

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

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MEMORANDUM

August 19, 2024

To: Democratic Members of the Committee on Oversight and Accountability

Fr: Democratic Staff

Re: President Biden Exonerated by Impeachment Inquiry

EXECUTIVE SUMMARY

After investigating President Joe Biden for more than a year and a half, Republicans have amassed 3.8 million pages of documents and approximately 80 hours of testimony from transcribed interviews and depositions of 19 witnesses. This mountain of evidence definitively proves that Joe Biden did not commit any wrongdoing, let alone any high crime, misdemeanor, or other impeachable offense.

The voluminous evidence amassed by the Committee firmly establishes that Joe Biden—whether as President, Vice President, or private citizen—did not take part in his family members’ business enterprises, did not profit from them, and took no official actions to benefit them. Stunningly, Republicans’ claim that Joe Biden was somehow involved in his son’s business ventures appears to rest on the fact that Joe Biden called Hunter Biden nearly every day and sought every opportunity to see him, including, on occasion, when Hunter was with other people. To be clear, there is no evidence that Joe Biden ever discussed his son’s business ventures during any of these calls or visits. This investigation has sought to weaponize the bond between President Biden and Hunter at a time when Joe Biden feared losing Hunter to drug addiction—after having already lost his son, Beau, to brain cancer in 2015 and his wife, Neilia Hunter Biden, and young daughter, Amy, to a car crash in 1972.¹

¹ *Biden’s Wife, Child Killed in Car Crash*, New York Times (Dec. 19, 1972) (online at www.nytimes.com/1972/12/19/archives/bidens-wife-child-killed-in-car-crash.html); *President Biden Marks 50th Anniversary of Car Crash That Killed First Wife, Baby Daughter*, ABC News (Dec. 18, 2022) (online at <https://abcnews.go.com/Politics/joe-biden-marks-50th-anniversary-car-crash-killed/story?id=95499179>); *Beau Biden Dies of Brain Cancer, Family Says*, ABC News (May 30, 2015) (online at <https://abcnews.go.com/Politics/beau-biden-dies-brain-cancer-family/story?id=31420377>); *Hunter Biden Details Lifelong Addiction Struggle in Memoir*, Associated Press (Mar. 31, 2021) (online at <https://apnews.com/article/hunter-biden-ukraine-firm-memoir-beautiful-things-40d98f7edf2e72f84ba2f12856327c5e>); *Through Decades of Addiction, Hunter Biden Says His Family Never Gave*

The facts and evidence amassed through this investigation serve only to exonerate President Biden of all the false claims raised against him during this 20-month investigation and further establish that (1) as Vice President of the United States, he was central in leading a bipartisan, international coalition pushing Ukraine to more forcefully address the scourge of corruption;² (2) as a private citizen, following four decades of uninterrupted public service, he used income from his best-selling memoir, *Promise Me, Dad*, to help out his son and brother, as well as to donate more than \$1 million to charity;³ and (3) as a President committed to the independence of the Department of Justice (DOJ), as well as to transparency and oversight, he kept on a Trump-appointed U.S. Attorney who was investigating his son, Hunter, and ensured he and his Administration fully cooperated with Special Counsel Robert Hur and Congress, even in the context of its most baseless and nakedly political investigations.⁴ Notably, following the conviction of Hunter Biden on three felony counts, President Biden again affirmed his commitment to the rule of law, commenting, “I will accept the outcome of this case and will continue to respect the judicial process as Hunter considers an appeal.”⁵ President Biden’s commitment stands in stark contrast to the reaction of former President Donald Trump who, following his conviction on 34 counts of falsifying business records to hide hush money payments he made to Stormy Daniels, baselessly accused President Biden of orchestrating his prosecution, called the officials with the Manhattan District Attorney’s office who prosecuted him “bad people”

Up on Him, NPR (Apr. 5, 2021) (online at www.npr.org/2021/04/05/983385027/hunter-biden-says-his-family-never-gave-up-on-him).

² *Ukraine Ousts Viktor Shokin, Top Prosecutor, and Political Stability Hangs in the Balance*, New York Times (Mar. 29, 2016) (online at www.nytimes.com/2016/03/30/world/europe/political-stability-in-the-balance-as-ukraine-ousts-top-prosecutor.html); *EU Hails Sacking of Ukraine’s Prosecutor Viktor Shokin*, The Irish Times (Mar. 29, 2016) (online at www.irishtimes.com/news/world/europe/eu-hails-sacking-of-ukraine-s-prosecutor-viktor-shokin-1.2591190); *Explainer: Biden, Allies Pushed Out Ukrainian Prosecutor Because He Didn’t Pursue Corruption Cases*, USA Today (Oct. 3, 2019) (online at www.usatoday.com/story/news/politics/2019/10/03/what-really-happened-when-biden-forced-out-ukraines-top-prosecutor/3785620002/).

³ Recorded Interview Between Special Counsel Robert Hur, et. al., and President Joseph R. Biden, Jr., 100 (Oct. 8, 2023) (online at <https://democrats-judiciary.house.gov/uploadedfiles/doj-hjc-hur-0000033-0000191.pdf>); Committee on Oversight and Accountability—Democrats, *Fact v. Fiction: Loans from Joe Biden to His Brother James Biden* (2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Fact%20Sheet%20re%20Loan%20Repayment.pdf>); see also Committee on Oversight and Accountability—Democratic Press Office, *Minority Editorial Memo: Mountain of Evidence Shows No Wrongdoing by President Biden* (Dec. 1, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/20231201%20Oversight%20Democrats%20Staff%20Memo%20on%20Impeachment%20Inquiry.pdf>); Committee on Oversight and Accountability—Democrats, *Press Release: Ranking Member Raskin’s Statement on Transcribed Interview with James Biden* (Feb. 22, 2024) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskins-statement-transcribed-interview-james-biden>); *Comer Mischaracterizes Hunter Biden Car Payment Reimbursement to His Dad*, Washington Post (Dec. 4, 2023) (online at www.washingtonpost.com/politics/2023/12/04/comer-mischaracterizes-hunter-biden-car-payment-reimbursement-his-dad/).

⁴ *Who is David Weiss, US Prosecutor in Hunter Biden Case?*, Reuters (Aug. 13, 2023) (online at www.reuters.com/legal/who-is-david-weiss-us-prosecutor-hunter-biden-case-2023-06-20/); *Fact Check: Trump Falsely Claims He Cooperated with the Feds ‘Far More Than Biden Did’*, CNN (Feb. 9, 2024) (online at www.cnn.com/2024/02/09/politics/fact-check-trump-falsely-claims-cooperated-feds-more-than-biden/index.html).

⁵ *Biden Reacts to His Son Hunter’s Guilty Verdict in Gun Case, Vowing to “Respect the Judicial Process,”* CBS News (June 12, 2024) (online at www.cbsnews.com/news/hunter-biden-guilty-verdict-joe-biden-reaction/).

and “sick,” claimed his trial was “unfair,” and alleged without evidence that his trial was “rigged” and that “[t]here’s never been a more conflicted judge” than the judge who presided over his trial.⁶

Republicans’ two star witnesses in this case, Tony Bobulinski and Jason Galanis, both of whom testified behind closed doors and at a public hearing, provided no evidence that Joe Biden was involved in his family members’ businesses or that he benefited from them. Notably, Mr. Galanis is a convicted felon who, together with Devon Archer, another inquiry witness and also a convicted felon, participated in a bond scheme that defrauded a Native American tribe of tens of millions of dollars.⁷ For his part, Mr. Bobulinski first made his baseless claims about President Biden at a Trump campaign press conference hours before the final presidential debate in 2020— notwithstanding his assertion in his transcribed interview with the Committee on the Judiciary and the Committee on Oversight and Accountability that he was “nonpartisan” and “not a political person.”⁸ Mr. Bobulinski was also recently photographed on the sidelines of the 2024 Republican National Convention in Milwaukee, Wisconsin, together with Mr. Archer and with Committee Member Marjorie Taylor Greene. According to the *New York Post*, Mr. Bobulinski and Mr. Archer have become “firm friends” and have “teamed up to support [Donald Trump’s campaign] in any way they can.”⁹ Notably, in his transcribed interview with the Committee, Mr. Archer testified he was not aware of any wrongdoing by President Biden and repeatedly affirmed President Biden was not involved in Hunter Biden’s business ventures.¹⁰

⁶ *Donald Trump Found Guilty on All Counts in New York Hush Money Trial*, Washington Post (May 30, 2024) (online at www.washingtonpost.com/politics/2024/05/30/trump-guilty-verdict-hush-money-trial/); *Vintage Trump Remarks After Convictions Renew Dilemma for News Media and Voters Alike*, NPR (June 2, 2024) (online at www.npr.org/2024/06/02/g-s1-2384/vintage-trump-falsehoods-convictions); *‘These Are Bad People’ Trump Unloads After His Historic Guilty Verdict*, NBC News (May 31, 2024) (online at www.nbcnews.com/politics/donald-trump/trump-unloads-historic-guilty-verdict-press-conference-rcna154867); *Trump Is His Own Worst Enemy Ahead of Sentencing*, U.S. News (May 31, 2024) (online at www.usnews.com/news/national-news/articles/2024-05-31/trump-is-his-own-worst-enemy-ahead-of-sentencing).

⁷ Department of Justice, Southern District of New York, *Press Release: Devon Archer Sentenced to a Year and a Day in Prison for the Fraudulent Issuance and Sale of More Than \$60 Million of Tribal Bonds*, (Feb. 28, 2022) (online at www.justice.gov/usao-sdny/pr/devon-archer-sentenced-year-and-day-prison-fraudulent-issuance-and-sale-more-60-million).

⁸ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>); *Trump Had One Last Story to Sell. The Wall Street Journal Wouldn’t Buy It*, New York Times (Oct. 25, 2020) (online at www.nytimes.com/2020/10/25/business/media/hunter-biden-wall-street-journal-trump.html); *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247); *Tony Bobulinski Statement on Hunter Biden*, C-SPAN (Oct. 22, 2020) (online at www.c-span.org/video/?477307-1/tony-bobulinski-statement-hunter-biden); Michael Bender, *Frankly, We Did Win This Election* (2021).

⁹ *Ex-Hunter Biden Biz Partners and Corruption Witnesses Tony Bobulinski, Devon Archer Team Up at RNC in Nightmare for Joe*, New York Post (July 18, 2024) (online at <https://nypost.com/2024/07/18/opinion/tony-bobulinski-and-devon-archer-reveals-truth-about-biden-family-schemes/>).

¹⁰ 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>); Democratic Staff, Committee on Oversight and Accountability, *Memorandum: Transcribed Interview of Devon Archer* (Aug. 3, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-08-03.Democratic%20Member%20Memorandum%20re%20Archer%20Transcribed%20Interview%20Final.pdf>).

Having failed to identify a single high crime, misdemeanor, or impeachable offense against President Biden, Republicans have resorted to asserting vague, unsubstantiated, and thoroughly debunked allegations of so-called “influence-peddling” by “the Biden family” and their “associates”—a tacit admission that they cannot identify any wrongdoing by President Biden himself.¹¹

At the “heart” of Republicans’ baseless impeachment inquiry is Russian disinformation and propaganda, which congressional Republicans have willingly repeated and amplified—despite warnings and rebukes from their own colleagues.¹² Specifically, Republicans repeatedly cited a conspiracy theory propagated by the Kremlin—and amplified for years by Donald Trump, Rudy Giuliani, and others in Trump World—alleging that then-Vice President Biden acted corruptly in Ukraine. In fact, such allegations had already been repeatedly debunked by numerous sources—including by Donald Trump’s own *Treasury Department and State Department*, as well as by the intelligence community—before House Republicans made them the centerpiece of their impeachment inquiry.¹³ Undeterred by the prospect of pushing false narratives tied to Russian intelligence, Republicans loudly touted, as damning evidence of President Biden’s purported involvement in a Ukrainian “bribery” scheme, the unsworn,

¹¹ E.g., Rep. James Comer (@RepJamesComer), X (May 4, 2023) (online at <https://twitter.com/RepJamesComer/status/1654302048530190336>) (“I have reviewed credible whistleblower disclosures that then-VP Joe Biden allegedly engaged in a bribery scheme with a foreign national.”); Rep. James Comer (@RepJamesComer), X (June 9, 2023) (online at <https://twitter.com/RepJamesComer/status/1667273922025226240>) (“Now we know a highly credible informant at the FBI has indicated that then-VP Joe Biden engaged in a criminal bribery scheme.”); Rep. Comer to Newsmax: *Hearsay FBI Informant’s Info ‘Credible,’* Newsmax (June 6, 2023) (online at www.newsmax.com/newsmax-tv/james-comer-biden-family-fbi-informant/2023/06/06/id/1122612/) (Chairman Comer described: “a pattern here of the Bidens doing this while Joe Biden was vice president”); *James Comer Speaks Out After FBI Phone Call Over Biden Bribery Allegations* Doc, *Hannity*, Fox News (May 31, 2023) (online at www.youtube.com/watch?v=vlf8vQOfB0s) (Chairman Comer stated: “So there’s a pattern here that would suggest this is a credible allegation”); *Biden Is Now Prioritizing Illegal Migrants Over Homeless Vets ... and Our Media Isn’t Being Honest About Trump’s Ukraine Comments*, *Fox Across America with Jimmy Failla*, Fox News Radio (May 15, 2023) (online at www.listennotes.com/podcasts/fox-across-america/biden-is-now-prioritizing-VbSZA4wU5nW) (Chairman Comer stated: “And here’s why I think it’s credible.”); *Sunday Night in America*, Fox News (Mar. 24, 2024) (online at www.foxnews.com/video/6349643271112) (Chairman Comer said: “[T]he Biden family was influence peddling.”); *James Comer Fires Back at AOC Over Biden Probe: All the Democrats Have is Russia, Fox & Friends First*, Fox News (Apr. 9, 2024) (online at www.foxnews.com/video/6350558553112) (Chairman Comer stated: “Three Biden associates have testified under oath that Joe Biden was the closer of these influence peddling schemes.”).

