

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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April 6, 2023

The Honorable James Comer  
Chairman  
Committee on Oversight and Accountability  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Comer:

It has been nearly three months since you assumed responsibility of the Committee, and in that time, I have grown increasingly alarmed by your efforts to shield information from Committee Democrats, including information collected as part of your investigation into members of the President's family. I am also troubled by your apparent public misrepresentations about certain investigative steps Committee Republicans have taken in this matter—a probe you have deemed your “top priority” in the 118th Congress.<sup>1</sup>

Our Committee has always adhered to the principle that equal access to information is the cornerstone of legitimate congressional oversight. This bedrock principle ensures that the Committee's Majority and Minority can equally assess the weight of evidence and credibility of witnesses in pursuit of facts and serious legislative insight. Therefore, I am profoundly disappointed by your ongoing violations of this principle and your apparent decision to abandon the long-standing bipartisan agreement between Committee Republicans and Democrats that expressly protects the Minority's right to equal access to information, including whistleblower information used as part of a Committee investigation.

I fear you have repeatedly offended this core understanding of our Committee's work by going on cable television to tout investigatory steps undertaken in secret or, more disturbingly, which may not have been taken at all. For example, on March 6, 2023, you announced on Fox News, to the surprise of Committee Democrats, that multiple individuals had recently provided the Committee with a range of information, stating:

We are fortunate though, that, last week we had a very good week in our, in the early stages of our investigation, we had four different people come in who are affiliated with what I call the Biden influence peddling all across the globe, they came in and they shared

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<sup>1</sup> E.g., *Oversight Chair Comer Reignites GOP's “Top Priority” Probe into Hunter Biden, Sets Hearing with Twitter Execs*, Fox News (Jan. 11, 2023) (online at [www.foxnews.com/politics/oversight-chair-comer-reignites-gops-top-priority-probe-hunter-biden-hearing-twitter-execs](http://www.foxnews.com/politics/oversight-chair-comer-reignites-gops-top-priority-probe-hunter-biden-hearing-twitter-execs)).

information with us that has been very helpful.<sup>2</sup>

When following up with your staff to ensure Committee Democrats had equal access to this newly announced information, Democratic staff were told that no new witness information, including from whistleblowers, had actually been provided to Committee Republicans and that your statements in fact referred only to *two* individuals: Eric Schwerin and Kathy Chung.<sup>3</sup> Democratic staff were also assured that all existing witness information had already been shared with the Minority. Filing away these obviously discordant representations, Democratic staff did not raise the issue further. Less than a week later, however, you doubled down on your claims that at least “four individuals” had provided information to Committee Republicans, stating that you had even met with some of them personally. As you announced during a March 13, 2023, Fox News interview:

We have individuals who are working with our Committee. In the last two weeks, we’ve met with either these individuals personally or with their attorneys. And that would be four individuals who had ties in with the Biden family on their various schemes around the world.<sup>4</sup>

Just this week, in a statement to *Breitbart*, you once again stated, “We are in communication with **four** former Biden family business associates.” This time, however, you reportedly characterized them as “whistleblowers.”<sup>5</sup> As you are aware, Mr. Schwerin and Ms. Chung, the two individuals your staff specifically identified as the individuals they understood to have been referenced during your March 6 Fox News interview, are not whistleblowers.<sup>6</sup> Indeed, neither Ms. Chung nor Mr. Schwerin have claimed to have—nor have they provided—any information about any wrongdoing by President Biden or his family.

Your repeated statements about “four people” suggest that either you have intentionally misrepresented the Committee’s investigative progress to your conservative audience or that key

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<sup>2</sup> *Oversight Republicans to Hold Eight Hearings on Biden Admin in Three Days: ‘Accountability Is Coming’*, Fox News (Mar. 6, 2023) (online at [www.foxnews.com/politics/oversight-republicans-hold-eight-hearings-biden-admin-three-days-accountability-coming](http://www.foxnews.com/politics/oversight-republicans-hold-eight-hearings-biden-admin-three-days-accountability-coming)).

<sup>3</sup> Neither Mr. Schwerin nor Ms. Chung had “come in” to share information with the Committee at the time of your remarks.

<sup>4</sup> *Comer Closing In: Oversight Finally Has Bank Records, Knows How Bidens Worked with CCP*, Hannity (Mar. 13, 2023) (online at <https://hannity.com/media-room/comer-closing-in-oversight-finally-has-bank-records-knows-how-bidens-worked-with-ccp/>).

<sup>5</sup> *James Comer: Four Biden Family Business Associates Cooperating With Investigation Into Joe Biden*, Breitbart (Apr. 3, 2023) (online at [www.breitbart.com/politics/2023/04/03/james-comer-four-biden-family-business-associates-cooperating-investigation-joe-biden/](http://www.breitbart.com/politics/2023/04/03/james-comer-four-biden-family-business-associates-cooperating-investigation-joe-biden/)) (emphasis added). The same day, on Fox Business News, you stated “We are in communication with four former Biden family business associates”—yet you never once mentioned that they were “whistleblowers.” *Mornings With Maria*, Fox Business News (Apr. 3, 2023) (online at <https://twitter.com/MorningsMaria/status/1642863807432097794>).

