

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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Ranking Member Jamie Raskin Opening Statement “Hearing with IRS Whistleblowers About the Biden Criminal Investigation” July 19, 2023

Thank You, Mr. Chairman. Good afternoon to the witnesses.

I thought we might be here today on the matter that the Chairman declared his top priority—the crusade to find evidence of wrongdoing by President Biden—but now, the Majority's long-promised star witness turns out to be a fugitive from American justice, an arms trafficker indicted on eight federal criminal felony counts, and an unregistered foreign agent for China who tried to trade Chinese arms for Iranian oil, so I guess he's not going to be a witness for the Majority anytime soon. Well, after the failed SARS reports, bank records, Form 1023, we can conclude that this Inspector Clouseau-style quest for something that doesn't exist has turned our Committee into a theater of the absurd in exercise and futility and embarrassment.

And now, we can finally definitively say why the Committee's efforts have run dry time and again. Just yesterday, Mr. Chairman, you and I got a letter from Lev Parnas, the Ukrainian-born American businessman, who was at Rudy Giuliani's side as his right-hand man for a year—between November 2018 to October 2019—as Giuliani and then President Trump tried to smear Joe Biden before the 2020 election with the very same allegations we're still running through the political spin cycle every week in this Committee.

I request unanimous consent to enter the Parnas letter into the record.

Now, in this extraordinary 10-page letter, Parnas painstakingly describes the campaign orchestrated by Giuliani and Trump to “dig up dirt on the Bidens and spread misinformation about them through various networks, including government officials, journalists, and Fox News personnel.”

After explaining this campaign to fabricate corruption charges against Biden, Parnas concludes his letter by saying, “Throughout all these months of work, the extensive campaigns and networking done by Trump allies and Giuliani associates, including the enormously thorough interviews and assignments that I undertook, there has never been any evidence that Hunter or Joe Biden committed any crimes related to Ukrainian politics. Never, during any of my communications with Ukrainian officials or connections to Burisma, did any of them confirm or provide concrete facts linking the Bidens to illegal activities.”

As Mr. Parnas concludes, “There has never been any factual evidence, only conspiracy theories spread by people who knew exactly what they were doing.” And then he calls on this Committee to end its “wild goose chase” and offers to come and testify.

Remember, this is Mr. Giuliani's guy. This is his interpreter and right-hand man who spent a year out

there trying to cook the books against Joe Biden, and he offers to come testify. So, if anyone doubts anything he's saying, let's bring him in as a witness, and let's hear about that crusade that they were on to smear President Biden by promoting the same baseless conspiracy theories that this Committee serves up as moldy leftovers every day.

At today's hearing, we're going to hear about wrongdoing by Hunter Biden, who's pleading guilty on two tax charges and a gun charge next week. We'll hear about the back and forth among investigators, prosecutors, and a Trump-appointed US attorney—over a dozen people who spent four years investigating the President's son. We'll hear about how they disagreed on investigative steps and what criminal charges to bring—all normal stuff in government investigations that doesn't usually lead to a Congressional hearing.

But one thing you will not hear today is any evidence of wrongdoing by President Joe Biden or his administration. Like every other try by our colleagues to concoct a scandal about President Biden, this one is a complete and total bust. In fact, the ongoing case that the majority invites us to interfere with today is actually a striking illustration of the success of the American system of independent prosecutors operating under the rule of law and outside the realm of the kind of political influence my colleagues are trying to exercise today.

So, what happened? Well, the son of the sitting President of the United States lost his brother and then lost his way badly back in 2015. As too many families around the country know, drug addiction is a dark and powerful affliction. And like other addicts, Hunter Biden made foolish and criminal choices, including failing to pay his taxes and owning a firearm in violation of federal law, and he's now being held criminally accountable for it.

His investigation began under the Trump Administration. It was conducted by a U.S. Attorney for Delaware, David Weiss, who Donald Trump appointed to his office and who Attorney General Barr chose for this assignment to conduct this investigation. In his final press conference in December of 2020, Attorney General Barr expressed full confidence in Weiss's work, saying it was "being handled responsibly and professionally within the department, and, to this point, I have seen no reason to appoint a special counsel, and I have no plan to do so before I leave."