¹² *Hannity*, Fox News (Jan. 11, 2024) (online at www.foxnews.com/video/6344716486112); *McCaul to Action*, PUCK (Apr. 2, 2024) (online at <https://puck.news/ukraine-aid-q-and-a-rep-mccaul-on-republican-support-for-bill/>); *State of the Union*, CNN (Apr. 7, 2024) (online at www.cnn.com/videos/title-2248506); *See State of the Union Transcripts*, CNN (Apr. 7, 2024) (online at <https://transcripts.cnn.com/show/sotu/date/2024-04-07/segment/01>).

¹³ U.S. Department of State, *Sanctioning Russia-Linked Disinformation Network for Its Involvement in Attempts to Influence U.S. Election* (Jan. 11, 2021) (online at <https://2017-2021.state.gov/sanctioning-russia-linked-disinformation-network-for-its-involvement-in-attempts-to-influence-u-s-election/>); U.S. Department of the Treasury, *Treasury Sanctions Russia-Linked Election Interference Actors* (Sept. 10, 2020) (online at <https://home.treasury.gov/news/press-releases/sm1118>); U.S. Department of the Treasury, *Treasury Takes Further Action Against Russian-Linked Actors* (Jan. 11, 2021) (online at <https://home.treasury.gov/news/press-releases/sm1232>).

unverified account of a confidential Federal Bureau of Investigation (FBI) informant contained in a tipsheet called a Form FD-1023.¹⁴ Chairman James Comer claimed the FD-1023 tipsheet was so central to the Committee’s ongoing inquiry that he accused the DOJ of obstructing his investigation by “seeking to bury this record to protect the Bidens.”¹⁵ Judiciary Committee Chairman Jim Jordan called the FD-1023 “the heart of this matter.”¹⁶ In February 2024, the confidential human source behind the tipsheet—identified in a federal indictment as Alexander Smirnov—was arrested for lying to the FBI about Joe Biden and Hunter Biden and working with Russian intelligence agents to push this false narrative both in the lead up to the 2020 presidential election and now the 2024 election as part of a disinformation campaign to influence the elections.¹⁷

House Republicans’ impeachment inquiry not only recycles debunked Russian propaganda, it is also a stale repetition of efforts already undertaken by both Rudy Giuliani and Senator Ron Johnson—neither of which identified any wrongdoing by Joe Biden. From late 2018 through early 2020, Mr. Giuliani worked with a revolving cast of accomplices—including Lev Parnas as well as a Russian agent eventually sanctioned by the Trump Administration—trying to find and manufacture dirt on Joe Biden.¹⁸ Following his initial review of the FD-1023 tipsheet a year ago, Ranking Member Jamie Raskin explained how the allegations memorialized in it largely repeated allegations circulated by the Kremlin that Mr. Giuliani had previously raised to the DOJ—and that the Trump DOJ had already assessed and closed in the absence of

¹⁴ Rep. James Comer (@RepJamesComer), X (May 4, 2023) (online at <https://twitter.com/RepJamesComer/status/1654302048530190336>); *A Now-Indicted FBI Informant Was at the “Heart” of the GOP’s Case Against Joe Biden*, NBC News (Feb. 16, 2024) (online at www.nbcnews.com/politics/joe-biden/now-indicted-fbi-informant-was-heart-gops-case-joe-biden-rcna139200).

¹⁵ Senator Chuck 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).

¹⁶ Hannity, *Fox News* (Jan. 11, 2024) (online at www.foxnews.com/video/6344716486112).

¹⁷ Indictment, *United States v. Smirnov*, No. 2:24-cr-00091-ODW (C.D. Cal. filed Feb. 2, 2024) (online at www.justice.gov/sco-weiss/media/1338741/dl); *Former FBI Informant Charged with Lying About Biden Business*, Washington Post (Feb. 15, 2024) (online at www.washingtonpost.com/national-security/2024/02/15/hunter-biden-informant-indicted-fbi-burisma/).

¹⁸ *U.S. Sanctions Giuliani’s Sources of Biden Dirt, Labels Them Part of a Russia-Linked ‘Influence Network,’* TIME (Jan. 11, 2021) (online at <https://time.com/5928781/u-s-sanctions-giulianis-sources-of-biden-dirt-labels-them-part-of-a-russia-linked-influence-network/>); *Exclusive: How an Accused Russian Agent Worked with Rudy Giuliani in a Plot Against the 2020 Election*, TIME (June 3, 2021) (online at <https://time.com/6052302/andriy-derkach-profile/>); *\$5.3 Billion in Ukrainian Foreign Aid Missing*, Common Sense (Feb. 29, 2020) (online at www.youtube.com/watch?v=hLur6qiV87E); *The Complete Witness: Proof of Bribery & Collusion*, Common Sense (Feb. 8, 2020) (online at www.youtube.com/watch?v=crZpE3FGoVM); U.S. Department of the Treasury, *Treasury Sanctions Russia-Linked Election Interference Actors* (Sept. 10, 2020) (online at <https://home.treasury.gov/news/press-releases/sm1118>); U.S. Department of the Treasury, *Treasury Takes Further Action Against Russian-Linked Actors* (Jan. 11, 2021) (online at <https://home.treasury.gov/news/press-releases/sm1232>); Letter from Lev Parnas to Chairman James Comer, Committee on Oversight and Accountability (July 18, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Parnas%2C%20COA%20Letter%2C%20July%2018%2C%202023.pdf>); Committee on Oversight and Accountability, Testimony of Lev Parnas, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://congress.gov/118/meeting/house/117001/documents/HHRG-118-GO00-Transcript-20240320.pdf>).

any evidence warranting any additional investigatory efforts.¹⁹ Mr. Giuliani himself confirmed that the tipsheet’s allegations were the same ones he had presented to the DOJ during the Trump Administration.²⁰ These false allegations were the same ones that former President Trump tried to extort Ukrainian President Volodymyr Zelenskyy to endorse and propagate—an act which led to Donald Trump’s first impeachment.²¹ Separately, Sen. Ron Johnson led an investigation of the same allegations involving Joe Biden and Ukraine.²² In September 2020, Sen. Johnson issued a report that “found no evidence of improper influence or wrongdoing by the former vice president” and that was “little more than a rehashing six weeks before Election Day of unproven allegations that echo an active Russian disinformation campaign and have been pushed by Mr. Trump.”²³ In fact, Sen. Johnson noted in March 2023 as House Republicans were beginning what has become the *third* investigation of Joe Biden that, “There’s really no new information [...] this has all been out there since before the 2020 election.” Sen. Johnson also made clear that these allegations are years old, explaining, “We laid this all out in our September 2020 report.”²⁴ All of these investigations have reached the same inescapable conclusion: that Joe Biden has committed no wrongdoing, much less an impeachable offense.

Chairman Comer has claimed that the justification for Republicans’ impeachment inquiry is an effort to root out “foreign nationals’ attempts to target and coerce high-ranking U.S. officials’ family members by providing money or other benefits in exchange for certain actions.”²⁵ Despite this professed aim, Chairman Comer has steadfastly refused to investigate the *actual and proven* corruption of former President—and convicted felon—Donald Trump and his family, conceding that doing so would be “politically unsustainable.”²⁶ A Democratic staff

¹⁹ Committee on Oversight and Accountability, *Press Release: Ranking Member Raskin’s Statement on the Facts Following FBI Briefing and In-Person Document Review* (June 7, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskin-s-statement-on-the-facts-following-fbi-briefing-and-in>); Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (June 29, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-06-29.JBR%20to%20Comer%20re%20Form-1023.pdf>).

²⁰ *Giuliani to Newsmax: DOJ Overlooked Evidence of Biden Bribery*, Newsmax (June 10, 2023) (online at www.newsmax.com/newsmax-tv/joe-biden-bribery-ukraine/2023/06/10/id/1123109/).

²¹ Permanent Select Committee on Intelligence, *The Trump-Ukraine Impeachment Inquiry Report* (Dec. 2019) (online at www.govinfo.gov/content/pkg/GOVPUB-Y4_IN8_18-PURL-gpo129303/pdf/GOVPUB-Y4_IN8_18-PURL-gpo129303.pdf); H.Res.755 (116th Cong.) (2019).

²² Senator Ron Johnson, *Newsletter: Biden Family’s Foreign Dealings* (Sept. 25, 2020) (online at www.ronjohnson.senate.gov/2020/9/biden-family-s-foreign-dealings); U.S. Senate Committee on Homeland Security and Governmental Affairs and U.S. Senate Committee on Finance, *Hunter Biden, Burisma, and Corruption: The Impact on U.S. Government Policy and Related Concerns* (online at www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/HSGAC_Finance_Report_FINAL.pdf).

²³ *Republican Inquiry Finds No Evidence of Wrongdoing by Biden*, New York Times (Sept. 23, 2020) (online at www.nytimes.com/2020/09/23/us/politics/biden-inquiry-republicans-johnson.html).

²⁴ *The Regular Joe Show* (Mar. 29, 2023) (online at <https://omny.fm/shows/the-regular-joe-show/rjs-03-29-23-whole-show>).

²⁵ Letter from Chairman James Comer, Committee on Oversight and Accountability, to Matthew Schwartz, Boies Schiller Flexner, Counsel to Devon Archer (June 12, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/06/Letter-to-Archer-061223.pdf>).

²⁶ *Donald Trump Found Guilty on All Counts in New York Hush Money Trial*, Washington Post (May 30, 2024) (online at www.washingtonpost.com/politics/2024/05/30/trump-guilty-verdict-hush-money-trial/); *Comer,*

report released in January of this year documented that while he was President, Donald Trump received at least \$7.8 million from at least 20 foreign governments in flagrant violation of the U.S. Constitution's Foreign Emoluments Clause. Former President Trump accepted payments from some of the most authoritarian governments on earth—such as the People's Republic of China and Saudi Arabia—while those countries sought, and often received, favors from the Trump Administration.²⁷ Yet, rather than joining Committee Democrats in pursuing this investigation, as soon as he took the helm of the Committee in 2023, Chairman Comer, together with Mr. Trump's personal attorney, blocked Mr. Trump's accounting firm, Mazars, from providing any further evidence to the Committee, in spite of a subpoena and court-supervised settlement agreement.²⁸

Chairman Comer has likewise allowed Mr. Trump's son-in-law and former Senior Advisor, Jared Kushner, to ignore and defy requests for information from Committee Democrats related to Mr. Kushner's receipt of billions of dollars from the sovereign wealth funds of Saudi Arabia, the United Arab Emirates, and Qatar, in transactions that Chairman Comer himself conceded "crossed the line of ethics."²⁹ Committee Republicans have also repeatedly voted down Committee Democrats' requests to subpoena Mr. Kushner and his firm.³⁰

In the end, Republicans' impeachment inquiry against President Biden has been nothing more than a pretext for a wholly partisan effort to try to create a false equivalency between Donald Trump's *actual* corruption and Joe Biden's *imagined* wrongdoings to benefit the Trump 2024 presidential campaign. This effort comes at the behest of former President Trump—who has been impeached twice, convicted of 34 felonies, and still faces more than a dozen counts across federal and state indictments—and who ordered congressional Republicans to

Republicans' Investigative Chief, Embraces Roles 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).

²⁷ Committee on Oversight and Accountability Democrats, *Press Release: Oversight Democrats Release Report Proving Trump Pocketed Millions From at Least 20 Foreign Governments as President* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/news/press-releases/oversight-democrats-release-report-proving-trump-pocketed-millions-from-at-least>).

²⁸ Email from Patrick Strawbridge, Consovoy McCarthy PLLC, on behalf of Donald Trump, to Counsel for Mazars USA LLP, (Jan. 20, 2023). After receiving these communications, Democratic staff repeatedly sought written confirmation from Mazars that Chairman Comer had agreed to release it from its obligations under the subpoena and court-supervised settlement agreement. See also Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (Mar. 12, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/FINAL%202023.03.12.%20JBR%20to%20Comer%20re%20Mazars%20BofA%20Subpoena.pdf>); *Comer Stymies Probe into Trump Tax Records, House Democrats Say*, Washington Post (Mar. 13, 2023) (online at www.washingtonpost.com/politics/2023/03/13/trump-tax-records-investigation/).

²⁹ *Comer Says Kushner 'Crossed the Line of Ethics' with Saudi Deal*, The Hill (Aug. 11, 2023) (online at <https://thehill.com/blogs/blog-briefing-room/news/4148951-comer-says-kushner-crossed-the-line-of-ethics-with-saudi-deal/>).

³⁰ Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability, and Ranking Member Robert Garcia, Subcommittee on National Security, the Border, and Foreign Affairs, to Chairman James Comer, Committee on Oversight and Accountability (Mar. 26, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/2024-03-26.Raskin%20Garcia%20to%20Comer%20Grothman%20re%20Kushner%20Hearing.pdf>).

“IMPEACH the BUM, or fade into OBLIVION. THEY DID IT TO US!”³¹ The brazen use of the impeachment power to promote such nakedly political ends is a gross abuse of one of Congress’s most solemn authorities, and a stunning and unprecedented weaponization of congressional powers. However, nothing stands out as a greater dereliction of congressional duty than congressional Republicans’ willingness to blithely parrot Russian propaganda and disinformation in their effort to impeach and remove from office the sitting President of the United States.

³¹ *Donald Trump’s Criminal Cases, in One Place*, CNN (July 15, 2024) (online at www.cnn.com/interactive/2023/07/politics/trump-indictments-criminal-cases/); *Court Sets Aug. 27 Deadline for Brief Appealing Trump Classified Docs Dismissal*, ABC News (July 25, 2024) (online at <https://abcnews.go.com/US/court-sets-aug-27-deadline-brief-appealing-trump/story?id=112270892>); *What Was Trump Convicted Of? Details on the 34 Counts and His Guilty Verdict*, CBS News (June 3, 2024) (online at www.cbsnews.com/news/trump-charges-conviction-guilty-verdict/); H.Res. 755, 116th Cong. (2019); H.Res. 24, 117th Cong. (2021); Donald J. Trump, (@realDonaldTrump), Truth Social (Aug. 27, 2023) (online at <https://truthsocial.com/@realDonaldTrump/posts/110963746628215974>).

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CHAPTER ONE: THE EVIDENCE PROVES JOE BIDEN COMMITTED NO WRONGDOING

Republicans' investigation has uncovered a mountain of exculpatory evidence that definitively exonerates President Biden and proves that he did not engage in any wrongdoing, much less an impeachable offense.

