

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
MINORITY (202) 225-5051
<https://oversight.house.gov>

MEMORANDUM

August 16, 2023

To: Democratic Members of the Committee on Oversight and Accountability

Fr: Democratic Staff

Re: Transcribed Interview of Former FBI Supervisory Special Agent

On July 11, 2023, Chairman Comer issued a subpoena demanding that a former Federal Bureau of Investigation (FBI) Supervisory Special Agent (SSA), who until his retirement in June 2022, was assigned to the Department of Justice's (DOJ) Hunter Biden investigation led by U.S. Attorney, and now Special Counsel, David Weiss, appear before the Committee. The interview took place less than a week later, on July 17, 2023.¹ The SSA's statements during this interview clearly debunked Republicans' claims of political interference in DOJ's investigation and prosecution of Hunter Biden. Yet, despite multiple calls by Ranking Member Raskin for Chairman Comer to publicly release the transcript and allow the American people to draw their own conclusions based on all of the facts, Chairman Comer waited four weeks to release the transcript and did so only after first providing it to *Fox News*.²

Notably, Chairman Comer's decision to release this transcript on Monday, August 14, 2023, coincided with reporting that Fulton County District Attorney Fani Willis would soon present an indictment in Georgia against former President Donald Trump for attempting to

¹ Committee on Oversight and Accountability, Transcribed Interview of former FBI Supervisory Special Agent (July 17, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/FBI-SSA-Transcribed-Interview-Transcript.pdf>).

² Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability to Chairman James Comer, Committee on Oversight and Accountability (July 28, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-07-28.JBR%20to%20Comer%20re%20FBI%20SSA%20Transcript.pdf>); *Press Release: Ranking Member Raskin's Statement on Transcribed Interview with Former FBI Supervisory Special Agent* (July 17, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskin-s-statement-on-transcribed-interview-with-former-fbi>); *FBI Agent Says Biden Transition Team, Secret Service Were Tipped Off on 2020 Plans to Interview Hunter Biden*, Fox News (Aug. 14, 2023) (online at www.foxnews.com/politics/fbi-agent-says-biden-transition-team-secret-service-were-tipped-off-on-plans-to-interview-hunter-biden). See also *Devon Archer Says Hunter Used Joe Biden as 'Defensive Leverage' For Foreign Biz Partners, Transcript Shows*, Fox News (Aug. 3, 2023) (online at www.foxnews.com/politics/devon-archer-hunter-used-joe-biden-as-defensive-leverage-to-send-right-signals-to-foreign-biz-partners) (Providing Devon Archer interview transcript to *Fox News* before its release).

subvert the 2020 presidential election, which she did later that day.³ Monday’s release follows Chairman Comer’s decision to release the Devon Archer transcript on the very same day that Donald Trump was arraigned on federal charges of conspiring to defraud the United States, obstructing congressional proceedings to certify the results of the 2020 presidential election, and preventing Americans from exercising their constitutional right to vote.⁴

Both the SSA and Mr. Archer’s interview transcripts reveal committee Republicans’ “investigation of Joe Biden” as a complete and utter failure.⁵ Though they have attempted to cherry-pick, distort, and mischaracterize facts, Republicans have failed to show any evidence of wrongdoing by President Biden. The Committee has reviewed bank records and suspicious activity reports (SARs) filed by banks, and it has interviewed Hunter Biden’s business associates, all of which has only further corroborated the fact that President Biden was not involved in Hunter Biden’s business dealings—a fact Committee Republicans have themselves half-heartedly conceded in recognizing that despite years of investigations by Senate and House Republicans, they have failed to identify any “payments directly to the President.”⁶

However, rather than be forthcoming about the fact that congressional Republicans have been unable to find a shred of evidence showing wrongdoing by the President despite years of investigation, they have repeatedly focused on the conduct of Hunter Biden, a private adult citizen, to attack his father. By his own admission, Hunter Biden has broken the law by failing to pay his taxes certain years and making misrepresentations in connections with the purchase of

³ See e.g., *Trump Election Interference Case to Go to Grand Jury in Georgia Early Next Week*, New York Times (Aug. 12, 2023) (online at www.nytimes.com/2023/08/12/us/trump-georgia-election-trial.html); *Trump and 18 Co-defendants Charged with Racketeering in Georgia 2020 Election Probe*, NBC News (Aug. 14, 2023) (online at www.nbcnews.com/politics/donald-trump/trump-indicted-georgia-racketeering-rcna74912).

⁴ *Trump, Arraigned on Election Charges, Pleads Not Guilty*, New York Times (Aug. 3, 2023) (online at www.nytimes.com/2023/08/03/us/politics/trump-arraignment-court.html); Indictment, United States v. Donald J. Trump (Aug. 1, 2023) (online at www.justice.gov/storage/US_v_Trump_23_cr_257.pdf).

⁵ E.g., *House Republicans Vow to Investigate Biden and His Family’s Business Dealings*, CNN (Nov. 17, 2022) (online at www.cnn.com/2022/11/17/politics/house-republicans-white-house-hunter-biden/index.html) (quoting Chairman Comer: “I want to be clear: This is an investigation of Joe Biden”); *James Comer: This Is Good News for the Biden Investigation*, Fox Business (July 27, 2023) (online at www.youtube.com/watch?v=jNhEwZZc6uk) (“And that’s what our investigation has been about from day one. It’s always been about Joe Biden.”).