<sup>6</sup> Nor can Ms. Chung reasonably be considered a “Biden family business associate[.]” *James Comer: Four Biden Family Business Associates Cooperating With Investigation Into Joe Biden*, Breitbart (Apr. 3, 2023) (online at [www.breitbart.com/politics/2023/04/03/james-comer-four-biden-family-business-associates-cooperating-investigation-joe-biden/](http://www.breitbart.com/politics/2023/04/03/james-comer-four-biden-family-business-associates-cooperating-investigation-joe-biden/)).

investigative steps have been deliberately withheld from Committee Democrats. In either case, this failure to act transparently and candidly, and to provide the Minority with equal access to Committee information, undermines your pledge to pursue “a credible investigation based on facts that is fair and balanced.”<sup>7</sup> Indeed, your misrepresentations and refusal to disclose relevant information to the Committee call into serious question your investigative techniques, the “facts” you have uncovered, and the narratives you appear intent on composing.

Your evasive treatment of witness information also permeates your handling of physical evidence. For the past ten months, you have refused to share with the Minority a copy of the “hard drive” reportedly obtained from Hunter Biden’s missing laptop even as you repeatedly refer to it in letters and reports, and frequently invoke documents purportedly obtained from it.<sup>8</sup> You have even used this information to seek the personal financial information of private citizens—dating as far back as January 2009—through the use of compulsory process.<sup>9</sup>

Rather than provide the Minority with equal access to this drive, you have directed us to obtain the information from other sources—including from a questionable public website or from John Paul Mac Isaac, the owner of the computer repair shop that allegedly obtained Hunter Biden’s laptop. But Mr. Mac Isaac has called into serious question the integrity of the same hard drive he reportedly unlawfully disseminated, stating that it may have been compromised by its mysterious chain of custody and some information now attributed to it cannot be verified or authenticated.<sup>10</sup> You have therefore directed Committee Democrats to unconfirmed sources

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<sup>7</sup> *Republican Leading Oversight Committee Discusses Plans to Investigate Biden*, PBS News Hour (Jan. 20, 2023) (online at [www.pbs.org/newshour/show/republican-leading-oversight-committee-discusses-plans-to-investigate-biden](http://www.pbs.org/newshour/show/republican-leading-oversight-committee-discusses-plans-to-investigate-biden)).

<sup>8</sup> See, e.g., *FBN Interview of Rep. James Comer (R-KY)*, Fox Business Network (June 28, 2022) (transcript on file with Committee Democrats) (stating “We have the laptop. Of course, we all know now that [it] is in fact Hunter Biden’s laptop.”); Letter from Ranking Member James Comer, Committee on Oversight and Reform, to Eric D. Schwerin, Institute for Ethical Awareness (Nov. 17, 2022) (online at <https://oversight.house.gov/wp-content/uploads/2022/11/2022-11-17-Schwerin-follow-up.pdf>) (citing “[d]ocuments on file with the Comm[ittee]”); Letter from Ranking Member James Comer, Committee on Oversight and Reform, to the Honorable Janet Yellen, Department of the Treasury (Sept. 20, 2022) (online at <https://oversight.house.gov/wp-content/uploads/2022/09/Letter-to-Treasury-09-20-2022-FINAL-REDACTED.pdf>) (citing emails and WhatsApp messages of Hunter Biden); Minority Staff, Committee on Oversight and Reform, *A President Compromised: The Biden Family Investigation* (Nov. 17, 2022) (online at <https://republicans-oversight.house.gov/report/interim-staff-report-a-president-compromised-the-biden-family-investigation/>) (stating that Republican Committee staff “obtained a copy of the laptop” and repeatedly cited emails from the laptop as being “on file with the Committee”); *Rep. James Comer: Hunter Biden Was ‘Knee-Deep’ with China*, Fox Business (Feb. 15, 2023) (online at <https://video.foxbusiness.com/v/6320417388112#sp=show-clips>) (asserting “there is very damaging evidence within that hard drive”); Committee on Oversight and Accountability, *Hearing on Protecting Speech from Government Interference and Social Media Bias, Part 1: Twitter’s Role in Suppressing the Biden Laptop Story* (Feb. 8, 2023) (online at <https://oversight.house.gov/hearing/protecting-speech-from-government-interference-and-social-media-bias-part-1-twiters-role-in-suppressing-the-biden-laptop-story/>) (stating “the reason the laptop is important is because there is evidence on there about potential corruption”).

<sup>9</sup> E.g., Letter from Chairman James Comer, Committee on Oversight and Accountability, to Brian Moynihan, Chairman and Chief Executive Officer, Bank of America (Feb. 27, 2023) (citing emails “on file with Committee staff”).