Independent news organizations have verified an extensive record of exculpatory testimony. According to the *Wall Street Journal*:

Hunter Biden's testimony followed appearances by his uncle, James Biden, and past business associates who have delivered largely exculpatory testimony for the president. One after another has testified that President Biden was never involved in his family's business dealings or took official actions related to them.³²

Reporting on Hunter Biden's deposition in February 2024, *ABC News* noted, "At least nine other key witnesses interviewed as part of the impeachment probe have shared similar exculpatory accounts that undercut key tenets of Republicans' accusations against the president."³³ The *Washington Post* similarly concluded, "[T]he House Oversight and Judiciary committees have compiled an extensive record of sworn statements from firsthand witnesses saying the president was never involved. [...] [T]he statements of even witnesses unsympathetic to the Bidens have been largely exculpatory."³⁴

Even conservative-leaning outlets have concluded that Republicans have failed to find any evidence indicating that President Biden earned money from his family's business dealings. According to the *Washington Examiner*, "Republicans have turned up scant evidence that the president profited from the business pursuits of his son and his brother James Biden."³⁵ The *Wall Street Journal* reported in February 2024 that Republicans "have produced no proof that the president earned money alongside his family members."³⁶

³² *A Defiant Hunter Biden Rails Against GOP Impeachment Inquiry*, Wall Street Journal (Feb. 28, 2024) (online at www.wsj.com/politics/a-defiant-hunter-biden-rails-against-gop-impeachment-inquiry-8337a15a).

³³ *Hunter Biden Interview Marks Pivotal Moment for GOP-Led Impeachment Inquiry*, ABC News (Feb. 28, 2024) (online at <https://abcnews.go.com/US/hunter-biden-interview-marks-pivotal-moment-gop-led/story?id=107594478>).

³⁴ *Looming Testimony of Biden Relatives Has High Stakes for Both Sides*, Washington Post (Feb. 20, 2024) (online at www.washingtonpost.com/politics/2024/02/20/biden-impeachment-inquiry-james-hunter-testimony/).

³⁵ *House Republicans Invite Hunter Biden to Impeachment Hearing to Clear up 'Inconsistencies'*, Washington Examiner (Mar. 6, 2024) (online at www.washingtonexaminer.com/news/2906084/house-republicans-invite-hunter-biden-hearing-inconsistencies/).

³⁶ *Hunter Biden's Chinese Business Partners Keep Quiet in Impeachment Effort*, Wall Street Journal (Feb. 28, 2024) (online at www.wsj.com/politics/hunter-bidens-chinese-business-partners-keep-quiet-in-impeachment-effort-5062ca44).

In their transcribed interviews and in statements to the media, witnesses who appeared before the Committee explicitly refuted Republican claims and made clear that President Biden did not engage in any wrongdoing. For example:

- When asked during his July 2023 transcribed interview before the House Oversight Committee if he was “aware of any wrongdoing by Vice President Biden” with respect to his son’s business dealings, former Hunter Biden business partner Devon Archer testified, “No, I’m not aware of any.”³⁷
- Another former Hunter Biden business associate, Rob Walker, testified, “To be clear, President Biden—while in office or as a private citizen—was never involved in any of the business activities we pursued. Any statement to the contrary is simply false.”³⁸
- Vice President Biden’s one-time financial advisor, Eric Schwerin, who had access to the Vice President’s bank records from 2009 to 2017, testified, “I am not aware of any financial transactions or compensation that Vice President Biden received related to business conducted by any of his family members or their associates, nor any involvement by him in their businesses—none.”³⁹

Mr. Schwerin further stated, “I cannot recall any requests for Vice President Biden to take any official action on behalf of any of Hunter’s clients or his business deals, foreign or domestic. In fact, I am not aware of any role that Vice President Biden, as a public official or a private citizen, had in any of Hunter’s business activities—none.”⁴⁰

- Hunter Biden’s former business associate, James Gilliar, stated to the *Wall Street Journal*, “I would like to clear up any speculation that former Vice President Biden was involved with the 2017 discussions about our potential business structure. I am unaware of any involvement at any time of the former Vice President.”⁴¹

³⁷ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer, 104 (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>).

³⁸ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of John Robinson Walker, 11 (Jan. 26, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Walker-Transcript.pdf>).

³⁹ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Eric Schwerin, 10–11 (Jan. 30, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Schwerin-Transcript.pdf>).

⁴⁰ *Id.*

⁴¹ *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247).

- Mervyn Yan, who worked on a business deal with Hunter and James Biden in 2017, stated through his attorney, “Throughout his interactions with Hunter and James Biden, Mr. Yan never met, spoke to, did business with, or had any personal or professional communication with President Biden.” Mr. Yan’s counsel added that Mr. Yan “never heard mention of President Biden with respect to any of the transactions pursued by Hudson West III and is unaware of any involvement President Biden may have had with his son’s business pursuits” and that “Mr. Yan does not possess any materials or information bearing on President Biden’s alleged involvement in his family’s business dealings.”⁴²
- Sally Painter, co-founder of the government affairs firm Blue Star Strategies, testified, “To the best of my knowledge, there was absolutely no financial or other type of involvement or arrangement by Hunter Biden or then Vice President Biden in my firm’s work with Burisma.”⁴³
- Karen Tramontano, CEO of Blue Star Strategies, testified, “I am also not aware of any financial arrangements or compensation to then Vice President Biden related to his son’s business dealings with Burisma or otherwise.”⁴⁴
- During his January 2024 transcribed interview, Hunter Biden’s art dealer, Georges Bergès, confirmed that he had “never” spoken to President Biden about setting the price for Hunter’s art, that President Biden played “no” role in pricing this art, and that he had “no” reason to believe that President Biden benefited in any way from the sale of his son’s art.⁴⁵
- Kevin Morris, Hunter Biden’s friend and attorney, testified, “I did not and do not have any expectations of receiving anything from Hunter’s father or the Biden administration in exchange from helping Hunter, nor have I asked for anything from President Biden or his administration.”⁴⁶
- Joseph Langston, a friend and business associate of James Biden, testified, “None of the Bidens ever suggested to me that, hey, you can take this relationship—or we’ll participate with you in taking this relationship and using it as leverage in

⁴² *Biden Family Business Associate Had No Contact with Joe Biden, Lawyer Says*, CNN (Jan. 25, 2024) (online at www.cnn.com/2024/01/25/politics/mervyn-yan-gop-investigators-interview/index.html).

⁴³ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Sally Painter, 8 (Mar. 5, 2024).

⁴⁴ Committee on the Judiciary and Committee on Oversight and Accountability, Transcribed Interview of Karen A. Tramontano, 8 (Feb. 12, 2024).

⁴⁵ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Georges Bergès, 73 (Jan. 9, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/01/Berges_Redacted-w_Witness-Errata-Sheet.pdf).

⁴⁶ Committee on Oversight and Accountability, Committee on the Judiciary and Committee on Ways and Means, Transcribed Interview of Kevin Morris, 14 (Jan. 18, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/01/Morris_Redacted.pdf).

any matter of business, money, politic, nothing, that I knew of.”⁴⁷ Mr. Langston also made clear that James Biden “never once, in my experience, offered his brother’s participation, help, influence, in any business matter.”⁴⁸

- James Biden stated in his transcribed interview that Joe Biden had “zero” involvement in any of his business dealings, explaining, “I try to separate things, for the same reason why I don’t talk to my brother about business and I never have in the 52 years that I’ve been in business. Okay? I don’t discuss—I don’t ask his opinion.”⁴⁹
- In addition, during his deposition with the Committee, Hunter Biden stated: “All I know is this: My father was never involved in any of my business, ever. Never received a cent from anybody or never benefited in any way. Never took any actions on behalf in any way. And I can absolutely, 100 percent state, that is not just in my case but in every family member’s case.”⁵⁰

Even witnesses openly aligned with Donald Trump and hostile to the Biden family provided exculpatory evidence.⁵¹ For example, in evaluating Tony Bobulinski’s testimony, *ABC News* determined:

The transcript of Bobulinski’s appearance appears to show that when pressed, Bobulinski—who Comer has described as “the one honest, credible guy that was involved with the Bidens”—could not point to direct evidence that Joe Biden was involved in his family’s business dealings. [...] The transcript of the interview also shows that when Republican investigators asked Bobulinski to describe his two interactions with Joe Biden, who was a private citizen at the time, Bobulinski said the meetings did not

⁴⁷ Committee on Oversight and Accountability, Committee on the Judiciary, and Committee on Ways and Means, Transcribed Interview of Joey Langston, 33 (Feb. 1, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Joey-Langston-Transcript.pdf>).

⁴⁸ *Id.* at 32.

⁴⁹ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of James Biden, 69, 155 (Feb. 21, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/James-Biden-Transcript.pdf>).

⁵⁰ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 57 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

⁵¹ *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247); *Trump Had One Last Story to Sell. The Wall Street Journal Wouldn’t Buy It*, New York Times (Oct. 25, 2020) (online at www.nytimes.com/2020/10/25/business/media/hunter-biden-wall-street-journal-trump.html); Michael Bender, *Frankly, We Did Win This Election* (2021); Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Jason Galanis, 59–65 (Feb. 23, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Jason-Galanis-Transcript.pdf>).

include any direct discussion of any involvement in the business venture by Hunter Biden, James Biden, or two other partners, James Gilliar and Rob Walker.⁵²

In sum, this investigation has not simply failed to prove that Joe Biden committed any impeachable offense—it has produced undeniably exculpatory evidence discrediting years of Republican allegations and definitively clearing the President of any wrongdoing.

⁵² *Raskin Blasts GOP's Top Biden Impeachment Witness Tony Bobulinski over Interview with Oversight Panel*, ABC News (Feb. 20, 2024) (online at www.abcnews.go.com/US/raskin-blasts-gops-top-biden-impeachment-witness-tony/story?id=107350891).

CHAPTER TWO: THE EVIDENCE REBUTS THE GOP'S BASELESS CLAIMS ABOUT JOE BIDEN

After 20 months of investigating President Biden, Republicans have not found a shred of evidence that President Biden was ever part of the business activities of his son or brother—while he was in public office or a private citizen. Republicans have also not found any evidence that Joe Biden ever profited from any of his family members' businesses or took any official actions to benefit them.

I. REPUBLICANS HAVE RESORTED TO DISTORTING THE EVIDENCE AND WITHHOLDING FACTS

From the very start of this investigation, the facts and the evidence have belied Republicans' false claims about the President. Yet, House Republicans, including Chairman Comer, have routinely resorted to distorting the evidence and withholding facts in an effort to smear President Biden with baseless allegations.

For example, in November 2023, Chairman Comer selectively released one page of a four-page internal bank email chain to falsely claim that regulators were concerned that Hunter Biden's financial activities amounted to money laundering.⁵³ The three other pages of the email chain, which contain later emails, directly contradict the Chairman's claims and explicitly state that the transactions at issue were "reasonable and consistent with the business profile" and that the entity was "transparent."⁵⁴

Chairman Comer also made unfounded accusations against President Biden and his family based on cherry-picked and misleading information about banking documents, including Suspicious Activity Reports (SAR) reviewed by the Committee at the Department of the Treasury. For example, Chairman Comer incorrectly asserted that SARs, which he routinely mischaracterized as "bank violations," implicate President Biden in wrongdoing, when they do not.⁵⁵ None of the SARs reviewed by Committee staff allege, or even suggest, any potential misconduct by President Biden, nor do they show that President Biden had any involvement in Hunter Biden's financial or business relationships.

⁵³ Oversight Committee Democrats (@OversightDems), X (Nov. 29, 2023) (online at <https://twitter.com/OversightDems/status/1730011731986927930?s=20>) (citing Oversight Committee (@GOPoversight), X (Nov. 29, 2023) (online at <https://twitter.com/GOPoversight/status/1729983592648855652>)).

⁵⁴ *Id.*

⁵⁵ *The Faulkner Focus*, Fox News (Apr. 21, 2023) (online at www.foxnews.com/video/6325510578112); Chairman James Comer (@RepJamesComer), X (Apr. 16, 2023) (online at <https://twitter.com/jamescomer/status/1647645180260958211?s=46>); Democratic Staff, Committee on Oversight and Accountability, *Memorandum: Chairman Comer's Misuse and Distortion of Confidential Bank Information* (May 10, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023.05.10%20Memo%20to%20Members%20re%20Misuse%20and%20Distortion%20of%20Confidential%20Bank%20Information%20FINAL.pdf>); *Comer Releases Biden Family Probe Update Without Showing Link to President*, Politico (May 10, 2023) (online at www.politico.com/news/2023/05/10/james-comer-biden-probe-00096067).

II. NO PAYMENTS TO JOE BIDEN FROM ANY OF HIS SON'S OR BROTHER'S BUSINESS VENTURES

Republicans have failed to identify a single transaction showing Joe Biden profited from his family members' business ventures. In order to obfuscate this central fact, Republicans have highlighted a handful of loan repayments from Joe Biden's brother and son—as well as shared payments on a family cell phone plan—to falsely claim Joe Biden received a share of profits from his family members' businesses. Far from being evidence of any “influence-peddling” schemes, these payments show that as a private citizen, Joe Biden used royalty income from his memoir, *Promise Me, Dad*, to help out members of his family in times of need and that Hunter Biden was willing to step in and help make sure his father didn't miss any cell phone bill payments while he served as Vice President.⁵⁶

Across 3.8 million pages of documents and approximately 80 hours of testimony from transcribed interviews and depositions of 19 witnesses, Republicans have identified just three sets of payments involving Joe Biden, and these payments are entirely innocent:

1. James Biden's repayment of personal loans from Joe Biden in 2017 and 2018;
2. Hunter Biden's repayment of three car payments Joe Biden made on his behalf in 2018; and
3. Payments for a family cell phone plan Hunter Biden covered on his father's behalf for approximately six months in 2010 while he served as Vice President.

A fourth set of payments—two wire transfers totaling \$260,000 that Hunter Biden received in 2019—do not involve Joe Biden at all. Yet, Republicans have disingenuously attempted to link these payments to Joe Biden because his son, who was in and out of rehabilitation facilities at the time and lacked a permanent address, used his father's Delaware home as his mailing address at the time.