⁶ Memorandum from Republican Staff to Republican Members of the Committee on Oversight and Accountability, *Third Bank Records Memorandum from the Oversight Committee’s Investigation into the Biden Family’s Influence Peddling and Business Schemes* (Aug. 9, 2023) (online at https://oversight.house.gov/wp-content/uploads/2023/08/Third-Bank-Records-Memorandum_Redacted.pdf). See also, e.g., Committee on Oversight and Accountability, *Hearing with IRS Whistleblowers About the Biden Criminal Investigation* (July 19, 2023) (online at <https://oversight.house.gov/hearing/hearing-with-irs-whistleblowers-about-the-biden-criminal-investigation/>) (Republican Rep. Chuck Edwards stated: “And I’ve heard over and over that President Biden has not been implicated or proven for any wrongdoing here, and I acknowledge that for now, but I know that it is the intent of this Oversight Committee to continue to look at the evidence that we have here.”); *James Comer: Biden Lied, Was ‘Involved’ in Hunter Business Schemes*, Fox News (May 11, 2023) (online at www.foxnews.com/video/6327216678112) (*Fox News* host Steve Doocy stated: “You don’t actually have any facts to that point. You’ve got some circumstantial evidence, and the other thing is of all those names, the one person who didn’t profit—there’s no evidence that Joe Biden did anything illegally.”); *Fox & Friends*, Fox News (Aug. 10, 2023) (online at <https://nation.foxnews.com/watch/069b5c005bd404e74882787bcbf13b21/>) (*Fox News* host Steve Doocy stated Republicans “have not shown that Joe Biden profited personally, or he had broken any rules.”).

a firearm. He also appears to have engaged in conduct that is common in lobbying and government relations in Washington—trading on family names and Washington connections, and, in the case of Hunter Biden the “illusion of access” to his father.⁷ However, this Committee’s investigation, as well as Senate Republicans investigation for years before it, have repeatedly found that President Biden never took any official action to benefit Hunter Biden, his clients, or his business partners.⁸

I. REPUBLICANS HAVE WEAPONIZED CONGRESSIONAL RESOURCES TO DISTRACT FROM FORMER PRESIDENT TRUMP’S NUMEROUS CRIMINAL INDICTMENTS AND BOOST HIS RE-ELECTION CAMPAIGN

Monday’s release of the SSA’s transcript is the most recent episode in congressional Republicans’ campaign to weaponize Congress and this Committee to do the political bidding of former President Trump as he runs for re-election with the baggage of numerous criminal indictments. Chairman Comer’s release of the SSA’s transcript coincided with growing speculation that Fulton County District Attorney in Georgia, Fani Willis, was expected to present an indictment against the former President related to Mr. Trump’s efforts to subvert the 2020 election, which she did later that day.⁹ This follows Chairman Comer’s decision two weeks ago to release Mr. Archer’s transcript on the same day that former President Trump was arraigned on federal charges regarding his efforts to remain in power after he lost the 2020 presidential election, including his role in the January 6, 2021, attack on the U.S. Capitol.

Mr. Trump has made plain his expectation that Republican Members of Congress serve his campaign by parroting allegations of corruption against his political rival, President Biden, on pain of retribution, warning recently: “Any Republican that doesn’t act on Democratic fraud should be immediately primaried.”¹⁰ Committee Republicans’ deliberate distortion of witness statements in Committee interviews and strategic release of transcripts to try and obscure former President Trump’s growing legal problems demonstrate the complete weaponization of this Committee and abandonment of any serious legislative purpose. As President Trump promised at a political rally early last year: “When Republicans retake Congress, the Biden corruption will

⁷ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>).

⁸ *E.g., Id.*; Memorandum from Democratic Staff to Democratic Members of the Committee on Oversight and Accountability, *Chairman Comer’s Misuse and Distortion of Confidential Bank Information* (May 10, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023.05.10%20Memo%20to%20Members%20re%20Misuse%20and%20Distortion%20of%20Confidential%20Bank%20Information%20FINAL.pdf>); United States Senate Committee on Homeland Security and Governmental Affairs and Senate Finance Committee Minority Staff Report, *Election Interference: Majority Investigation Amplifies Russian Attack on 2020 Election* (Sept. 23, 2020) (online at www.hsgac.senate.gov/wpcontent/uploads/imo/media/doc/200923_FullReport_PetersHSGACWydenFinance.pdf).

⁹ See, e.g., *Trump Election Interference Case to Go to Grand Jury in Georgia Early Next Week*, New York Times (Aug. 12, 2023) (online at www.nytimes.com/2023/08/12/us/trump-georgia-election-trial.html); *Trump and 18 Co-defendants Charged with Racketeering in Georgia 2020 Election Probe*, NBC News (Aug. 14, 2023) (online at www.nbcnews.com/politics/donald-trump/trump-indicted-georgia-racketeering-rcna74912).

¹⁰ *Trump Threatens Republicans Who Don’t Help Him Exact Vengeance*, New York Times (Aug. 2, 2023) (online at www.nytimes.com/2023/07/29/us/politics/trump-pennsylvania-rally.html).

be investigated and exposed by Congress.” The goal, he made clear, was “to kick the Biden crime family out of the White House in 2024.”¹¹

This radical misuse of congressional resources by Republican Members of Congress to boost Mr. Trump’s election prospects is no secret strategy. In August 2020, Senator Ron Johnson declared that his Committee’s investigation into the Obama Administration and the Biden family “would certainly help Donald Trump win reelection.”¹² At a Conservative Political Action in 2022, Rep. Jim Jordan promised the Hunter Biden investigation would “frame up the 2024 race, when I hope and I think President Trump is going to run again. And we need to make sure he wins.”¹³

Upon taking over the Committee gavel, Chairman Comer allowed Donald Trump’s personal attorneys to relieve the former President’s accounting firm, Mazars, from its obligation to produce additional financial records pursuant to a Committee subpoena and a court-supervised settlement agreement.¹⁴ He did so despite the fact that the documents previously provided by Mazars had revealed shockingly pervasive conflicts of interest, self-dealing, and foreign financial ties, arising largely from millions of dollars in payments by foreign governments and associated entities directly to Trump-owned businesses throughout the Trump presidency. This was unprecedented in presidential history and in blatant violation of the Foreign Emoluments Clause of the U.S. Constitution.¹⁵

Despite his recent claim that he has “been vocal” that he thinks “what Kushner did crossed the line of ethics,” Chairman Comer effectively ended the investigation Committee Democrats launched last Congress into Mr. Kushner’s astounding receipt of billions of dollars in investments from Middle Eastern sovereign wealth funds, including \$2 billion that Mr. Kushner received from Saudi Arabia’s sovereign wealth fund chaired by Crown Prince Mohammed Bin Salman shortly after leaving his position as a top White House adviser responsible for Middle Eastern policy.¹⁶ In a moment of candor, Chairman Comer agreed with a reporter’s suggestion

¹¹ *Trump: “We’re Going to Kick the Biden Crime Family Out of the White House in 2024”*, RealClear Politics (Jan. 29, 2022) (online at www.realclearpolitics.com/video/2022/01/29/trump_were_going_to_kick_the_biden_crime_family_out_of_the_white_house_in_2024.html).

