processes in this matter.
11. AUSA Wolf did not provide this information in a secure facility or over a secure telephone line, and AUSA Wolf made no reference to what she had shared over the open phone line being classified information (which would have been an improper disclosure of classified information). As such, I share this information under the belief that it does not contain any classified information.

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Dated: 05/14/2024

  
\_\_\_\_\_  
Gary Shapley

## Exhibit 1

**From:** [McKenzie, Matthew \(NSD\)](#)  
**To:** [Wolf, Lesley \(USADE\)](#); [Shapley Gary A Jr](#)  
**Cc:** [Morgan, Jack A. \(TAX\)](#); [Daly, Mark F. \(TAX\)](#)  
**Subject:** RE: Update  
**Date:** Monday, August 23, 2021 10:32:04 AM  
**Attachments:** [image001.png](#)

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Gary,

I am reaching out to our partners today to explain the need to know. I believe the next step will be to run your clear [REDACTED] and then to arrange for an additional read in. In my experience, that all moves quickly.

To you have a TS email address? It is the easiest way for them to communicate.

**Matthew J. McKenzie**

Trial Attorney

Counterintelligence and Export Control Section

U.S. Department of Justice

National Security Division

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

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**From:** Wolf, Lesley (USADE) [REDACTED]  
**Sent:** Monday, August 23, 2021 10:29 AM  
**To:** Gary A. Shapley, Jr. [REDACTED]  
**Cc:** Morgan, Jack A. (TAX) [REDACTED]; McKenzie, Matthew (NSD) [REDACTED]; Daly, Mark F. (TAX) [REDACTED]  
**Subject:** RE: Update

Gary-

Matt McKenzie of NSD will coordinate. As a first step, he needs to confirm information relating to appropriate clear [REDACTED]. Between that and Jack's schedule, we are probably looking at Labor Day week.

Someone will be in touch shortly.

-Lesley

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**From:** Shapley Gary A Jr [REDACTED]  
**Sent:** Friday, August 20, 2021 4:10 PM  
**To:** Wolf, Lesley (USADE) [REDACTED]  
**Subject:** RE: Update

Lesley,

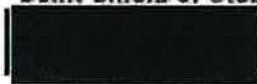
Sure that works. The only day I am not available is Friday. Just let me know the time and place.

Have a great weekend – I'll be at two soccer games on Saturday and two or three (if they make the finals) on Sunday.

Thanks.



**Gary A. Shapley Jr.**  
**Assistant Special Agent in Charge (Acting)**  
**New York Field Office – Branch D**  
**Joint Chiefs of Global Tax Enforcement – J5**



**WARNING:**

**LAW ENFORCEMENT SENSITIVE (LES) - FOR OFFICIAL USE ONLY (FOUO)**

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**From:** Wolf, Lesley (USADF) [REDACTED]  
**Sent:** Friday, August 20, 2021 3:59 PM  
**To:** Shapley Gary A Jr [REDACTED]  
**Subject:** RE: Update

Gary,

Let's connect on this early next week. I think it may make more sense to do this in DC at Main Justice and have Jack and our colleague Matt McKenzie from NSD participate.

Enjoy the weekend.

Lesley

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**From:** Shapley Gary A Jr [REDACTED]  
**Sent:** Friday, August 20, 2021 1:10 PM  
**To:** Wolf, Lesley (USADF) [REDACTED]  
**Subject:** Update

Lesley,



Can you give me a call when you have a minute? I am looking to set up a time to talk with you in a secure location to get an update on one of the witnesses. My clear [REDACTED] is T [REDACTED] S [REDACTED]. I'm sure you understand that I have to, at a minimum, understand the issue at hand.

I can come to Delaware. I can go to Baltimore and call to Delaware. Joe Gorden offered to facilitate whatever is most convenient.

My cell below is good. Thanks.



Gary A. Shapley Jr.  
Assistant Special Agent in Charge (Acting)  
New York Field Office – Branch D  
Joint Chiefs of Global Tax Enforcement – J5  
[REDACTED]

**WARNING:**

**LAW ENFORCEMENT SENSITIVE (LES) - FOR OFFICIAL USE ONLY (FOUO)**

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**Congress of the United States**  
Washington, DC 20515

March 21, 2024

The Honorable William J. Burns  
Director  
Central Intelligence Agency  
Washington, D.C. 20505

Dear Director Burns:

The House Committee on Oversight and Accountability (Oversight Committee) and the House Committee on the Judiciary (Judiciary Committee, collectively, the Committees) are investigating whether sufficient grounds exist to draft articles of impeachment against President Biden for consideration by the full House.<sup>1</sup> Along with the House Committee on Ways and Means (Ways and Means Committee), the Committees set forth in a September 27, 2023, memorandum the evidence justifying the inquiry and scope of this impeachment investigation.<sup>2</sup> On December 13, 2023, the House of Representatives adopted a resolution directing the Committees to continue this investigation.<sup>3</sup> Recently, the Committees received information from a whistleblower alleging that the Central Intelligence Agency (CIA) intervened in the investigation of Hunter Biden to prevent the Internal Revenue Service (IRS) and the Department of Justice (DOJ) investigators from interviewing a witness. We therefore write to request relevant material from the CIA.