Each of these payments is discussed in more detail below. None of the payments establish any wrongdoing by Joe Biden, nor do they show that Joe Biden was involved in his family members' business ventures.

1. *Loan Repayments from James Biden*

⁵⁶ Recorded Interview Between Special Counsel Robert Hur, et. al., and President Joseph R. Biden, Jr. (Oct. 8, 2023) (online at <https://democrats-judiciary.house.gov/uploadedfiles/doj-hjc-hur-0000033-0000191.pdf>). See, e.g., *Assessing 6 Claims by the G.O.P. in the Biden Impeachment Inquiry*, New York Times (Dec. 22, 2023) (online at www.nytimes.com/2023/12/22/us/politics/republican-claims-biden-impeachment-inquiry.html) (“Despite assertions that anywhere from 10 percent to half of the money from Hunter Biden's business deals went to his father, Republicans have failed thus far to show any profit for the current president. They have documented three instances in which family members paid money to Joe Biden—while he was not in office—but they have often omitted the context that the exchanges were loan repayments, not a cut of income.”).

Documents produced to the Committee show that on July 28, 2017, James Biden received a check for \$40,000 from his brother, Joe Biden. Less than six weeks later, on September 3, 2017, James and his wife, Sara, repaid this loan in full, via a check for \$40,000, noting “Loan Repayment” in the memo line. During his transcribed interview with the Committees on the Judiciary and Oversight, James Biden directly addressed this transaction:

Q: You—there was a check, dated September 3rd 2017, from your joint account with your wife—

A: Right.

Q: —to Joseph R. Biden, Jr., in the amount of \$40,000—

A: Yes.

Q: —with a memo line that read, “Loan Repayment.”

A: Yes.

Q: You know when which [sic] check I’m talking about?

A: Yep.

Q: Now—

A: As I said, my wife does all the bookkeeping and handles all the business accounts.

Q: Now, bank records that the Committee received from PNC Bank on October 17th, 2023, Bates No. PNC000001219, show that, on July 28th, 2017, so about 4 weeks earlier, you received \$40,000 to that same account wired to you from the client trust account at Mel Monzack.

A: Yes.

Q: Is that wire transfer your brother loaning you the \$40,000?

A: Yes, sir.

Q: So, to be clear, your brother loaned you \$40,000 at the end of July 2017. And you repaid him \$40,000 about 4 weeks later in early September—

A: Yes, sir.

Q: —at a time when you were both private citizens.

A: Correct.⁵⁷

On January 12, 2018, James Biden received an additional loan from his brother in the amount of \$200,000. This loan, like the July 28, 2017, loan, was transferred from Joe Biden's "Attorney Trust Account" maintained by his attorneys, Monzack, Mersky, McLaughlin, and Browder. On March 1, 2018, James and Sara repaid the second loan in full via a \$200,000 check to Joe Biden, again noting "Loan Repayment" in the memo line.⁵⁸

Importantly, both of these loans extended by Joe Biden to James Biden and James's subsequent repayments to Joe Biden occurred during the Trump Administration, while Joe Biden was a private citizen, was not running for public office, and had earned significant royalties from his book.⁵⁹ Moreover, bank records obtained by the Committee clearly demonstrate that these simple transactions were short-term, interest-free loans between two brothers.⁶⁰

⁵⁷ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of James Biden, 127–128 (Feb. 21, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/James-Biden-Transcript.pdf>). See also PNC_00001219, PNC_00001233 (on file with the Committees).

⁵⁸ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of James Biden, 128–129 (Feb. 21, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/James-Biden-Transcript.pdf>) ("Q: There is a check, dated March 1st, 2018, from your joint account with your wife in the amount of \$200,000 to Joseph R. Biden, Jr.? A: Right. Q: Where the memo lean [sic] reads, "Loan Repayment." A: Yes, sir. Q: Bank records received from PNC Bank on October 17th, 2023, Bates No. PNC00001219, shows that, 6 weeks earlier, on January 12th, 2018, you received \$200,000 to that same account from the client trust account at Mel Monzack. Is that wire transfer a \$200,000 loan—the \$200,000 loan from your brother? A: Yes, sir. Q: So, to be clear about what happened with the second loan, your brother loaned you \$200,000 in early January, 2018, and you repaid him about 6 weeks later on March 1st. A: Yes, sir. Q: Is that fair? A: Yeah. Q: And, again, you were both private citizens at the time and your brother wasn't even running for office at that time. Is that fair? A: Yes, sir."). See also PNC_00001219, PNC_00001260 (on file with the Committee).

⁵⁹ Recorded Interview Between Special Counsel Robert Hur, et. al., and President Joseph R. Biden, Jr., 99–100 (Oct. 8, 2023) (online at <https://democrats-judiciary.house.gov/uploadedfiles/doj-hjc-hur-0000033-0000191.pdf>); Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of James Biden, 126–127 (Feb. 21, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/James-Biden-Transcript.pdf>).

⁶⁰ See Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of James Biden, 127–129 (Feb. 21, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/James-Biden-Transcript.pdf>); Committee on Oversight and Accountability—Democrats, *Fact v. Fiction: Loans from Joe Biden to His Brother James Biden* (2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Fact%20Sheet%20re%20Loan%20Repayment.pdf>); see also Democratic Staff, Committee on Oversight and Accountability, *Memorandum: Mountain of Evidence Shows No Wrongdoing by President Biden* (Dec. 1, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/20231201%20Oversight%20Democrats%20Staff%20Memo%20on%20Impeachment%20Inquiry.pdf>); Committee on Oversight and Accountability, *Press Release: Ranking Member Raskin's Statement on Transcribed Interview with James Biden* (Feb. 22, 2024) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskins-statement-transcribed-interview-james-biden>); *Hunter and James Biden to Be Called to Sit for DEPOSITIONS in Impeachment Investigation: Republicans Will Also Call in the WIFE of President's Son and His Ex-lover Hallie for Interviews as They Ramp Up Probe*, Daily Mail (Nov. 8, 2023) (online at www.dailymail.co.uk/news/article-12726277/Hunter-James-Biden-called-sit-DEPOSITIONS-impeachment-investigation-Republicans-warn-WIFE-presidents-son-ex-lover-Hallie-called-interviews-ramp-probe.html) ("Bank records seen by DailyMail.com show that Joe had loaned James the exact amount he was paid —\$240,000—before he was paid back by his brother. The records show Joe made two

These two transactions are among those that have been repeatedly misrepresented by Chairman Comer. According to the *Washington Post*, “Comer sought to paint the personal check in nefarious terms, alleging without evidence that it showed that Joe Biden had indirectly received payments from his family’s foreign business dealings.” Chairman Comer then doubled down on his misrepresentation, and “[w]hen presented with a bank record of the wire payment that showed the \$200,000 payment to James Biden had originated from the president’s attorney trust account, Comer baselessly accused the law firm representing Joe Biden of money laundering.”⁶¹

2. Car Payments from Hunter Biden

In each of September, October, and November 2018, Hunter Biden paid \$1,380 to Joe Biden “for a 2018 Ford Raptor truck Joe Biden had purchased that Hunter Biden was using.”⁶² Chairman Comer falsely claimed that these “[p]ayments from Hunter’s business entity to Joe Biden are now part of a pattern revealing Joe Biden knew about, participated in, and benefited from his family’s influence peddling schemes.”⁶³ In fact, the evidence is clear, and it wholly contradicts Chairman Comer’s baseless accusation: At a time when both were private citizens, Joe Biden helped his son purchase a truck when Hunter was experiencing financial difficulties due to his ongoing struggles with drug addiction, and then Hunter paid his father back when he was able to do so.⁶⁴

The *Wall Street Journal* confirmed that Joe and Hunter Biden purchased the vehicle in June 2018 from Bayshore Ford Truck Sales near Wilmington, Delaware. Joe Keen, the now-retired salesman who organized the deal, indicated that Joe Biden purchased the vehicle for

short-term loans to James Biden—one for \$40,000 on July 28, 2017, and one for \$200,000 on January 12, 2018. The loans were repaid in full by James Biden without interest in 37 days and 48 days respectively.”).

⁶¹ *Comer Mischaracterizes Hunter Biden Car Payment Reimbursement to His Dad*, Washington Post (Dec. 4, 2023) (online at www.washingtonpost.com/politics/2023/12/04/comer-mischaracterizes-hunter-biden-car-payment-reimbursement-his-dad/); *See also Assessing 6 Claims by the G.O.P. in the Biden Impeachment Inquiry*, New York Times (Dec. 22, 2023) (online at www.nytimes.com/2023/12/22/us/politics/republican-claims-biden-impeachment-inquiry.html) (“House Republicans have pointed to two payments—one for \$200,000 and another for \$40,000—James Biden made to Joe Biden while he was not in office. They have characterized the \$40,000 check as ‘laundered China money.’ But they did not note evidence showing Joe Biden had first loaned money to his brother before being repaid.”).

⁶² *Id.*

⁶³ Committee on Oversight and Accountability, *Press Release: Comer Releases Direct Monthly Payments to Joe Biden from Hunter Biden’s Business Entity* (Dec. 4, 2023) (online at <https://oversight.house.gov/release/comer-releases-direct-monthly-payments-to-joe-biden-from-hunter-bidens-business-entity>).

⁶⁴ *GOP Sees Skulduggery in Hunter Biden Paying His Father Back for Truck*, Wall Street Journal (Dec. 4, 2023) (online at www.wsj.com/politics/gop-sees-skulduggery-in-hunter-biden-paying-his-father-back-for-truck-5d40741a); *Comer Mischaracterizes Hunter Biden Car Payment Reimbursement to His Dad*, Washington Post (Dec. 4, 2023) (online at www.washingtonpost.com/politics/2023/12/04/comer-mischaracterizes-hunter-biden-car-payment-reimbursement-his-dad/); *Assessing 6 Claims by the G.O.P. in the Biden Impeachment Inquiry*, New York Times (Dec. 22, 2023) (online at www.nytimes.com/2023/12/22/us/politics/republican-claims-biden-impeachment-inquiry.html).

around \$67,000.⁶⁵ Mr. Keen also noted that Hunter Biden needed his father to sign for the financing because he had credit issues. The *Wall Street Journal* article includes a photograph of Hunter Biden shaking hands with Mr. Keen as Joe Biden looks on. The article even notes that, “[m]essages on Hunter Biden’s abandoned laptop also support details about the transaction and the monthly repayments from Hunter Biden to his father.”⁶⁶ Similarly, the *Washington Post* reported that “Joe Biden signed for the truck and had it in his name—at a time when Hunter was in the depths of addiction, had a low credit score and couldn’t make the purchase himself.”⁶⁷ Indeed, Hunter Biden confirmed under oath during his deposition with the Oversight and Judiciary Committees that he repaid a loan from his father for a truck.⁶⁸

3. *Family Cell Phone Plan*

Evidence provided to the Committee makes clear that Joe and Hunter Biden had a shared cell phone plan for some months while Joe Biden was Vice President. The Committee subpoenaed 15 years’ worth of information regarding the account to which this line was billed and did not find a shred of evidence that there was anything improper associated with this arrangement.

Eric Schwerin, who assisted Joe Biden in paying his bills and expenses and in filing his taxes and financial disclosures while he was Vice President, stated in a transcribed interview with the Committees that it was not uncommon for Joe Biden to reimburse Hunter Biden for payments, including the common cell phone plan. When asked about “any payments that you can recall that Hunter Biden made for Joe Biden,” Mr. Schwerin described the friends and family cell phone account on which Hunter Biden’s father had a phone line. According to Mr. Schwerin, “Hunter would pay the full bill and his dad would reimburse him for his line for it.”⁶⁹ Mr. Schwerin explained that “there were a number of months—and I don’t know the amount, but probably no more than 6—where Hunter had been paying his dad’s cell phone bill, and we were going to have his dad pay him back once that happened.”⁷⁰

⁶⁵ *GOP Sees Skulduggery in Hunter Biden Paying His Father Back for Truck*, Wall Street Journal (Dec. 4, 2023) (online at www.wsj.com/politics/gop-sees-skulduggery-in-hunter-biden-paying-his-father-back-for-truck-5d40741a).

⁶⁶ *Id.*

⁶⁷ *Comer Mischaracterizes Hunter Biden Car Payment Reimbursement to His Dad*, Washington Post (Dec. 4, 2023) (online at www.washingtonpost.com/politics/2023/12/04/comer-mischaracterizes-hunter-biden-car-payment-reimbursement-his-dad/).

⁶⁸ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 54, (Feb 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf) ([Hunter Biden]: “But I am telling you this: is that if you can show me where any money that I’ve ever had went to my father, other than, for instance, the repayment of the \$1,300 for a loan for a truck—okay?”).

⁶⁹ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Eric Schwerin, 129 (Jan. 30, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Schwerin-Transcript.pdf>).

⁷⁰ *Id.* at 130.

4. *Wire Transfers*

As part of Oversight Republicans’ fishing expedition into the finances of Hunter Biden, the Committee identified two wire transfers from two of his business associates to his bank account: (1) a \$10,000 wire from Wang Xin on July 26, 2019; and (2) a \$250,000 wire from Jonathan Li and another individual on August 2, 2019.⁷¹ At the time of these transfers—a time when Hunter Biden was in and out of rehabilitation facilities for drug and alcohol abuse—he used his father’s Wilmington, Delaware, home as his mailing address—as reflected on his driver’s license and bank records at issue.⁷² Indeed, reports that Hunter Biden listed his parents’ address on his driver’s license in 2019 emerged more than a year ago, in January 2023.⁷³ In September 2023, Chairman Comer alleged that these wire transfers were purportedly evidence of “Joe Biden’s abuse of public office for his family’s financial gain.”⁷⁴ In reality, Hunter Biden appropriately indicated on a financial form that his permanent address was indeed his father’s home. The transfers, however, had nothing to do with Joe Biden, and no money was sent to the home of Joe Biden, or to Joe Biden.⁷⁵ Notably, Joe Biden was also not in public office at the time of these wire transfers.