¹² *Besieged on All Sides, Ron Johnson Says His Probe ‘Would Certainly’ Help Trump Win Reelection*, Politico (Aug. 13, 2020) (online at www.politico.com/news/2020/08/13/dems-ron-johnson-probe-trump-win-reelection-394987).

¹³ Sean Hannity, Rep. Jim Jordan & Others at CPAC Conference in Texas (Aug. 4, 2022) (online at www.cspan.org/video/?522151-109/conservative-political-action-conference-rep-jim-jordan).

¹⁴ *Trump v. Committee on Oversight and Reform*, No. 1:19-cv-01136-APM, Order, Doc. 81 (D.D.C. Sept. 12, 2022).

¹⁵ 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>).

¹⁶ *‘What Did the President Do Wrong?’: Tapper Presses Republican Probing Biden*, CNN (online at www.cnn.com/videos/politics/2023/08/11/james-comer-house-oversight-committee-biden-tapper-lead-vpx.cnn) (accessed Aug. 14, 2023); Letter from Ranking Member Jamie Raskin, House Committee on Oversight and

that it was just “politically unsustainable” for him to investigate Mr. Kushner.¹⁷

Instead, under Chairman Comer’s leadership, the Committee has focused its time and resources on what Chairman Comer has called his “top priority” investigation of President Biden—the endless probe, which has proven to be a lost-in-the-wilderness fishing expedition yielding no evidence of wrongdoing of any kind by the President. This past May, Chairman Comer offered a glimpse of the plainly partisan character of this investigation: “You look at the polling, and right now Donald Trump is seven points ahead of Joe Biden and trending upward, Joe Biden’s trending downward.” Chairman Comer added that “the American people are keeping up with our investigation.”¹⁸

These statements register an historical echo of House Republicans’ use of the House Select Committee on Benghazi in the 114th Congress to attack former Secretary of State Hillary Clinton as she ran for President. In 2015, then-Majority Leader Kevin McCarthy said that the creation of the Select Committee succeeded in causing political harm to Secretary Hillary Clinton: “Everybody thought Hillary Clinton was unbeatable, right? But we put together a Benghazi Special Committee, a select committee. What are her numbers today? Her numbers are dropping.”¹⁹

Republican efforts to leverage Congress’s investigative authority to bolster Donald Trump have often involved attacking the law enforcement agencies and prosecutors, at both federal and state levels, that have investigated and brought dozens of criminal charges against him for the numerous, serious crimes he has brazenly committed. For example, during a rally following the FBI’s execution of a lawful, court-authorized search warrant at his Mar-a-Lago club in August 2022, Mr. Trump called the FBI and DOJ “vicious monsters controlled by radical left scoundrels lawyers [*sic*] and the media who tell them what to do.”²⁰ The following month, Rep. Elise Stefanik, Chair of the House Republican Conference, called on FBI Director Christopher Wray to resign, describing the FBI as “the same agency that colluded with Big Tech to suppress the Hunter Biden laptop story leading up to the 2020 elections” and claiming that

Accountability to Chairman James Comer, Committee on Oversight and Accountability (Apr. 6, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-04-06.JBR%20to%20Comer%20re%20Laptop%20Witnesses%20FINAL.pdf>).

¹⁷ *Comer, Republicans’ Investigative Chief, Embraces Role of Biden Antagonist*, New York Times (Mar. 21, 2023) (online at www.nytimes.com/2023/03/21/us/politics/james-comer-republican-oversight-biden.html).

¹⁸ *House GOP Chairman Links His Investigation to Biden’s Poll Numbers Biden*, Washington Post (May 22, 2023) (online at www.washingtonpost.com/politics/2023/05/22/james-comer-biden-investigation-polls/); *McCarthy to Meet Monday on Debt Ceiling 10 Days Before Funding Crunch*, Fox News (May 22, 2023) (online at www.foxnews.com/politics/biden-mccarthy-meet-monday-debt-ceiling-10-days-funding-crunch); *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-twitterexecs).

¹⁹ *McCarthy’s Benghazi Gift to Team Hillary*, Politico (Oct. 1, 2015) (online at www.politico.com/story/2015/10/hillary-clinton-benghazi-kevin-mccarthy-214325).

²⁰ *Read Everything Donald Trump Said at His First Rally After Mar-a-Lago Raid*, Newsweek (Sept. 3, 2022) (online at www.newsweek.com/read-everything-donald-trump-said-his-first-rally-after-mar-lago-raid-1739683).

“the leadership of the FBI continues to do everything that they can to target President Trump but also target the American people, target patriotic Americans who are conservatives.”²¹

Members of the Oversight Committee have launched attacks on the FBI—some even going so far as to call for the agency to be abolished. Last August, Rep. Paul Gosar advocated for a “complete dismantling” of the FBI, which he described as “democrat brown shirts,” declaring that “we must destroy the FBI.”²² Following months of relentless attacks, on May 16, 2023, Rep. Marjorie Taylor Greene introduced articles of impeachment against FBI Director Christopher Wray, claiming: “Under [Director] Wray’s watch, the FBI has intimidated, harassed, and entrapped American citizens that have been deemed enemies of the Biden regime. As such, Director Wray has turned the FBI into Joe Biden and Merrick Garland’s personal police force.”²³

In June of this year, Chairman Comer initiated contempt proceedings against Director Wray for responding to a congressional subpoena by making the requested document, an FBI Form FD-1023, available for *in camera* review—a basis for the use of congressional contempt for which Committee staff could find no precedent. Although the second-hand, unverified allegations reported in that document have been repeatedly debunked for years, Chairman Comer accused the FBI of a “coverup” and, echoing Donald Trump, claimed that “Americans have lost trust in the FBI’s ability to enforce the law impartially[.]”²⁴ Soon after, Chairman Comer and

²¹ Rep. Elise Stefanik, *Press Release: Stefanik Calls for FBI Director Christopher Wray to Resign* (Sept. 30, 2022) (online at <https://stefanik.house.gov/2022/9/icymi-stefanik-calls-for-fbi-director-christopher-wray-to-resign>).