<sup>10</sup> *Now Warning About Hunter Biden-Laptop Disinfo: The Guy Who Leaked It*, Washington Post (Apr. 12, 2022) (online at [www.washingtonpost.com/politics/2022/04/12/now-warning-about-hunter-biden-laptop-disinfo-](http://www.washingtonpost.com/politics/2022/04/12/now-warning-about-hunter-biden-laptop-disinfo-)

without validating their contents and have refused to confirm that the drive in the possession of Committee Republicans was provided to the Majority by Mr. Mac Isaac, making it impossible to understand what version of the several purported laptop hard drives in circulation Committee Republicans are relying on to support their various requests and subpoenas. These actions are incompatible with long-standing Committee practice on information-sharing and cast doubt on the motivations for your “top-priority” investigation.<sup>11</sup>

The irony of this pattern of concealment and obfuscation is that, while Committee Republicans are putatively focused on the question of financial entanglements of presidential family members as a legislative inquiry, they categorically refuse to investigate the outrageous official misconduct by former President Trump and his family, especially his son-in-law Jared Kushner, who brought home more than \$2 billion dollars from Saudi Arabia and other Middle East governments to a corporation he registered the day after the Trump Administration ended.<sup>12</sup> This refusal to investigate *blatant* government misconduct while violating the most cherished traditions of this Committee in pursuit of dirt on the President’s family suggests this investigation is an act of political retribution rather than a legitimate exercise of congressional oversight.

Committee tradition and institutional integrity compel you to share any and all information you have collected as part of this investigation with Committee Democrats. In light of the issues described herein, I am requesting that you provide the following:

1. Access to all documents and materials relating to your investigation of Hunter Biden, including that obtained from the hard drive in Committee Republicans’ possession;
2. Information regarding when Majority staff received the hard drive, how it received the hard drive, from whom it received the hard drive, and any additional

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guy-who-leaked-it/). Notably, Mr. Mac Isaac was reportedly responsible for accessing the contents of Mr. Hunter Biden’s laptop, copying it, and disseminating it to various individuals, including Rudy Giuliani.

<sup>11</sup> See, e.g., *Inside the Backchannel Communications Keeping Donald Trump In The Loop On Republican Investigations*, CNN (Mar. 28, 2023) (online at [www.cnn.com/2023/03/28/politics/trump-gop-investigations-backchannel/index.html](http://www.cnn.com/2023/03/28/politics/trump-gop-investigations-backchannel/index.html)) (“The decision of what to investigate also underscores the extent to which Republican-led committees are willing to act as a shield for the embattled former president, as well as attempt to inflict damage on Biden ahead of the 2024 presidential election.”); see also Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability, to Chairman James Comer, Committee on Oversight and Accountability (Mar. 12, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/FINAL%202023.03.12.%20JBR%20to%20Comer%20re%20Mazars%20BoFA%20Subpoena.pdf>).

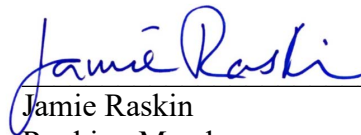
<sup>12</sup> *Kushner Firm Got Hundreds of Millions From 2 Persian Gulf Nations*, New York Times (Mar. 30, 2023) (online at [www.nytimes.com/2023/03/30/us/politics/jared-kushner-qatar-united-arab-emirates.html](http://www.nytimes.com/2023/03/30/us/politics/jared-kushner-qatar-united-arab-emirates.html)) (revealing that “[t]he Emiratis invested more than \$200 million with Mr. Kushner’s firm, Affinity Partners” and that “A Qatari entity invested a similar sum.”); see also Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability, to Chairman James Comer, Committee on Oversight and Accountability (Mar. 12, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/FINAL%202023.03.12.%20JBR%20to%20Comer%20re%20Mazars%20BoFA%20Subpoena.pdf>).

information that will allow the Minority to evaluate its authenticity;<sup>13</sup>

3. Access to any witness information you have relied on in any public statements or Committee work product, including letters or reports; and
4. The names of the “four individuals” you have repeatedly referenced on national television and the dates on which they met with Committee Republicans or staff.<sup>14</sup>

I hope you will provide this information swiftly and ensure the Minority has full access to information collected by Committee Republicans as part of this and other investigations. Failing to do so would violate a fundamental principle of our shared fact-finding mission and mark a significant break from long-standing Committee practice. I hope and trust we can resolve these issues to ensure that these investigations are conducted transparently and fairly.

Sincerely,



Jamie Raskin  
Ranking Member  
Committee on Oversight and Accountability

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<sup>13</sup> Your November 17, 2022, interim staff report was also based on “other evidence obtained by Committee investigators.” Minority Staff, Committee on Oversight and Reform, *A President Compromised: The Biden Family Investigation* (Nov. 17, 2022) (online at <https://republicans-oversight.house.gov/report/interim-staff-report-a-president-compromised-the-biden-family-investigation/>). As stated above, in the interest of fairness and a balanced review of the facts, Committee Republicans should immediately provide Committee Democrats with access to all documents they are relying on in this investigation.

<sup>14</sup> Despite your apparent decision to abandon the long-standing bipartisan agreement between Committee Republicans and Democrats, to the extent any of these individuals are, in fact, whistleblowers, Committee Democrats will abide by the agreement’s whistleblower protocol, including all confidentiality provisions.