III. **JOE BIDEN HAD NO INVOLVEMENT IN ANY OF HIS SON’S OR BROTHER’S BUSINESS ACTIVITIES**

Continuing their baseless attempts to portray routine familial interactions as components of an “influence-peddling” scheme, Republicans cite a handful of telephone calls or in-person interactions between Joe and Hunter Biden when others were present. Republicans’ claims ignore the unrebuted evidence that Joe Biden has for decades had a close relationship with his son, and that the two called each other daily and took every opportunity to spend time together when they were both in the same city. On a handful of occasions, Joe Biden called or dropped in on his son when he was meeting with other people, including business associates. However, the evidence shows that even in those circumstances, Joe Biden did not discuss his son’s business ventures, but instead stuck to informal, casual conversations.

Republicans have also suggested that Joe Biden’s use of email aliases is evidence of his involvement in his son’s or brother’s businesses. In fact, as discussed below, Joe Biden’s use of

⁷¹ Committee on Oversight and Accountability, *Press Release: Comer Reveals Wires from China Have Joe Biden’s Wilmington Home as the Beneficiary Address* (Sept. 26, 2023) (online at <https://oversight.house.gov/release/comer-reveals-wires-from-china-have-joe-bidens-wilmington-home-as-the-beneficiary-address%E2%82%AC%E2%82%AC/>).

⁷² *House Oversight Republicans Say New Bank Subpoena Shows Hunter Biden Listed Father’s Wilmington House in Wires with China*, CNN (Sept. 27, 2023) (online at www.cnn.com/2023/09/26/politics/house-oversight-republicans-hunter-biden-bank-subpoena/index.html).

⁷³ *How Biden’s Wilmington Residence Went from a Family Home to Subject of Investigation*, CNN (Jan. 20, 2023) (online at www.cnn.com/2023/01/20/politics/biden-documents-wilmington/index.html).

⁷⁴ *Id.*

⁷⁵ *House Republicans Claim to Have Bank Wires from Beijing Going to Joe Biden’s Delaware Address. Hunter Biden’s Attorney Explained Why*, CBS News (Sept. 27, 2023) (online at www.cbsnews.com/news/house-republicans-hunter-biden-bank-wires-joe-biden/).

email aliases was not an unusual practice for a senior government official. He complied with federal recordkeeping requirements, and there is no evidence in any of his emails that he committed any impeachable offense or any wrongdoing of any kind.

Most recently, Chairman Comer has pointed to a filing by Special Counsel David Weiss, who is prosecuting Hunter Biden, as evidence of “the Biden family’s influence peddling schemes in Romania.”⁷⁶ However, Joe Biden had no involvement in Hunter Biden’s work on behalf of Romanian businessman Gabriel Popoviciu, which has long been a matter of public record. Reporting on this issue has consistently found that “[t]here is no evidence that Vice President Biden acted improperly in any of the situations involving his son.”⁷⁷ Special Counsel Weiss’s most recent filing, which does not implicate President Biden in any of Hunter Biden’s activities, reinforces this conclusion.⁷⁸

A. Joe Biden Never Discussed Business with Hunter Biden’s Business Associates

According to Hunter Biden’s former business partner, Devon Archer, Hunter Biden spoke to his father frequently, and during some of those calls, Hunter Biden happened to be with other people. Mr. Archer also stated that the frequency of these calls increased in the wake of Beau Biden’s illness and death, as then-Vice President Biden attempted to keep an eye on his son’s well-being in the wake of a family tragedy.⁷⁹

Mr. Archer testified that in the course of nearly a decade of working and traveling the globe with Hunter Biden, he could recall approximately 20 instances when Hunter Biden talked to his father while business partners were in the room. Mr. Archer also testified that on two occasions, the then-Vice President attended dinners that included business partners at a Washington, D.C., restaurant. Mr. Archer repeatedly explained that business was never discussed on these calls or at these dinners and that conversations were about “the world,” “the weather and niceties,” and “geography.”⁸⁰ In one instance, Mr. Archer described the discussion as ordinary “dinner conversation.”⁸¹

⁷⁶ Rep. James Comer, @GRepJamesComer, X (Aug. 7, 2024) (online at <https://x.com/repjamescomer/status/1821316578732077514>).

⁷⁷ *Giuliani Is Drawing Attention to Hunter Biden’s Work in Romania, But There’s a Problem*, New York Times (Oct. 25, 2019) (online at www.nytimes.com/2019/10/25/us/politics/giuliani-hunter-biden-romania.html); *Hunter Biden’s Legal Work in Romania Raises New Questions about his Overseas Dealings*, NBC (Oct. 24, 2019) (online at www.nbcnews.com/politics/politics-news/hunter-biden-s-legal-work-romania-raises-new-questions-about-n1071031).

⁷⁸ Government’s Response to Defendant’s Fourth Motion *In Limine*, *United States v. Robert Hunter Biden*, C.D. Cal., No. 23-cr-00599-MCS, Doc. 181 (Aug. 7, 2024) (“The government does not intend to reference allegations that the defendant violated FARA or improperly coordinated with the Obama Administration. . . . [or] to introduce evidence/argue that the defendant was trying to funnel money to Joe Biden.”).

⁷⁹ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer, 117–118, 120, 123–126 (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>).

⁸⁰ *Id.* at 41, 47, 121, 124.

⁸¹ *Id.* at 135. See e.g., Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 35 (Feb. 28, 2024) (online at <https://oversight.house.gov/wp->

Chairmen Comer and Jordan have also both repeatedly claimed that Hunter Biden called his father on December 4, 2015, at the request of executives from Burisma, a Ukrainian energy company.⁸² Once again, this claim has no basis in evidence. Although Mr. Archer did testify about a December 4, 2015, call, he explicitly and repeatedly explained that he understood Hunter Biden to have called “D.C.” and did not have any reason to believe that Hunter Biden had called his father. For example, Mr. Archer was asked, “[Hunter Biden] told you expressly he called his father or that he called D.C.?” and he responded, “D.C., D.C.”⁸³ Hunter Biden’s testimony also made clear that, in fact, he did not call his father that evening: “I know there was never a phone call to my father. I can say that under oath.”⁸⁴

The evidence the Committee has collected establishes that Joe Biden did not engage in any business with any of the individuals he encountered when he called or visited his son, and that he did not take any official action to benefit any of these individuals or any business in which they were engaged.

B. Joe Biden’s Emails Contain No Evidence of Wrongdoing

Chairman Comer and House Republicans have suggested that Joe Biden’s use of pseudonym email addresses while he served as Vice President was nefarious and was evidence of his alleged participation in so-called influence peddling schemes. In an August 2023 interview on *Newsmax*, for example, Chairman Comer alleged that, “The Vice President at the time, Joe Biden, was using fake names in emails and he also was working with his family to set up fake companies to receive wires from foreign nationals,” and he claimed, “[w]e’re very concerned now that Joe Biden was using pseudonyms to hide the fact that he was working with his son to peddle access to our enemies around the world in exchange for wire transfers.”⁸⁵ Similarly, Rep.

content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf). (Hunter Biden explained, “so that means, over the course of 10 years, twice a year, my dad would call me, and I would be in the middle of a dinner, and I always answer his call. I always answer his call, based upon my life’s experience. And you’re telling me, so two times a year over the course of a 10 years, maybe more, or 15 years with Devon Archer, yes, that probably did happen.”).

⁸² See, e.g., Letter from Chairman James Comer, Committee on Oversight and Accountability, to David Chorzempa, Vice President and Associate General Counsel, AT&T (Mar. 6, 2024); Democratic Staff, Committee on Oversight and Accountability, *Committee Republicans Issue Secret Subpoena for Phone Records* (Mar. 12, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/2024-03-12.DEM%20Memo%20re%20ATT%20Subpoena.pdf>); *What Did Hunter Biden’s Ex-Business Partner Tell Lawmakers?*, ABC News (Sept. 23, 2023) (online at <https://abcnews.go.com/Politics/hunter-bidens-business-partner-lawmakers/story?id=103569117>).

⁸³ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer, 37 (July 31, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>).

⁸⁴ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 184 (Feb. 28, 2023) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf); See also *id.* at 183 (“I can say emphatically that I never, ever, ever picked up the phone to call my dad to tell him to do anything – ... on behalf of Burisma.”).

⁸⁵ *National Report*, Newsmax (Aug. 29, 2023) (online at <https://x.com/NEWSMAX/status/1696549518718685365?s=20>).

Tim Burchett claimed that Joe Biden’s use of email aliases was “an attempt to hide and misdirect.”⁸⁶

Joe Biden’s use of email aliases was consistent with the practice of other high-ranking government officials who, across administrations, have “use[d] alternate names in email addresses for security reasons.”⁸⁷ DOJ’s response to a request made under the Freedom of Information Act revealed that, during the former Trump Administration, Attorney General William Barr used an email alias.⁸⁸ In fact, it has recently been revealed that when he was the Commissioner of Agriculture of Kentucky, Chairman Comer himself had “used pseudonyms for government business—including an industrial hemp pilot program involving Chinese seeds which later tested as illegal marijuana.”⁸⁹

Critically, then-Vice President Biden ensured that the emails he sent using aliases were retained in accordance with federal record retention requirements—consequently, the National Archives and Records Administration (NARA) was able to locate and produce the emails he sent using his pseudonym accounts.⁹⁰ Like all of the other documents amassed in this investigation, none of Joe Biden’s emails contain any evidence of any wrongdoing. And here again, Joe Biden’s actions stand in contrast to those of officials in former President Trump’s administration, including President Trump’s daughter and son-in-law, Ivanka Trump and Jared Kushner—who both served as advisors to President Trump and who each “used private messaging services for official White House business.”⁹¹

IV. THE ONLY TWO SO-CALLED FACT WITNESSES TO TESTIFY PUBLICLY ALSO HAVE NO CREDIBLE EVIDENCE THAT JOE BIDEN WAS EVER INVOLVED WITH HIS FAMILY MEMBERS’ BUSINESSES

Although their impeachment inquiry has spanned a year and a half of investigatory effort and included 19 witnesses, Republicans have relied chiefly on the testimony of only two witnesses to try to make their purported case against Joe Biden: Tony Bobulinski, a disgruntled want-to-be business partner of Hunter Biden turned Trump campaign operative, and Jason

⁸⁶ Newsmax (Aug. 30, 2023) (online at www.youtube.com/watch?v=mhkCDALlqiA).

⁸⁷ *Here’s What We Know About the Email Aliases Joe Biden Used While Vice President*, TIME (Aug. 31, 2023) (online at <https://time.com/6310241/joe-biden-email-alias-vice-president/>).

⁸⁸ Letter from Douglas R. Hibbard, Chief, Initial Request Staff, Department of Justice, to Jason Leopold, BuzzFeed News (Feb. 12, 2021) (online at <https://x.com/JasonLeopold/status/1360233977601163274>).

⁸⁹ *James Comer Attacked Joe Biden for Using Email Aliases. He Used Two Himself*, Daily Beast (June 7, 2024) (online at www.thedailybeast.com/james-comer-attacks-joe-biden-for-using-email-aliases-he-used-two-himself).

⁹⁰ See e.g. Letter from Stephannie Oriabure, Director, Archival Operations Division, National Archives and Records Administration, to Kimberly S. Hermann, Southeastern Legal Foundation (June 24, 2022) (online at www.sfliberty.org/wp-content/uploads/sites/12/2023/08/20230828-Complaint-Exhibit-4-Doc.-1-4.pdf); *First Batch of Biden Emails Undercuts G.O.P. Claims*, New York Times (Sept. 22, 2023) (online at www.nytimes.com/2023/09/22/us/politics/biden-emails-alias.html).

⁹¹ *Jared Kushner and Ivanka Trump Use Private Accounts for Official Business, Their Lawyer Says*, New York Times (Mar. 21, 2019) (online at www.nytimes.com/2019/03/21/us/politics/jared-kushner-whatsapp.html).

Galanis, a “serial fraudster” and convicted “con man” who desperately wanted to be in business with Hunter Biden but never was.⁹² However, even if both of these witnesses are taken at their word, neither provided any evidence of wrongdoing or an impeachable offense by President Biden. Mr. Galanis conceded he provided no evidence that then-Vice President Biden took any official actions related to any of Mr. Galanis’s attempted ventures with Hunter Biden. Devon Archer, who was also involved in these attempted ventures—and was convicted as a co-conspirator of Jason Galanis—testified he was not aware of any wrongdoing by President Biden and repeatedly affirmed President Biden was not involved in Hunter Biden’s business ventures.⁹³ For his part, Mr. Bobulinski, when pressed, could identify no evidence that Joe Biden had any involvement in his brief and failed venture with Hunter Biden, which received no investments, never generated a dollar in revenue, and occurred while Joe Biden was a private citizen.⁹⁴ Presented with so-called evidence centered on the farcical claims of Mr. Bobulinski and Mr. Galanis, even right-wing media outlets quickly concluded that Chairman Comer had failed “to turn up proof that the president definitely engaged in or profited from the foreign business dealings of his family members.”⁹⁵ And perhaps nothing more clearly demonstrates what a sham this impeachment inquiry truly is than the fact that—after a year and a half spent trying to uncover wrongdoing by Joe Biden—Republicans have manufactured a wholly baseless case by cobbling together spurious assertions from two witnesses (including a convicted felon) who provided no evidence of wrongdoing by President Biden, whose allegations have been contradicted by all other witnesses, and who lack credibility.

1. *Tony Bobulinski’s Claims*

⁹² *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247); *Trump Had One Last Story to Sell. The Wall Street Journal Wouldn’t Buy It*, New York Times (Oct. 25, 2020) (online at www.nytimes.com/2020/10/25/business/media/hunter-biden-wall-street-journal-trump.html); Michael Bender, *Frankly, We Did Win This Election* (2021); *United States v. Galanis*, 366 F. Supp. 3d 477, 505 (S.D.N.Y. 2018) (describing Galanis as a “skillful con artist”); Transcript of Sentencing, *United States v. Galanis*, No. Cr. 643 (PKC) (S.D.N.Y. Sept. 24, 2020) at 36; Department of Justice, *Press Release: Jason Galanis Sentenced in Manhattan Federal Court for Multiple Securities Fraud Schemes* (Sept. 24, 2020) (online at www.justice.gov/usao-sdny/pr/jason-galanis-sentenced-manhattan-federal-court-multiple-securities-fraud-schemes); *United States v. Galanis*, No. 16 CR 371(RA), Transcript of Sentencing (S.D.N.Y. Aug. 11, 2017) at 30.