²² Rep. Paul Gosar (@DrPaulGosar), Twitter (Aug. 8, 2022) (online at <https://twitter.com/DrPaulGosar/status/1556790609213546496>); Rep. Paul Gosar (@DrPaulGosar), Twitter (Aug. 8, 2022) (online at <https://twitter.com/RepGosar/status/1556821907726630915>).

²³ Rep. Marjorie Taylor Greene, *Press Release: Congresswoman Marjorie Taylor Greene Introduces Articles of Impeachment Against FBI Director Christopher Wray* (May 16, 2023) (online at <https://greene.house.gov/news/documentsingle.aspx?DocumentID=438>).

²⁴ Committee on Oversight and Accountability, *Press Release: Comer Releases Resolution Holding FBI Director Wray in Contempt of Congress* (June 7, 2023) (online at <https://oversight.house.gov/release/comer-releases-resolution-holding-fbi-director-wray-in-contempt-of-congress/>); Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability, to Director Christopher Wray, Federal Bureau of Investigation (June 16, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-06-16.JBR%20to%20Wray-FBI%20re%20Subpoena%20Briefing%20FINAL.pdf>); Letter from Ranking Member Jamie Raskin, House Committee on Oversight and Accountability to Chairman James Comer, Committee on Oversight and Accountability (June 29, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-06-29.JBR%20to%20Comer%20re%20Form-1023.pdf>); Letter from Lev Parnas to Chairman James Comer, Committee on Oversight and Accountability (July 18, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/Parnas%2C%20COA%20Letter%2C%20July%2018%2C%202023.pdf>); Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability to Chairman James Comer, Committee on Oversight and Accountability (July 28, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-07-28.JBR%20to%20Comer%20re%20FBI%20SSA%20Transcript.pdf>); Committee on Oversight and Accountability, *Press Release: Ranking Member Raskin’s Statement on Transcribed Interview with Devon Archer* (July 31, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskin-s-statement-on-transcribed-interview-with-devon-archer>); see also *Fox News Host Summarizes the GOP’s Shaky Impeachment Push*

Senator Grassley, who had admitted they had access to the contents of the document before it was shared by the FBI, released the document based on a copy provided by an FBI whistleblower, further proving that Chairman Comer’s subpoena and threat of contempt was mere political theater.²⁵

This past February, President Trump’s attorney wrote to House Judiciary Chairman Jim Jordan concerning the criminal investigation of Mr. Trump by the New York County District Attorney’s Office and called on Congress to investigate what he described as “an egregious abuse of power” at the hands of a “rogue local district attorney.”²⁶ The following month Chairman Comer, together with Judiciary Chairman Jim Jordan, and Committee on House Administration Chairman Bryan Steil—in a stunning instance of improper federal legislative intrusion into a state law enforcement proceeding—demanded that New York District Attorney Alvin Bragg provide communications, documents, and testimony about his investigation, which they described as an “unprecedented abuse of prosecutorial authority.”²⁷ The Chairmen sent their letter days after Mr. Trump baselessly attacked Mr. Bragg as a “George Soros-backed Radical Left Democrat prosecutor” running a “sham” investigation, and just weeks before Mr. Bragg announced an indictment against former President Trump.²⁸

Most recently, following news of the plea agreement between federal prosecutors and Hunter Biden, Mr. Trump took to Truth Social to once again baselessly attack the DOJ, writing: “Wow! The corrupt Biden DOJ just cleared up hundreds of years of criminal liability by giving Hunter Biden a mere ‘traffic ticket.’ Our system is BROKEN!”²⁹ Republican Members quickly parroted Mr. Trump’s attack. Speaker McCarthy claimed that the plea agreement was the result

Against Biden, Washington Post (July 26, 2023) (online at www.washingtonpost.com/politics/2023/07/26/fox-news-doocy-biden-impeachment/) (quoting *Fox News* host Steve Doocy as saying: “Here’s the problem . . . is [sic] the 1023 form makes a damning case against the Bidens, but it’s completely unverified. And in fact, there are certain critical parts of the story that have been refuted by the people in the story. So—so it’s problematic.”).

²⁵ Sen. Grassley, *Press Release: Grassley Obtains & Releases FBI Record Alleging VP Biden Foreign Bribery Scheme* (July 20, 2023) (online at www.grassley.senate.gov/news/news-releases/grassley-obtains-and-releases-fbi-record-alleging-vp-biden-foreign-bribery-scheme); *James Comer: “Pattern of Behavior” Suggest Allegations Against Biden Family Have Merit*, Fox News (May 31, 2023) (online at www.foxnews.com/video/6328573824112) (Chairman Comer admitted that he and Senator Grassley had “already seen the 1023 form” and “knew what was in the 1023 form.”).

²⁶ *House G.O.P., Defending Trump, Targets Bragg Ahead of Expected Indictment*, New York Times (Mar. 20, 2023) (online at www.nytimes.com/2023/03/20/us/politics/house-republicans-trump-indictment.html).

²⁷ Letter from Chairman Jim Jordan, Committee on the Judiciary, Chairman Bryan Steil, Committee on House Administration, and Chairman James Comer, Committee on Oversight and Accountability, to District Attorney Alvin Bragg, New York County (Mar. 20, 2023) (online at <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2023-03-20-jdj-bs-jc-to-bragg-re-trump-investigation.pdf>).

²⁸ *Donald Trump Is Launching a Preemptive Attack on Prosecutor Alvin Bragg in the Run-Up to a Possible Criminal Indictment in New York*, Business Insider (Mar. 17, 2023) (online at www.businessinsider.com/donald-trump-alvin-bragg-indictment-preemptive-attack-2023-3) (quoting Mar. 16, 2023, Truth Social posts by Donald Trump).