As part of the impeachment inquiry, the Committees are investigating, among other things, whether President Biden “abuse[d] his power as President to impede, obstruct, or otherwise hinder investigations or the prosecution of Hunter Biden.”<sup>4</sup> As background, for years, the IRS and DOJ had been investigating Hunter Biden for tax crimes.<sup>5</sup> The Committees have documented how the DOJ deviated from its standard processes to afford preferential treatment to Hunter Biden.<sup>6</sup> The Committees learned about the deviations in the spring of 2023 after two brave whistleblowers testified to Congress that DOJ officials deviated “from the normal process that provided preferential treatment, in this case to Hunter Biden . . . .”<sup>7</sup> Among other deviations,

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<sup>1</sup> See H. Res. 918, 118<sup>th</sup> Cong. (2023) [H. Res. 918]; Memorandum from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability, Hon. Jim Jordan, Chairman, H. Comm. on the Judiciary, & Hon. Jason Smith, Chairman, H. Comm. on Ways & Means, to H. Comm. on Oversight & Accountability, H. Comm. on the Judiciary, & H. Comm. on Ways & Means. Re: Impeachment Inquiry (Sept. 27, 2023) [hereinafter Impeachment Inquiry Memorandum].

<sup>2</sup> See Impeachment Inquiry Memorandum.

<sup>3</sup> See H. Res. 918.

<sup>4</sup> Impeachment Inquiry Memorandum at 29.

<sup>5</sup> Transcribed Interview of Gary Shapley, Supervisory Special Agent, Internal Revenue Serv. at 12 (May 26, 2023).

<sup>6</sup> See H. COMM. ON THE JUDICIARY ET AL., 118TH CONG., THE JUSTICE DEPARTMENT’S DEVIATIONS FROM STANDARD PROCESSES IN ITS INVESTIGATION OF HUNTER BIDEN (2023).

<sup>7</sup> Shapley Interview at 10.

DOJ officials restricted what investigative steps the investigators could pursue, tipped off Hunter Biden's attorneys about investigative steps, and even prevented investigators from conducting witness interviews.<sup>8</sup> The whistleblowers' testimony about the preferential treatment provided to Hunter Biden has been corroborated by testimony from other witnesses and documents the Committees have received.<sup>9</sup>

The information we recently received from the whistleblower seems to corroborate our concerns about DOJ's deviations from standard process to provide Hunter Biden with preferential treatment. According to the whistleblower, in August 2021, when IRS investigators were preparing to interview Patrick Kevin Morris, an associate of Hunter Biden, the CIA intervened to stop the interview. Two DOJ officials were allegedly summoned to CIA headquarters in Langley, Virginia for a briefing regarding Mr. Morris. At that meeting, it was communicated that Mr. Morris could not be a witness during the investigation.

It is unknown why or on what basis the CIA allegedly intervened to prevent investigators from interviewing Mr. Morris. However, these allegations track with other evidence showing how the DOJ deviated from its standard investigative practices during the investigation of Hunter Biden. Accordingly, to further the Committees' ongoing oversight and impeachment inquiry, please provide the following documents and information:

1. All documents and communications referring or relating to the Department of Justice and/or Internal Revenue Service investigation of Robert Hunter Biden; and
2. All documents and communications referring or relating to Patrick Kevin Morris, including but not limited to efforts to interview Mr. Morris as part of the investigation of Robert Hunter Biden.

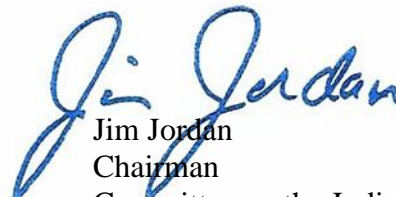
Please provide the information requested as soon as possible but no later than 5:00 p.m. on April 4, 2024. If you have any questions about this request, please contact Judiciary Committee staff at (202) 225-6906.

Thank you for your prompt attention to this matter.

Sincerely,



James Comer  
Chairman  
Committee on Oversight and Accountability



Jim Jordan  
Chairman  
Committee on the Judiciary

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<sup>8</sup> H. COMM. ON THE JUDICIARY ET AL., 118TH CONG., THE JUSTICE DEPARTMENT'S DEVIATIONS FROM STANDARD PROCESSES IN ITS INVESTIGATION OF HUNTER BIDEN, at 1-3 (2023).

<sup>9</sup> See *id.*

The Honorable William J. Burns

March 21, 2024

Page 3

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

The Honorable Jerrold L. Nadler, Ranking Member  
Committee on the Judiciary