⁹³ 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>); Democratic Staff, Committee on Oversight and Accountability, *Memorandum: Transcribed Interview of Devon Archer* (Aug. 3, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-08-03.Democratic%20Member%20Memorandum%20re%20Archer%20Transcribed%20Interview%20Final.pdf>).

⁹⁴ *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247). See Append. B, Exhibit 400A: Tony Bobulinski FBI FD-302 Interview Memorandum, Staff Report, *Committee on Ways & Means, Report on Materials Presented to the Committee on Ways and Means Under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM-Staff-Report_09.27.2023.pdf).

⁹⁵ *James Comer to Invite Biden to Testify Before House Oversight in Impeachment Inquiry*, Washington Examiner (Mar. 20, 2024) (online at www.washingtonexaminer.com/news/house/2931110/james-comer-invite-biden-testify-house-oversight-impeachment-inquiry/).

Committee Republicans called Tony Bobulinski both to participate in a transcribed interview and subsequently to testify at a Committee hearing.⁹⁶ In 2017, he joined Hunter Biden—as well as James Biden, James Gilliar, and Rob Walker—in creating SinoHawk Holdings, LLC, a short-lived and ultimately unsuccessful venture that never earned a dollar.⁹⁷ Mr. Bobulinski has alleged that Joe Biden—while he was a private citizen—was involved in SinoHawk, even suggesting that Joe Biden had a 10% stake in the failed company. Mr. Bobulinski also claimed to have “directly dealt with the Biden family, including Joe Biden” but, by his own account, he had only two brief interactions with Joe Biden and neither involved any substantive discussions about the business venture.⁹⁸

Working in coordination with the Trump campaign, Mr. Bobulinski first made these claims in late October 2020—initially in a written statement and then at a follow up press conference arranged by Trump campaign and Trump White House officials that took place in the hours before the final presidential debate of that campaign, which Mr. Trump had invited Mr. Bobulinski to attend as his personal guest.⁹⁹ By his own admission, Mr. Bobulinski was partly motivated to publicly share his allegations after he learned from a September 23, 2020, report issued by Senate Republican staff that Hunter Biden and James Biden obtained financing from what had been SinoHawk’s target investor, the then-private Chinese energy company CEFC, for a different venture after the SinoHawk project collapsed.¹⁰⁰

⁹⁶ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>); Committee on Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://congress.gov/118/meeting/house/117001/documents/HHRG-118-GO00-Transcript-20240320.pdf>); See e.g. *House GOP’s Latest Impeachment Hearing Devolves into Bickering with Trump-Aligned Witness*, Politico (Mar. 20, 2024) (online at www.politico.com/live-updates/2024/03/20/congress/testy-house-gop-hearing-00148034).

⁹⁷ *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247).

⁹⁸ *Tony Bobulinski Statement on Hunter Biden*, C-SPAN, (Oct. 22, 2020) (online at www.c-span.org/video/?477307-1/tony-bobulinski-statement-hunter-biden); Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 271 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

⁹⁹ *Trump Had One Last Story to Sell. The Wall Street Journal Wouldn’t Buy It*, New York Times (Oct. 25, 2020) (online at www.nytimes.com/2020/10/25/business/media/hunter-biden-wall-street-journal-trump.html); *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247); *Tony Bobulinski Statement on Hunter Biden*, C-SPAN (Oct. 22, 2020) (online at www.c-span.org/video/?477307-1/tony-bobulinski-statement-hunter-biden); Michael Bender, *Frankly, We Did Win This Election* (2021). Mr. Bobulinski attended a 2020 Trump campaign rally in Rome, Georgia, where he secretly met with then-Chief of Staff to President Trump, Mark Meadows, behind a veil of Secret Service vehicles. A photo of the meeting produced by then-assistant to Mr. Meadows, Cassidy Hutchinson, shows that Mr. Bobulinski wore a mask during this meeting in an apparent attempt to conceal his identity, despite Mr. Bobulinski’s claims to the contrary. The full substance of this meeting has not been disclosed by Mr. Bobulinski or Mr. Meadows. *Ex-Trump White House Aide Cassidy Hutchinson Says Photo Refutes Biden Impeachment Witness’s Claims*, ABC News (Feb. 23, 2024) (online at <https://abcnews.go.com/US/trump-white-house-aide-cassidy-hutchinson-pushes-back/story?id=107465387>).

¹⁰⁰ See Append. B, Exhibit 400A: Tony Bobulinski FBI FD-302 Interview Memorandum, Staff Report, Committee on Ways & Means, *Report on Materials Presented to the Committee on Ways and Means under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at <https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM->

Mr. Bobulinski’s allegations were immediately refuted by news outlets, including *Fox News* and the *Wall Street Journal*.¹⁰¹ Notably, Mr. Bobulinski and Mr. Archer, who reportedly “had never met until they started helping various investigations into Biden influence-peddling schemes,” have now “teamed up” to support former President Trump’s 2024 re-election campaign. They were even photographed together with Committee Member Rep. Marjorie Taylor Greene on the sidelines of the Republican National Convention in Milwaukee, Wisconsin, in July 2024.¹⁰²

Desperate to breathe life into their failed impeachment effort, however, Republicans embraced Mr. Bobulinski’s debunked claims, giving him, as *CNN* put it, a platform to “recycle unproven allegations” even as new inconsistencies and contradictions have emerged in his account.¹⁰³ Mr. Bobulinski’s primary claims are discussed in more detail below.

a. “10” for “the Big Guy”

Mr. Bobulinski was recruited to join SinoHawk—which was incorporated in May 2017 and no longer operational as of 2018—by James Gilliar, a British businessman.¹⁰⁴ Mr. Bobulinski, Mr. Gilliar, and their three other partners—Hunter Biden, James Biden, and Rob Walker—attempted to get SinoHawk up and running in 2017, but they failed to persuade CEFC to make an investment.¹⁰⁵ In the end, SinoHawk raised no funds, landed no deals, and generated no revenue during the brief period it was an active entity.¹⁰⁶

Staff-Report_09.27.2023.pdf); Note: The interview memorandum indicates that these are direct quotes from Mr. Bobulinski.

¹⁰¹ *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247); *Ex-Hunter Biden Associate’s Records Don’t Show Proof of Biden Business Relationship Amid Unanswered Questions*, Fox News (Oct. 23, 2020) (online at www.foxnews.com/politics/hunter-biden-tony-bobulinski-joe-biden-unanswered-questions).

¹⁰² *Ex-Hunter Biden Biz Partners and Corruption Witnesses Tony Bobulinski, Devon Archer Team Up at RNC in Nightmare for Joe*, New York Post (July 18, 2024) (online at <https://nypost.com/2024/07/18/opinion/tony-bobulinski-and-devon-archer-reveals-truth-about-biden-family-schemes/>).

¹⁰³ *Former Biden Family Business Associate Recycles Unproven Allegations to House Panels*, CNN (Feb. 13, 2024) (online at www.cnn.com/2024/02/13/politics/tony-bobulinski-impeachment-investigation/index.html).

¹⁰⁴ See Append. B, Exhibit 400A: Tony Bobulinski FBI FD-302 Interview Memorandum, Staff Report, Committee on Ways & Means, *Report on Materials Presented to the Committee on Ways and Means Under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM-Staff-Report_09.27.2023.pdf); Delaware Secretary of State, *Division of Corporations Entity Search SinoHawk* (online at <https://icis.corp.delaware.gov/eCorp/EntitySearch/NameSearch.aspx>) (accessed June 11, 2024).

¹⁰⁵ *Id.*; Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 12 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>); *China’s CEFC Taken Over by Shanghai Government Agency - SCMP Report*, Reuters (Mar. 2, 2018) (online at www.reuters.com/article/us-china-cefc-probe-idUSKCN1GE0X3/).

¹⁰⁶ *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247).

Republicans have, however, seized on a single line of an email—presented out of context—purportedly sent by James Gilliar on May 13, 2017, to the other SinoHawk partners in which Mr. Gilliar asked whether “10” should be “held by H for the big guy?” Mr. Bobulinski said in 2020—and continues to maintain—that the “big guy [...] is in fact a reference to Joe Biden” and he alleged that there was a hidden equity stake in SinoHawk which Joe Biden purportedly held.¹⁰⁷

Republicans have eagerly echoed this false claim throughout their investigation. For example, Rep. Michael Cloud said during the public hearing in which Mr. Bobulinski testified as a Republican witness, “[T]his all comes down to eventually the one ‘Big Guy’ who gets 10 percent for the ‘Big Guy.’ And so, we know that all this money flowed through this to get to Hunter, and then we know, of course, that 10 percent went to the ‘Big Guy.’”¹⁰⁸

However, other messages provided to the Committee by Mr. Bobulinski himself refute this key allegation. It is worth noting that Mr. Bobulinski provided only a hand-picked selection of messages to the Committee. Even then, rather than providing the messages in a format in which they could be authenticated, Mr. Bobulinski simply gave the Committee photographs of the broken screen of his Blackberry device purportedly showing communications he had with others. Committee Republicans voted down Democrats’ proposed subpoena for Mr. Bobulinski’s phone to afford the Committee the opportunity to review the entirety of his communications—in a format in which the messages could be authenticated—rather than the excerpts cherry-picked by Mr. Bobulinski.¹⁰⁹ Nonetheless, even the hand-picked selection of messages provided by Mr. Bobulinski undermine the notion that Joe Biden had any interest in SinoHawk.

For example, one photograph of a Blackberry screen shows a communication sent two days before the “big guy” email. This communication, which appears to be between Mr. Gilliar and Mr. Bobulinski, shows that it was Mr. Gilliar and Mr. Bobulinski who schemed to try to enlist Joe Biden in the venture at a time when SinoHawk was seeking an edge over a rival company that also hoped to secure an investment from CEFC. According to a May 11, 2017, WhatsApp message, Mr. Gilliar told Mr. Bobulinski: “Man U are right let’s get the company set up, then tell H and family the high stakes and get Joe involved.”¹¹⁰ This message, seen in one of

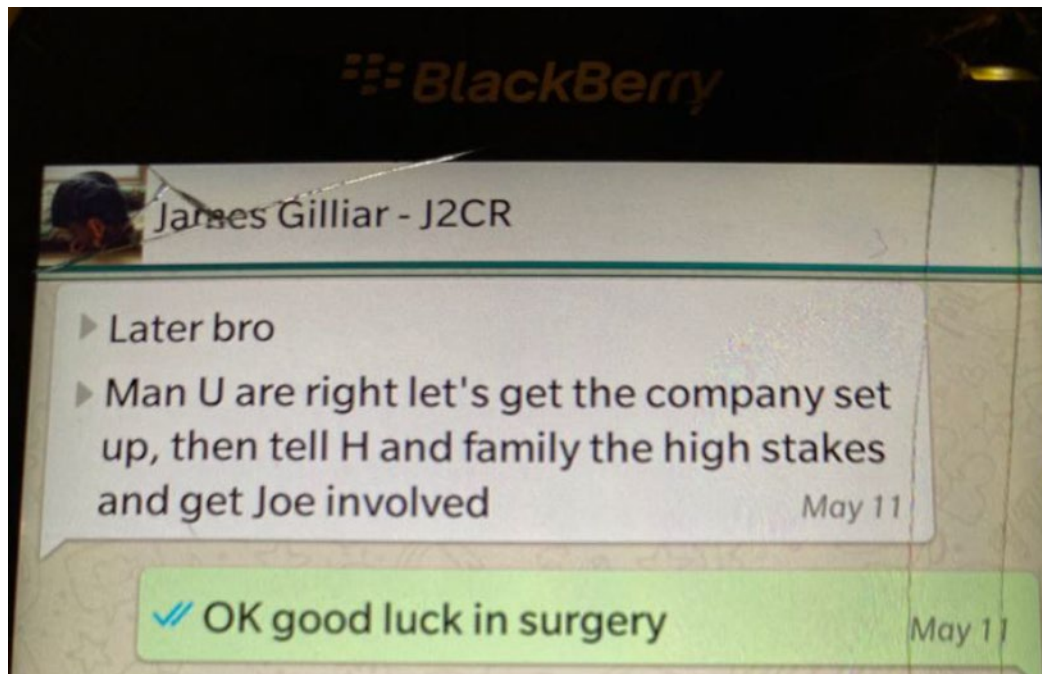
¹⁰⁷ Email from James Gilliar to Tony Bobulinski, cc’ing Rob Walker and Hunter Biden (May 13, 2017); *Bombshell Statement: Biden Insider Claims He Was ‘Recipient of the Email’, Says He Witnessed Joe, Hunter Discussing Deals*, Breitbart (Oct. 21, 2020) (online at www.breitbart.com/politics/2020/10/21/bombshell-statement-biden-insider-claims-he-was-recipient-of-the-email-says-he-witnessed-joe-hunter-discussing-deals/).

¹⁰⁸ Committee On Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at www.congress.gov/118/meeting/house/117001/documents/HHRG-118-GO00-Transcript-20240320.pdf).

¹⁰⁹ *House GOP’s Latest Impeachment Hearing Devolves into Bickering with Trump-Aligned Witness*, Politico (Mar. 20, 2024) (online at www.politico.com/live-updates/2024/03/20/congress/testy-house-gop-hearing-00148034); Committee on Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://oversight.house.gov/hearing/influence-peddling-examining-joe-bidens-abuse-of-public-office/>).

¹¹⁰ WhatsApp Messages between James Gilliar and Tony Bobulinski (May 11, 2017) (on file with the Committee).

the photographs of the cracked Blackberry screen that Mr. Bobulinski provided to the Committee, is shown below.



As this message makes clear, Mr. Bobulinski and Mr. Gilliar were the ones seeking to increase SinoHawk’s profile by making Joe Biden a partner in the venture. There is not a shred of evidence that Mr. Bobulinski or Mr. Gilliar actually had any discussion with the other partners about this rogue idea. To the extent it was raised, the evidence in the Committee’s possession shows it was ignored or dismissed.