²⁹ *The Hill’s Morning Report—Trump: Double Standard in Hunter Biden Plea Deal* (June 21, 2023) (online at <https://thehill.com/newsletters/morning-report/4059954-the-hills-morning-report-trump-double-standard-in-hunter-biden-plea-deal/>).

of “the two-tier system in America,” and stated: “If you are the president’s leading political opponent, the DOJ tries to literally put you in jail and give you prison time. But if you are the president’s son, you get a sweetheart deal.”³⁰ In a June 29, 2023, joint statement to *Fox News*, Chairmen Jordan, Smith, and Comer accused the DOJ, FBI, Internal Revenue Service (IRS), and U.S. Secret Service of “working overtime to cover up for the Bidens” and called the actions taken by those agencies a “weaponization of federal law enforcement power.”³¹ Chairman Comer has openly discussed his efforts to interfere with Hunter Biden’s ongoing criminal matter and has even taken credit for the judge declining to immediately approve the plea agreement, stating at a July 26, 2023, hearing: “I think that you’re seeing our investigation that’s shined a light on the many wrongdoings of the Biden family has picked up a lot of credibility today, because now we see that there are a lot of crimes that this family’s committed and that played out in court today.”³²

II. TRANSCRIPTS CONFIRM THAT COMMITTEE REPUBLICANS HAVE MISREPRESENTED WITNESS STATEMENTS

A. Former FBI Supervisory Special Agent’s Transcript

The transcript of the FBI SSA’s interview undermines key aspects of the distorted narrative Chairman Comer and congressional Republicans have pushed regarding claims of political interference in the prosecution of President Biden’s son. The SSA clearly stated he “wasn’t aware of political interference” in the Hunter Biden matter.³³ Yet, Republicans have aggressively mischaracterized the SSA’s statements to promote false claims that President Biden or his Administration interfered in the investigation and prosecution of Hunter Biden. The SSA’s statements, and the fact that the investigation and prosecution of Hunter Biden is led by a U.S. Attorney appointed by then-President Trump and hand-picked by then-Attorney General Barr, who has requested and been granted Special Counsel status from Attorney General Garland, blatantly contradict Republicans’ narrative of political interference by the Administration.

For example, in contrast to Chairman Comer’s claims that President Biden’s “Justice Department has been actively engaged in a cover-up to protect the Bidens,” the former FBI Supervisory Special Agent undermined the notion that any decisions by U.S. Attorney Weiss or

³⁰ *Republicans Rage Over Hunter Biden—With Some Notable Exceptions*, The Hill (June 21, 2023) (online at <https://thehill.com/homenews/senate/4059290-republicans-rage-over-hunter-biden-with-some-notable-exceptions/>).

³¹ Committee on Oversight and Accountability, *Press Release: Comer, Jordan, Smith Seek Over a Dozen Transcribed Interviews Related to Agency Misconduct in Hunter Biden Investigation* (June 29, 2023) (online at <https://oversight.house.gov/release/comer-jordan-smith-seek-over-a-dozen-transcribed-interviews-related-to-agency-misconduct-in-hunter-biden-investigation>).

³² *Comer Says House Investigations Into Hunter Biden Given a ‘Lot Of Credibility’ After Plea Deal Crumbles*, Fox News (July 26, 2023) (online at www.foxnews.com/politics/comer-says-house-investigations-hunter-biden-given-lot-credibility-plea-deal-crumbles).

³³ Committee on Oversight and Accountability, *Transcribed Interview of former FBI Supervisory Special Agent at 49* (July 17, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/FBI-SSA-Transcribed-Interview-Transcript.pdf>).

his team were the result of political influence.³⁴ Instead, he offered that investigators and prosecutors frequently disagree over investigative steps and charging decisions, which, in his 20-year career, he witnessed frequently:

Q: My colleague asked you about the U.S. Attorney's Office for Delaware, with which you are familiar.

A: Yes.

Q: Are you familiar with U.S. Attorney Weiss?

A: Yes, I know him.

Q: Have you ever known U.S. Attorney Weiss to make prosecutorial decisions based upon political influence?

A: No.

Q: Have you ever known any of the AUSAs in the U.S. Attorney's Office for the Office of Delaware to let their prosecutorial decisions be guided by political interference?

A: No.³⁵

* * *

Q: So it's a common circumstance for FBI agents to have disagreements with prosecutors about investigative steps. Is that fair?

A: Yes.³⁶

* * *

Q: Could it be that the reason for what you were observing was, in fact, caution and deliberateness in making investigative decisions?

A: Among others, yes.

Q: Did you ever have instances where you had disagreements with the prosecutors,

³⁴ Committee on Oversight and Accountability, *Press Release: Comer: IRS Whistleblowers Reveal Justice Department Attempted a Biden Family Cover-Up* (June 22, 2023) (online at <https://oversight.house.gov/release/comer-irs-whistleblowers-reveal-justice-department-attempted-a-biden-family-cover-up>).

³⁵ Committee on Oversight and Accountability, *Transcribed Interview of former FBI Supervisory Special Agent at 57-58* (July 17, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/FBI-SSA-Transcribed-Interview-Transcript.pdf>).

³⁶ *Id.* at 50.

not just about investigative steps, but charging decisions?

A: Absolutely.

Q: Were there instances where you thought there was – a charge should be – or a count should be charged because you felt the evidence was sufficient to warrant it and the prosecutors decided not to charge those counts?

A: Absolutely.

Q: Would you say that's common for special agents to have that kind of back and forth with prosecutors?

A: Common, but not – what's the word I'm looking for? It's common, but, you know, in my experience, I had very good working relationships with my – the assistant United States attorneys I worked with. We may have disagreements. I certainly recognized my role versus their role, where they're the ones that have to argue in front of a judge and jury, which I don't have to. I have to – I may have to testify, but it's their case to argue.

So ultimately, you know, we may have our differences, but it's usually a good relationship. We air out our differences, but, yeah, there are differences at times.³⁷

The former FBI SSA also explained that, in determining whether to seek a warrant in cases involving political candidates, attorneys, or election year sensitivities, it is DOJ policy that prosecutors must consider additional factors beyond whether probable cause exists. Mr. Shapley and Mr. Ziegler, the two IRS agents who testified before the Committee on July 19, 2023, criticized Assistant U.S. Attorney Lesley Wolf for her decision not to seek warrants in two separate instances—specifically, her October 2020 decision not to seek a warrant to search the guest house at the Bidens' Delaware residence where Hunter Biden stayed for a time, and her December 2020 decision not to seek a warrant for a storage unit supposedly containing records from Hunter Biden's law firm, Owasco.³⁸ However, as the former FBI SSA explained, these decisions, made during the Trump Administration, reflected longstanding DOJ policy with regard to both search warrants involving election year sensitivities and those involving the property of lawyers, public officials, or political candidates:

Q: I wanted to ask you a little bit about – you've done sensitive investigations as

³⁷ *Id.* at 50-51.