Furthermore, Joe Biden never publicly questioned or challenged this prosecution. When it began, he did not decry it as a witch hunt by Donald Trump. He placed his trust in the fairness of the American justice system. When he became President, not only did he not use his power to halt the investigation, he kept in place Trump's handpicked U.S. Attorney, Mr. Weiss, overseeing it, even though incoming presidents usually replace U.S. Attorneys with their own appointees. And his Attorney General Merrick Garland made sure that Mr. Weiss—appointed by Donald Trump—had full authority and resources to pursue this probe and charge it however and whenever he saw fit in any district in the country. **And in the past few weeks, as Hunter Biden accepted a guilty plea, the President and his Attorney General have done nothing to interfere with the case, which is overseen by a federal judge appointed by, yes, Donald Trump.**

Now, can you imagine Donald Trump saying nothing about a witch hunt, or not trying to quash the prosecution if it were his son being prosecuted? **Indeed, President Biden's traditional and scrupulous respect for the independence of the Justice Department stands in sharp contrast to Trump's spectacular disrespect for the rule of law and his serial efforts both in office and outside office to get prosecutors to go after and lock up his political rivals and to suspend accountability in specific criminal cases when it comes to his friends.**

When Michael Flynn was investigated for lying to the FBI and later convicted for it about communicating with the Russians, or when Paul Manafort was investigated and later convicted for bank and tax fraud, or when Roger Stone was investigated and later convicted for lying to Congress and witness tampering, in outrage, President Trump repeatedly denounced the Department of Justice for prosecuting his cronies and reportedly got Attorney General William Barr to pressure prosecutors to recommend more leniency in their cases. Trump also

went to FBI Director James Comey and pushed him to pledge absolute loyalty to Trump and to find a way to let Flynn go. Ultimately, Trump used the power of the presidency to pardon all of these convicted criminals.

Now, unlike President Trump's blatant abuse of the rule of law and the relationship between the President and DOJ, there's no evidence that President Biden has involved himself in any way in the investigation into his own son, an investigation that's been overseen by Trump's appointed U.S. Attorney.

No matter what my GOP colleagues say, and I appreciate the testimony of our witnesses today, there is no evidence that Hunter Biden has received any kind of official favoritism in this prosecution for being Joe Biden's son.

On the contrary, there are more than 10 million Americans who have filed taxes but failed to pay them—the exact crime Hunter Biden is pleading guilty to. The vast majority of these cases are resolved administratively or through civil settlement. Indeed, every year, the IRS and DOJ obtain convictions and sentences in fewer than 700 cases for tax crimes of any kind, a minuscule percentage. The fact that Hunter Biden faced a four-year criminal probe involving dozens of agents and prosecutors from the IRS, the FBI, the U.S. Attorney's Office in Delaware, DOJ Tax, demonstrates to my mind at the very least, that he received no special treatment but arguably selectively tougher treatment than the millions of people who never face criminal investigation for doing the same thing.

If my GOP colleagues think that the treatment of millions of tax scofflaws—or even the handful who face criminal prosecution like Hunter Biden—is too lenient, I invite them to join us Democrats in supporting the \$80 billion in funding for the IRS that we passed in the Inflation Reduction Act last year. This money will enable the IRS to make long overdue improvements in customer service but will also enable the agency to restore lost capabilities in enforcement to identify and prosecute tax cheats. But the very first thing House Republicans did this Congress was vote to rescind that funding while disparaging these future IRS employees who will do the same kind of work today's witnesses do.

Senator Cruz called them Biden's shadow army. Senator Grassley said they will be going around ready to shoot some small businessperson in Iowa. Today we get to witness MAGA Republicans take the side of IRS agents from the deep state against a Trump-appointed U.S. Attorney and a rich guy exercising his Second Amendment rights but now facing criminal gun charges and tax charges that they would call—in any other circumstance—purely technical. We are about to hear testimony from two IRS criminal investigators. They will describe their frustrations and disagreements with their supervisors, as well as with Mr. Weiss and his team of prosecutors who they consider junior varsity and not up to snuff during the Trump administration generally. We will also hear about their confusion and profound misunderstandings about Mr. Weiss and how he reviewed the evidence and made the ultimate decision about charging Hunter Biden. A lot of the controversy here relates to the agent's failure to distinguish between special counsels and special lawyers, but we will clear that up today.

The key point, Mr. Chairman, that America needs to understand is that the only political interference at play here is coming from Donald Trump and my Republican colleagues.

We'll listen carefully to the testimony, and I thank you, Mr. Chairman.

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