Further, signed corporate agreement documents creating SinoHawk Holdings and its operating companies—also provided by Mr. Bobulinski—likewise refute Mr. Bobulinski’s claim. SinoHawk was comprised of two operating companies that each held 50% of the company. Hunter Biden, Mr. Bobulinski, and their team conducted business through Oneida Holdings LLC, which Mr. Bobulinski’s documents unequivocally show consisted of only five partners, each of whom held a 20% share: Hunter Biden, James Biden, Tony Bobulinski, James Gilliar, and Rob Walker. The other operating company was an entity belonging solely to the CEFC investors. Joe Biden is not mentioned in any of the corporate papers, he did not sign any of the papers, and none of the incorporation papers record that any proceeds from the venture were to go to Joe Biden.¹¹¹ During his February 2024 transcribed interview with the House Oversight and Judiciary Committees, Mr. Bobulinski explained he was the venture’s point person for responding to JPMorgan Chase, where SinoHawk Holdings sought to open a bank account, as the bank conducted due diligence on the venture. Mr. Bobulinski confirmed that these corporate records, which he transmitted to JPMorgan Chase, correctly reflected the venture’s ownership

¹¹¹ Limited Liability Company Agreement, Execution Version, SinoHawk Holdings LLC (May 24, 2017); Limited Liability Company Agreement, Execution Version, Oneida Holdings LLC (May 22, 2017) (on file with the Committee).

structure. As Mr. Bobulinski explained, “If they [the documents] weren’t legitimate, I would be committing bank fraud, wire fraud, and a whole host of other things. So, yeah, I believe they were an operating business and more than legitimate.”¹¹² When asked specifically during his transcribed interview if he ever disclosed to JPMorgan that there was “a secret partner with a secret share referred to as the big guy” in the venture, Mr. Bobulinski conceded he never did, stating, “I never had a discussion with JPMorgan referencing anything about a secret anything.”¹¹³ With this testimony, Mr. Bobulinski conceded that Joe Biden was never a secret partner to the failed SinoHawk venture. Mr. Bobulinski’s admission is also consistent with the fact that while he and Mr. Gilliar aspired to have Joe Biden join their effort, they never succeeded and Joe Biden never joined.

All of Mr. Bobulinski’s former partners in SinoHawk have stated that Mr. Bobulinski’s allegation that Joe Biden had a role in their venture was false. Right after Mr. Bobulinski came forward in October 2020, James Gilliar—the author of the notorious “big guy” email—stated to the *Wall Street Journal*, “I would like to clear up any speculation that former Vice President Biden was involved with the 2017 discussions about our potential business structure. I am unaware of any involvement at any time of the former Vice President.”¹¹⁴ During a December 2020 interview with agents from the Internal Revenue Service (IRS) and the FBI, Rob Walker agreed that the idea of Joe Biden ever joining their project was as far-fetched as “unicorns and rainbows.”¹¹⁵ Mr. Walker also stated unequivocally in a January 2024 transcribed interview before the House Oversight and Judiciary Committees that “President Biden, while in office or as a private citizen, was never involved in any business activities we pursued.”¹¹⁶ The President’s brother, James Biden, similarly stated in his transcribed interview that Joe Biden had “zero” involvement in any of his business dealings.¹¹⁷ And when he was asked in his deposition about the “big guy” email, Hunter Biden stated,

I truly don’t know what the hell that James [Gilliar] was talking about. All I know is that what actually happened. All I know is that what was executed in the agreement, and the

¹¹² Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 233–234 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

¹¹³ *Id.* at 235.

¹¹⁴ *Hunter Biden’s Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247).

¹¹⁵ Federal Bureau of Investigation and Internal Revenue Service, Joint Interview of John Robinson Walker (Dec. 8, 2020) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/T60-Exhibit-401-John-Robinson-Walker-Interview-Transcript-12.08.2021_Redacted.pdf).

¹¹⁶ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of John Robinson Walker, 11 (Jan. 26, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Walker-Transcript.pdf>).

¹¹⁷ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of James Biden, 69 (Feb. 21, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/James-Biden-Transcript.pdf>).

agreement didn't have anything to do with my father. My father's never been involved with my business.¹¹⁸

The media has also refuted Mr. Bobulinski's allegation that Joe Biden had any involvement in the SinoHawk venture. For example, the *Wall Street Journal*, which had been in possession for some time of at least some of what Mr. Bobulinski purports are evidentiary materials, reported that these "corporate records [...] show no role for Joe Biden." The *Journal* continued, "Text messages and emails related to the venture that were provided to the Journal by Mr. Bobulinski, mainly from the spring and summer of 2017, don't show either Hunter Biden or James Biden discussing a role for Joe Biden in the venture."¹¹⁹

On the same day the *Wall Street Journal* printed its story, *Fox News* also published an article debunking Mr. Bobulinski's story, reporting that his "records don't show proof of Biden business relationship" and that "emails from Bobulinski [...] don't show that the elder Biden had business dealings with SinoHawk Holdings, or took any payments from them or the Chinese."¹²⁰ In fact, *Fox News* uncovered additional evidence that contradicted Mr. Bobulinski's claims, reporting,

[A]ccording to separate emails obtained by Fox News, Bobulinski states there are no other members besides Hunter Biden, Jim Biden, Rob Walker, James Gillar and Anthony Bobulinski, regarding the shareholding structure, and records for all stages of company negotiations show no role for Joe Biden.¹²¹

b. Mr. Bobulinski Never Discussed Business with Joe Biden

Although Mr. Bobulinski claimed to have "directly dealt with the Biden family, including Joe Biden," he has made clear that his two interactions with Joe Biden—which took place in May 2017 when Joe Biden was a private citizen—were brief and did not involve any substantive discussion of business dealings.¹²²

Mr. Bobulinski has said that he first met Joe Biden in Los Angeles on May 2, 2017, the night before Joe Biden was scheduled to give a speech about his Cancer Moonshot Initiative at

¹¹⁸ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 117–118 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

¹¹⁹ *Hunter Biden's Ex-Business Partner Alleges Father Knew About Venture*, Wall Street Journal (Oct. 23, 2020) (online at www.wsj.com/articles/hunter-bidens-ex-business-partner-alleges-father-knew-about-venture-11603421247).

¹²⁰ *Ex-Hunter Biden Associate's Records Don't Show Proof of Biden Business Relationship Amid Unanswered Questions*, Fox News (Oct. 23, 2020) (online at www.foxnews.com/politics/hunter-biden-tony-bobulinski-joe-biden-unanswered-questions).

¹²¹ *Id.*

¹²² *Tony Bobulinski Statement on Hunter Biden*, C-SPAN (Oct. 22, 2020) (online at www.c-span.org/video/?477307-1/tony-bobulinski-statement-hunter-biden); Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 271 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

the annual conference of the Milken Institute, a prominent non-partisan, non-profit think tank. Appearing at a 2020 Trump campaign press conference, Mr. Bobulinski first said that this interaction with Joe Biden lasted about an hour, that they talked about their family histories, and that he believed that Joe Biden had only a “high-level” understanding of his son’s business ventures.¹²³ In subsequent retellings of this encounter, Mr. Bobulinski further minimized their interaction. In a second retelling, at an interview just days after his 2020 press conference, Mr. Bobulinski told Tucker Carlson, “You know, we didn’t go into too much detail on business.”¹²⁴ In his transcribed interview before the Oversight and Judiciary Committees in February 2024, Mr. Bobulinski offered that this first interaction took place “late at night” and after Joe Biden had completed a long day of travel. Mr. Bobulinski explained, “[Joe Biden] had just flown across country. I think we sat down. It started around 10:35 or 10:40 at night. And he had had a long day. I had had a long day. We shook hands, got up and went our way.”¹²⁵

Hunter Biden similarly recalled the brief, late-night interaction as being non-substantive, explaining during his congressional deposition that he believed it took place around 11 p.m. and that his “dad went and shook hands with Tony [Bobulinski]. They talked about—I believe at that time, I don’t know whether it was Tony’s father was suffering from cancer, and his sister was suffering from cancer, and he invited him to the speech at the Milken Conference.”¹²⁶

Mr. Bobulinski also made clear to congressional investigators that his only other interaction with Joe Biden—which took place on May 3, 2017, the day after his first encounter with Joe Biden—lasted only about ten minutes and was even more perfunctory. Mr. Bobulinski explained that, after Joe Biden gave his speech, “they took me backstage when he was done, handshaking, walked him out to a car, [discussed] general pleasantries because he was still putting together stuff.”¹²⁷ He added that there was a lot of commotion and that the backstage area was not conducive to having a meaningful discussion, explaining, “it was a tight space, there were a lot of people getting, you know, just water and having different discussions.”¹²⁸

Hunter Biden similarly described that this second interaction after his father’s speech would have been especially brief and could not have been described as a “meeting,” explaining during his deposition:

¹²³ *Id.*

¹²⁴ *Tucker Carlson Tonight*, Fox News (Oct. 27, 2020) (online at www.realclearpolitics.com/video/2020/10/27/tucker_carlson_interviews_hunter_biden_business_partner_tony_bobulinski_about_joe_biden_involvement.html).

¹²⁵ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 271 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

¹²⁶ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 141–142 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

¹²⁷ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 271 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

¹²⁸ *Id.* at 52.

[I]t would have to have happened literally in between the time my dad went up to speak in the hallway. I don't know if anybody else has ever been to the Milken Conference or a conference similar to that. You walk in. You go to make your speech. You speak to people in the hallway. You speak to people after they make—after he makes his speech and comes down from the stage. But, no, there was no meeting, per se.¹²⁹

c. Mr. Bobulinski Shared Questionable Information with the FBI and Refused to Turn over His Devices, Which He Claimed Corroborated His Allegations

The day after he participated in the Trump campaign press conference, on October 23, 2020, Mr. Bobulinski, represented by Stefan Passantino, a former senior Trump White House lawyer, gave a voluntary, self-initiated interview to FBI agents at the Washington, D.C. Field Office, but here, too, Mr. Bobulinski's story did not add up.¹³⁰ The records that Mr. Bobulinski himself provided the Committee—and may have even shown the FBI at the time of his interview—disprove several of the claims that he made to the FBI as documented in the FBI's record of the interview using a form called an FD-302 summary memo.¹³¹ A defensive Mr. Bobulinski has accused the FBI agents of having prepared a “false” interview record.¹³²

Mr. Bobulinski took issue with several aspects of the FD-302 summary memo, but, most significantly, he denied having ever told the FBI that he was present for an early planning meeting for the SinoHawk project in Miami in 2017. The FBI interview record states that “BOBULINSKI first met in person with members of the BIDEN family at a 2017 meeting in Miami, Florida.” The summary memo recorded that Mr. Bobulinski claimed he was present for this meeting, where “[a]n arrangement to provide compensation to HUNTER BIDEN and JAMES BIDEN – in the form of payments and future investment opportunities – was discussed.”¹³³ However, among the documents that Mr. Bobulinski shared with the Committee are messages he exchanged with Mr. Gilliar that make clear that while there was indeed a planning meeting in Miami in February 2017, Mr. Bobulinski never attended and was barely

¹²⁹ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 142 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

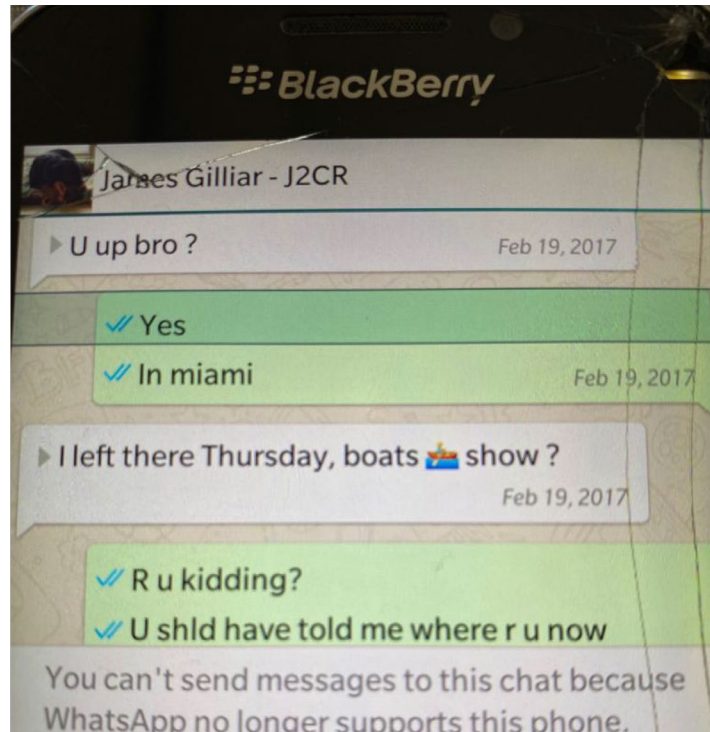
¹³⁰ See Append. B, Exhibit 400A: Tony Bobulinski FBI FD-302 Interview Memorandum, Staff Report, Committee on Ways & Means, *Report on Materials Presented to the Committee on Ways and Means Under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM-Staff-Report_09.27.2023.pdf).

¹³¹ WhatsApp messages between James Gilliar and Tony Bobulinski (Feb. 19, 2017, and Feb. 20, 2017) (on file with the Committee).