³⁸ Committee on Ways and Means, Transcribed Interview of Gary Shapley at 14, 17 (May 26, 2023) (online at https://waysandmeans.house.gov/wp-content/uploads/2023/06/Whistleblower-1-Transcript_Redacted.pdf); Transcribed Interview of Mr. X at 27 (June 1, 2023) (online at https://waysandmeans.house.gov/wpcontent/uploads/2023/06/Whistleblower-2-Transcript_Redacted.pdf); Committee on Oversight and Accountability, *Hearing with IRS Whistleblowers About the Biden Criminal Investigation* (July 19, 2023) (online at <https://oversight.house.gov/hearing/hearing-with-irs-whistleblowers-about-the-biden-criminal-investigation/>).

part of the public integrity section?

A: Public corruption squad, yes.

Q: Public corruption. My colleague was asking you about some of those, and I wanted to ask you specifically about search warrants.

A: Okay.

Q: So when you're presenting an application for a search warrant to a magistrate judge, you obviously need to establish probable cause to get the search warrant.

A: Correct.

Q: But particularly in sensitive cases, isn't it true that there are additional factors that prosecutors are supposed to consider before they make an application for a – such a search warrant beyond whether or not there is probable cause?

A: Well, I think –

Q: Let me maybe ask you a more specific question.

A: Sure.³⁹

* * *

Q: So are you aware of a DOJ policy, for example, that applies to search warrants at property that belongs to an attorney that instructs prosecutors that in order to avoid impinging on valid attorney-client relationships, prosecutors are expected to take the least intrusive approach consistent with vigorous and effective law enforcement when evidence is sought from an attorney engaged in the practice of law?

A: I don't know it word for word, but I understand that in practice.

Q: And so prosecutors are instructed by the Justice Department as a matter of policy that they should consider less intrusive means, such as a subpoena, instead of executing a search warrant. Is that fair?

A: That is fair.

Q: And so that is an additional consideration beyond whether or not there is probable cause to execute a search warrant. Is that correct?

³⁹ Committee on Oversight and Accountability, Transcribed Interview of former FBI Supervisory Special Agent at 53-54 (July 17, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/FBI-SSA-Transcribed-Interview-Transcript.pdf>).

A: Yes, assuming you had probable cause to even consider conducting a search. Yes, absolutely.

Q: So it would be proper, and by that I mean within DOJ policy, for an attorney to say to an agent, yes, there is probable cause to execute this search warrant, but we are not going to do it because there are less obtrusive means of obtaining the evidence?

A: That's reasonable, yes.

Q: So we discussed that in the context of search warrants at premises that belong to an attorney. Are you familiar with similar policies applying to property belonging to a public official or a political candidate?

A: Early in my career, I became somewhat familiar with that with a search on Capitol Hill with Congressman Jefferson's office. So, yes, I'm somewhat familiar that – ⁴⁰

* * *

Q: Are you aware generally of the Department of Justice policy that – with regard to election year sensitivities that cautions agents and prosecutors not to take any actions that might give the impression of – or that might affect an election?

A: Yes.

Q: So there are additional sensitivities during an election year that apply especially when they involve political figures or those close to political figures. Is that right?

A: Yes. ⁴¹

The former FBI SSA also acknowledged that leaks about an ongoing criminal investigation are harmful to an investigation's integrity. He explained that under certain circumstances, it would even be justifiable to remove an entire investigative team where there was reason to suspect a member of the investigative team was leaking information to the press and the specific source of the leak could not be identified. Although the Agent did not specifically discuss the October 6, 2022, *Washington Post* article entitled "Federal Agents See Chargeable Tax, Gun-Purchase Case Against Hunter Biden," or the decision to remove the IRS case agents from the Hunter Biden investigation following the publication of that article, he offered the following insight: ⁴²

⁴⁰ *Id.* at 55-56.

⁴¹ *Id.* at 57.

⁴² *Federal Agents See Chargeable Tax, Gun-Purchase Case Against Hunter Biden*, *Washington Post* (Oct. 6, 2022) (online at www.washingtonpost.com/national-security/2022/10/06/hunter-biden-tax-gun-charges/).

Q: Generally speaking, do you think it could be problematic for agents' views in any ongoing investigation to be publicly reported or released to news sources?

A: Yes.

Q: And it could create problems potentially for the integrity of an investigation?

A: Yes.⁴³

* * *

Q: Would it be reasonable for management to consider removing the entire investigative team in order to protect the integrity of the investigation?

A: I think that would be – dependent upon the circumstances, I think that is one reasonable decision that could be made. You know, whether it's – again, if there's other factors, if you think it's more likely one versus another, whether or not you really think the leak is coming from your team or not. You know, I don't trust that people misrepresent that they say they're close to the investigation when, in fact, they're not, or maybe they're in a different role, whether it's coming from some other role or agency.

You know, so I would – I would – you know, I'd want to protect the integrity of the investigation. I think that would be reasonable at times, but I would not want to make sweeping changes at the mere allegation that is not substantiated, you know, if that makes sense.

Q: But you agree that there are circumstances in which concern about a leak might justify management removing an entire investigative team to protect the integrity of an ongoing investigation?

A: Yes.⁴⁴

The former FBI SSA also provided context for FBI Headquarters' decision to alert U.S. Secret Service of its intent to interview Hunter Biden. He explained that, prior to attempting to interview Secret Service protectees, the FBI should take steps to ensure the safety of its agents by mitigating the risks of a surprise approach. Notably, the FBI also notified the Secret Service prior to executing a search warrant at President Trump's Mar-a-Lago club last August.⁴⁵ This directly contradicts Chairman Comer's claim that the U.S. Secret Service was "tipped off" in a

⁴³ Committee on Oversight and Accountability, Transcribed Interview of former FBI Supervisory Special Agent at 61 (July 17, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/FBI-SSA-Transcribed-Interview-Transcript.pdf>).

⁴⁴ *Id.* at 62–63.

⁴⁵ *Trump's Mar-a-Lago Estate Raided by FBI Agents, Sources Confirm*, ABC News (Aug. 8, 2022) (online at <https://abcn.ws/3dga72S>).

manner that was inappropriate or unprecedented.⁴⁶ The FBI SSA also stated that, while he was informed that an unspecified “transition team” would also be notified by FBI headquarters, he was not provided any actual details as to what transition team this referred to. The FBI SSA further clarified that he did not suspect any political purpose or improper motivation behind FBI headquarters’ putative decision in December 2020—once again, during the Trump Administration—to notify a “transition team” and U.S. Secret Service headquarters prior to Hunter Biden’s interview:

Q: And why notify Secret Service at all?

A: Well, I personally was not going to go to armed Secret Service agents and demand that I interview their protectee for two reasons. Number one, I did not believe they would let me in, which would frustrate us. And number two, they would cause us to wait and seek the permission of, most likely, their headquarters, because those agents in the field are doing their job, which is to protect their assigned protectee.

So it made common sense to me, as we would deconflict other potentially similar circumstances, that if we could make a notification in advance to speed the process so that if there was an opportunity to approach, that those agents that were, you know, at the street level protecting their protectee knew that we were coming and knew why we were coming.

You know, as somebody who has to provide protection, having an IRS supervisor and an FBI supervisor also armed coming to a scene would cause confusion. And at the worst case, you know, as we talk about law enforcement, it could be a blue on blue matter. They don’t know who we are. They don’t know if our credentials are faked. So, you know, those are things we’re thinking about.⁴⁷

* * *

Q: And did you receive any information about who in those respective agencies were notified?

A: No, beyond – again, our initial plan was the special agent in charge of the L.A. Field Office was the original intended recipient of our intent. But beyond that, I don’t know what levels at Secret Service headquarters, you know, by title. I have no idea.

⁴⁶ Committee on Oversight and Accountability, *Press Release: Comer Releases Former FBI Supervisory Special Agent’s Transcribed Interview Transcript* (Aug. 14, 2023) (online at <https://oversight.house.gov/release/comer-releases-former-fbi-supervisory-special-agents-transcribed-interview-transcript/>).

⁴⁷ Committee on Oversight and Accountability, *Transcribed Interview of former FBI Supervisory Special Agent at 45* (July 17, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/FBI-SSA-Transcribed-Interview-Transcript.pdf>).

Q: And when you say that the transition team was notified, how was that described?

A: I believe using those words. Somebody from the transition team was notified. And if they identified him, I cannot recall who or by role the person was.

Q: Did they explain what transition team this was or –

A: No. But as I said earlier, we knew, or at least I knew the transition team is usually made up of individuals appointed by the President-elect to help make the transition from one administration to the other and are working at the pleasure of the President-elect.

Q: Well, when there's a change in administration, there are a lot of various transitions that happen at various agencies, at various levels of government. There's a lot of transition planning that happens from one agency to the next – from one administration to the next. You'd agree with me?

A: I mean, that makes sense to me, yes.

Q: And so –

A: I haven't been part of a transition team, so I don't know.

Q: So when you were – so you were just told the transition team?

A: Yes.

Q: You didn't – you weren't told what transition team that was, at what level that was told?

A: I don't recall. I don't recall being told, and if I was, I don't recall now.

Q: Do you know whether this transition team was, in fact, advised?

A: I was told they were – no, I don't know if they were, in fact, advised. I was told they were advised.

Q: So you were told in that phone call that headquarters of the United States Secret Service would be advised and then another entity that was just referred to as the transition team?

A: Correct.⁴⁸

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⁴⁸ *Id.* at 47–48.

Q: If you had been party to political interference in FBI investigations, you would have reported that out somewhere, wouldn't you have?

A: I hope I would've.

Q: But you didn't do that in this instance?

A: Well, I wasn't aware of political interference personally.⁴⁹

Each of these statements by the former FBI SSA directly undermines claims of political interference in the investigation and dispels the notion that Hunter Biden was given preferential treatment.

B. Devon Archer's Transcript

Chairman Comer's decision to release the transcript of Mr. Archer's transcribed interview has also afforded the American people an opportunity to witness the spin and distortion promoted by Committee Republicans. For example, in an interview with *Newsmax*, Chairman Comer said Archer, "admitted that the Burisma executives were squeezing Hunter Biden to try to do everything he could to get the prosecutor Shokin fired, because they were going after their corrupt energy company. And lo and behold, a few days later, Joe Biden actually did that."⁵⁰ He added that "history will show that this is one of the biggest crimes ever committed by any politician, especially a president in the United States."⁵¹ Despite the self-confident tone of this innuendo and invention, Mr. Archer's complete transcript and independent reporting confirm that Mr. Comer has blatantly misrepresented the statements provided by Mr. Archer.⁵²

In reality, Mr. Archer explained he never heard Hunter Biden request that his father take any official action. Speaking specifically about Hunter Biden's service on the board of Burisma, Mr. Archer explained he had no evidence that President Biden was ever asked to or ever did take any official action to benefit Burisma or any of Hunter Biden's business ventures. In fact, Mr.

⁴⁹ *Id.* at 49.

⁵⁰ *Comer: 'History Will Show' This Is One of Biggest Political Crimes Ever*, *Newsmax* (Aug. 1, 2023) (online at <https://www.youtube.com/watch?v=yOAUzpwFcY>).

⁵¹ *Id.*

⁵² *Devon Archer Said The Opposite of What Republicans Claimed*, *Washington Post* (Aug. 3, 2023) (online at www.washingtonpost.com/politics/2023/08/03/devon-archer-transcript-biden/) ("Consider the first words out of Comer's mouth in that interview with Hannity: 'Every day this bribery scandal becomes more credible.' In fact, Archer's testimony pointed precisely in the opposite direction."); *Transcript of Devon Archer Testimony Doesn't Back Key Claims About Joe and Hunter Biden*, *PolitiFact* (Aug. 4, 2023) (online at www.politifact.com/article/2023/aug/04/transcript-of-devon-archer-testimony-doesnt-back-k/) ("But it also shows that Archer said he was not aware of any wrongdoing by Joe Biden, he didn't witness the Bidens discussing Hunter's business, and that he's not aware that any foreign policy was changed to benefit Hunter Biden — which goes against claims that Republicans have long made about the Bidens."); *Key Witness Doesn't Back Up G.O.P.'s Biggest Allegations on Bidens*, *New York Times* (Aug. 4, 2023) (online at www.nytimes.com/2023/08/04/us/politics/biden-devon-archer-testimony.html) ("Mr. Archer also undercut another Republican argument that the elder Mr. Biden had pressured Ukrainian officials in 2016 to fire Viktor Shokin, the former prosecutor general of Ukraine, because he was investigating the company.").

Archer clarified that he understood that actions taken by then-Vice President Biden to remove Mr. Shokin, a notoriously corrupt prosecutor, were “bad for Burisma,” as Burisma had Mr. Shokin “under control.”⁵³

Additionally, Chairman Comer and other Committee Republicans have falsely suggested that President Biden was “involved” in his son’s business dealings.⁵⁴ Mr. Archer established that over the course of his decade-long business relationship and friendship with Hunter Biden, he never heard Hunter Biden discuss business with his father and never knew the President to be involved in, or knowledgeable about, Hunter Biden’s business activities.⁵⁵ He described a handful of instances, over the course of ten years, when President Biden exchanged pleasantries with associates of Hunter Biden’s on a phone call or at two dinners at a Washington, D.C. restaurant. Archer repeatedly characterized these conversations as being about “the weather,” “niceties,” “geography,” “the world,” and “dinner conversation” and clarified that business was never discussed.⁵⁶ In an August 9, 2023, memo about the “Biden Family’s business dealings,” Republican Committee staff cited to a wire transfer from Elena Baturina, a Russian billionaire, insinuating that Hunter Biden received a financial benefit from this transaction.⁵⁷ However, the memo failed to mention that Devon Archer explicitly stated that Hunter Biden was “not

⁵³ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer at 38–39, 106–107 (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>); Memorandum from Democratic Staff to Democratic Members of the Committee on Oversight and Reform, Transcribed Interview of Devon Archer (Aug. 3, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-08-03.Democratic%20Member%20Memorandum%20re%20Archer%20Transcribed%20Interview%20Final.pdf>).

⁵⁴ Committee on Oversight and Accountability, *Press Release: Comer Releases Devon Archer’s Transcribed Interview Transcript* (Aug. 3, 2023) (online at <https://oversight.house.gov/release/comer-statement-on-devon-archers-testimony>) (“Devon Archer’s testimony today confirms Joe Biden lied to the American people when he said he had no knowledge about his son’s business dealings and was not involved.”); Rep. Lauren Boebert (@laurenboebert), Twitter (July 31, 2023) (online at <https://twitter.com/laurenboebert/status/1686177079316844545?s=20>) (“Devon Archer confirmed today that the ‘Big Guy’ participated in more than 20 of Hunter’s shady business deals.”); *Devon Archer Told House Oversight Joe and Hunter Biden Spoke ‘More Than 20 Times’ About Business, Rep Says*, Daily Caller (July 31, 2023) (online at <https://dailycaller.com/2023/07/31/devon-archer-house-oversight-joe-hunter-biden/>) (quoting Rep. Marjorie Taylor Greene as saying: “He told us in his transcribed interview that he heard Hunter Biden speak to Joe Biden more than 20 times about their business deals. Not about anything else, but about the business deals.”).

⁵⁵ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer at 116–118, 120 (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>); Memorandum from Democratic Staff to Democratic Members of the Committee on Oversight and Accountability, *Transcribed Interview of Devon Archer* (Aug. 3, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-08-03.Democratic%20Member%20Memorandum%20re%20Archer%20Transcribed%20Interview%20Final.pdf>).

⁵⁶ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer at 41, 47, 121, 124, 135. (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>).

⁵⁷ Memorandum from Republican Staff to Republican Members of the Committee on Oversight and Accountability, *Third Bank Records Memorandum from the Oversight Committee’s Investigation into the Biden Family’s Influence Peddling and Business Schemes* (Aug. 9, 2023) (online at https://oversight.house.gov/wp-content/uploads/2023/08/Third-Bank-Records-Memorandum_Redacted.pdf).

involved” in this transaction and other business dealings with Ms. Baturina.⁵⁸

Chairman Comer also repeatedly claimed that Mr. Archer said Hunter Biden was selling his father to Burisma as “the brand.”⁵⁹ In his transcribed interview, Mr. Archer was clear—“D.C. was the brand,” a reference to Hunter Biden’s ability to help clients navigate D.C. by connecting them with “the D.C. team,” a team of attorneys, lobbyists, and public affairs professionals to handle government relations.⁶⁰ Importantly, Mr. Archer explicitly stated that President Biden was *not* a part of this “D.C. team.”⁶¹

As this memorandum shows, Committee Republicans’ “top investigation” is an investigation of Hunter Biden, and it is not about uncovering the truth—it is about saying whatever needs to be said to boost former President Donald Trump’s 2024 re-election campaign.

⁵⁸ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer at 61 (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>) (“Hunter met Yelena once, at that same Lake Como meeting. But there was no – he was not involved. I think we put him on the advisory board for a minute. And he was really – Rosemont Realty was completely out of his, kind of, portfolio.”).

⁵⁹ Committee on Oversight and Accountability, *Press Release: Comer Statement on Devon Archer’s Testimony* (July 31, 2023) (online at <https://oversight.house.gov/release/comer-statement-on-devon-archerstestimony>); *‘MORE CREDIBLE EVERY DAY’: Comer, Jordan Dive Into Biden Bribery Bombshells on Hannity*, Hannity (Aug. 1, 2023) (online at <https://hannity.com/media-room/more-credible-every-day-comer-jordan-dive-intobiden-bribery-bombshells-on-hannity-watch/>); *Biden family broke a ‘staggering’ number of laws, says Rep. Comer*, Fox News (Aug. 5, 2023) (online at www.youtube.com/watch?v=wRE1yIIK5-Q) (“They were simply selling the brand, which was Joe Biden. This is what Devon Archer said.”).

⁶⁰ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer at 87, 101 (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>).

⁶¹ *Id.* at 101.