¹³² Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 63 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

¹³³ See Append. B, Exhibit 400A: Tony Bobulinski FBI FD-302 Interview Memorandum, Staff Report, Committee on Ways & Means, *Report on Materials Presented to the Committee on Ways and Means Under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM-Staff-Report_09.27.2023.pdf).

even involved in the project at that time.¹³⁴ One such message, which was sent on February 19, 2017, makes clear that Mr. Gilliar did not tell Mr. Bobulinski about the meeting in Miami until after it took place—much to Mr. Bobulinski’s disappointment. An image of that exchange, also in the form of a photograph of the broken screen of a Blackberry device, is provided below.¹³⁵

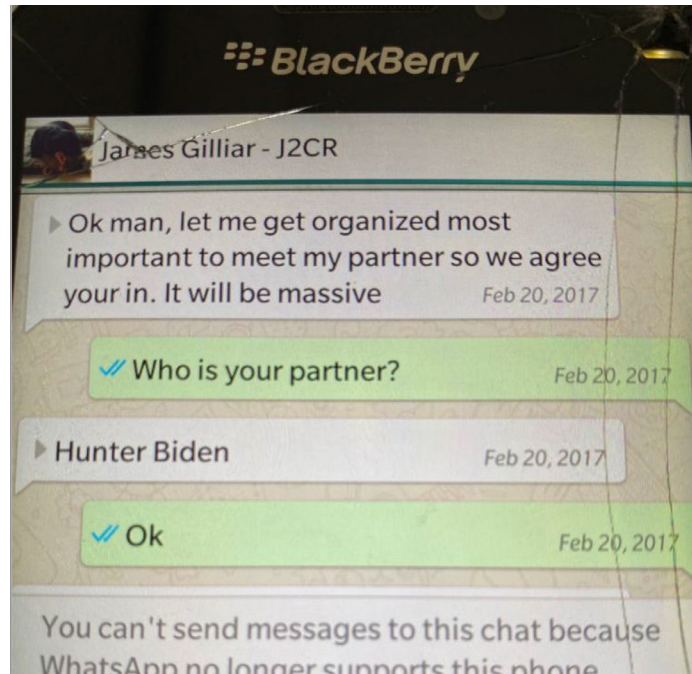


Moreover, it was not until the following day, February 20, 2017, that Mr. Gilliar told Mr. Bobulinski for the first time that Hunter Biden was attached to the SinoHawk project. The image of that exchange, as recorded on a broken Blackberry device photographed by Mr. Bobulinski and provided to the Committee, is included below.¹³⁶

¹³⁴ WhatsApp messages between James Gilliar and Tony Bobulinski (Feb. 19, 2017, and Feb. 20, 2017) (on file with the Committee).

¹³⁵ WhatsApp messages between James Gilliar and Tony Bobulinski (Feb. 19, 2017) (on file with the Committee).

¹³⁶ WhatsApp messages between James Gilliar and Tony Bobulinski (Feb. 20, 2017) (on file with the Committee).



Mr. Bobulinski has since said that the FBI’s account is wrong. During his transcribed interview before the House Judiciary and Oversight Committees in February 2024, Mr. Bobulinski said that he never told agents that he attended the Miami meeting and that he had only relayed details that had been shared with him by his partners who were present. Mr. Bobulinski characterized the FBI’s account of their discussion of the Miami meeting as “an absolute lie. It’s an incorrect statement. And it should have been fixed.”¹³⁷

The FBI interview is further notable because it provides a glimpse into the limitations of Mr. Bobulinski’s purported evidence, which he is still peddling today. According to the FBI memo and later confirmed by Mr. Bobulinski in his 2024 transcribed interview, Mr. Bobulinski presented the FBI agents with three cellular devices that he claimed contained text messages, emails, and other information directly connecting Joe Biden to Hunter Biden’s business activities.¹³⁸ He refused to allow the FBI to make forensic copies of their contents, with the FD-302 noting:

BOBULINSKI did not want the FBI to forensically image the iPhone, Blackberry Bold or

¹³⁷ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 174 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

¹³⁸ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 91–98 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>); See Append. B, Exhibit 400A: Tony Bobulinski FBI FD-302 Interview Memorandum, Staff Report, *Committee on Ways & Means, Report on Materials Presented to the Committee on Ways and Means Under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM-Staff-Report_09.27.2023.pdf).

the Blackberry Key. BOBULINSKI used the three devices for personal communications and other business transactions, and he was sensitive about permitting the entirety of the data on the phones to be imaged and retained by the FBI.¹³⁹

Instead, Mr. Bobulinski insisted on showing the agents only select, carefully hand-picked documents and messages.¹⁴⁰ He has similarly provided the Committee only material he has selected to produce. To this day, Mr. Bobulinski refuses to allow law enforcement and congressional investigators to authenticate his devices or his digital records.¹⁴¹ Further, congressional Republicans voted down Democrats’ proposed subpoena for Mr. Bobulinski’s phone to afford the Committee the opportunity to review the entirety of his communications rather than the excerpts cherry-picked by Mr. Bobulinski.¹⁴²

2. Jason Galanis’s Claims

The second fact witness called by Republicans who testified publicly in their impeachment inquiry against President Biden was Jason Galanis. Mr. Galanis has been described as a “con artist” by two federal judges and is currently serving a 189-month sentence in federal prison for orchestrating securities fraud schemes—none of which involved Hunter Biden—though they did involve Devon Archer, who was convicted as a co-conspirator of Mr. Galanis.¹⁴³ Mr. Galanis appeared at the Committee’s March 20, 2024, hearing by video from federal prison.¹⁴⁴ As the federal judge who sentenced Galanis in 2017 noted, the victims of his schemes included “one of the poorest Native American tribes in the country” and pension funds “held for the benefit of transit workers, longshorem[e]n, ... housing authorities workers and city

¹³⁹ See Append. B, Exhibit 400A: Tony Bobulinski FBI FD-302 Interview Memorandum, Staff Report, Committee on Ways & Means, *Report on Materials Presented to the Committee on Ways and Means Under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM-Staff-Report_09.27.2023.pdf).

¹⁴⁰ *Id.*

¹⁴¹ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Anthony Bobulinski, 91–98 (Feb. 13, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/02/Bobulinski-Transcript.pdf>).

¹⁴² *House GOP’s Latest Impeachment Hearing Devolves into Bickering with Trump-Aligned Witness*, Politico (Mar. 20, 2024) (online at www.politico.com/live-updates/2024/03/20/congress/testy-house-gop-hearing-00148034); Committee on Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://oversight.house.gov/hearing/influence-peddling-examining-joe-bidens-abuse-of-public-office/>).

¹⁴³ *United States v. Galanis*, 366 F. Supp. 3d 477, 505 (S.D.N.Y. 2018) (describing Galanis as a “skillful con artist”); Transcript of Sentencing, *United States v. Galanis*, No. Cr. 643 (PKC) (S.D.N.Y. Sept. 24, 2020) at 36; Department of Justice, *Press Release: Jason Galanis Sentenced in Manhattan Federal Court for Multiple Securities Fraud Schemes* (Sept. 24, 2020) (online at www.justice.gov/usao-sdny/pr/jason-galanis-sentenced-manhattan-federal-court-multiple-securities-fraud-schemes).

¹⁴⁴ Committee on Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://oversight.house.gov/hearing/influence-peddling-examining-joe-bidens-abuse-of-public-office/>).

employees, hard-working people, everyday people, among others.”¹⁴⁵ For these crimes, the court ordered Galanis to make restitution to his victims of more than \$80 million.¹⁴⁶

This prosecution was not the first time Mr. Galanis had faced fraud charges. In 2005, the Securities and Exchange Commission charged him with accounting fraud in connection with his role as a major investor in *Penthouse* magazine and subsequently barred him from serving as an officer or director of a public company.¹⁴⁷ And in 2010, Mr. Galanis was convicted of attempted tax evasion for the tax years 2003 to 2007 and sentenced to probation of five years and ordered to pay \$2 million in restitution.¹⁴⁸ In sum, as the judge who sentenced him in 2020 found, Mr. Galanis “was a very greedy man” who committed fraud “and was excellent at it to a point, and the trail of victims is sad, but it is quite extraordinary.”¹⁴⁹

In a December 2020 clemency petition to then-President Trump, Mr. Galanis—who, to be clear, was serving a multi-year sentence for fraudulently swindling tens of millions of dollars—alleged that Hunter Biden and his former business associate Devon Archer “sought to use political influence” to secure investments for a financial services firm called Burnham and Company—which was the first time he had made any such claims publicly.¹⁵⁰ At his transcribed interview in February 2024, Mr. Galanis, who is represented by a former Trump Administration lawyer, added additional detail to his account, claiming that his potential venture with Hunter Biden would have involved a possible role for Joe Biden after the end of his Vice Presidency. However, even by Mr. Galanis’s own account, the proposed venture never came to fruition, Hunter never joined Burnham, and Joe Biden never joined Burnham’s board or otherwise associated with the venture.¹⁵¹ Notably, in his transcribed interview with the Committee, Mr. Archer testified he was not aware of any wrongdoing by President Biden and repeatedly affirmed President Biden was not involved in Hunter Biden’s business ventures.¹⁵²

¹⁴⁵ Hearing Transcript, *United States v. Galanis*, No. 16 CR 371 (RA), at 30 (S.D.N.Y. Aug. 11, 2017).

¹⁴⁶ Department of Justice, *Press Release: Jason Galanis Sentenced in Manhattan Federal Court for Multiple Securities Fraud Schemes* (Sept. 24, 2020) (online at www.justice.gov/usao-sdny/pr/jason-galanis-sentenced-manchattan-federal-court-multiple-securities-fraud-schemes).

¹⁴⁷ Securities and Exchange Commission, *Litigation Release No. 20110* (May 10, 2007) (online at www.sec.gov/litigation/litreleases/lr-20110).

¹⁴⁸ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Jason Galanis, 45 (Feb. 23, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Jason-Galanis-Transcript.pdf>).

¹⁴⁹ Hearing Transcript, *United States v. Galanis*, No. 15 Cr. 643 (PKC), at 36 (S.D.N.Y. Sept. 24, 2020).

¹⁵⁰ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Jason Galanis, 34–35 (Feb. 23, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Jason-Galanis-Transcript.pdf>).

¹⁵¹ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Jason Galanis (Feb. 23, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Jason-Galanis-Transcript.pdf>).

¹⁵² 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>); Democratic Staff, Committee on Oversight and Accountability, *Memorandum: Transcribed Interview of Devon Archer* (Aug. 3, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-08-03.Democratic%20Member%20Memorandum%20re%20Archer%20Transcribed%20Interview%20Final.pdf>).

As the trial judge in Mr. Galanis’s securities fraud case found, it was Mr. Galanis who eagerly sought to involve Hunter Biden (and, aspirationally, one day, Joe Biden), by working through Devon Archer, Hunter Biden’s business partner and friend. Mr. Galanis hoped involving Hunter Biden in his ventures would “add layers of legitimacy” to his business ventures.¹⁵³

Mr. Galanis also claimed at his transcribed interview that he was physically present on two occasions when Hunter Biden talked to his father over the phone. Although Mr. Galanis could only provide a vague description of the conversations he purportedly overheard, he claimed they involved discussion of Hunter’s business activities—an assertion that Hunter Biden directly rebutted during his deposition and for which the Committee has no corroborating evidence.¹⁵⁴ Additionally, in a Committee hearing, Mr. Galanis’s account of this alleged call made clear that he never actually discussed business with Joe Biden and instead merely overheard Joe Biden exchange “some pleasantries.”¹⁵⁵

Mr. Galanis further asserted that Elena Baturina, a Russian businesswoman and business associate of Devon Archer, whom Republicans have previously claimed paid Hunter Biden \$3.5 million in 2014, was present for one of those calls.¹⁵⁶ However, the evidence shows that Hunter Biden never engaged in business of any kind nor received any payment from Ms. Baturina. Hunter Biden stated unequivocally under oath that he “never received a dime from Ms. Baturina” and “didn’t have any involvement with her in any way.”¹⁵⁷ Mr. Archer testified similarly at his transcribed interview, making clear several times that the \$3.5 million from Ms. Baturina was part of a business deal in which Hunter had no part and which Mr. Archer described as “completely out of [Hunter’s] portfolio.” Mr. Archer also testified that none of the \$3.5 million was paid to Hunter Biden.¹⁵⁸

¹⁵³ *United States v. Galanis*, 366 F. Supp.3d 477, 505 (S.D.N.Y. 2018). (Yet another witness testified that Mr. Galanis described Mr. Archer as “a business partner and very well connected individual politically and also in the business world.”); *Id.*

¹⁵⁴ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 181 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

¹⁵⁵ Committee on Oversight and Accountability, *Press Release: Oversight Republicans’ Impeachment Hearing Was a ‘Spectacular Failure’* (Mar. 21, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/oversight-republicans-impeachment-hearing-was-spectacular-failure>).

¹⁵⁶ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Jason Galanis, 10–12 (Feb. 23, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Jason-Galanis-Transcript.pdf>); Oversight Committee, @GOPoversight, X (Sept. 29, 2023) (online at <https://x.com/GOPoversight/status/1707851219841040863>).

¹⁵⁷ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 196 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

¹⁵⁸ Committee on Oversight and Accountability, Transcribed Interview of Devon Archer, 61, 138 (July 31, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2023/08/Devon-Archer-Transcript.pdf>); See e.g., Committee on Oversight and Accountability—Democrats, *Fact v. Fiction: A Russian Oligarch Did Not Give Hunter Biden \$3.5 Million* (online at <https://oversightdemocrats.house.gov/fact-v-fiction-a-russian-oligarch-did-not-give-hunter-biden-35-million>).

Finally, even if one were to credit Mr. Galanis’s conspiracy theory, his claims still would not provide any evidence whatsoever of an impeachable offense by President Biden. As Mr. Galanis himself admitted at his transcribed interview, none of the documents he provided to Republican staff in order to support his allegations even refers to Joe Biden. And Mr. Galanis’s account makes clear that Joe Biden never had a role in the prospective business venture, and he never provided any evidence that Joe Biden ever took any official action to benefit it.¹⁵⁹

3. Purported “Sitting Here With My Father” Text

Republicans have made a July 30, 2017, WhatsApp message that Hunter Biden purportedly attempted to send to a business associate at CEFC a centerpiece of their investigation. The message purportedly reads, in part:

I am sitting here with my father and we would like to understand why the commitment made has not been fulfilled... And Z if I get a call or text from anyone involved in this other than you Zhang or the Chairman I will make certain that between the man sitting next to me and every person he knows and my ability to forever hold a grudge that you will regret not following my direction.¹⁶⁰

There appears to be some confusion as to whom this message was actually sent—Raymond Zhao, the head of CEFC, or Henry Zhao, another business associate unaffiliated with CEFC. This confusion appears to have originated with IRS whistleblower Gary Shapley’s May 2023 interview with the House Ways and Means Committee. Mr. Shapley told the Committee that he “obtained a July 30th, 2017, WhatsApp message from Hunter Biden to Henry Zhao.” House Ways and Means Committee Chairman Jason Smith subsequently repeated the assertion that the text message was sent to Henry Zhao the following month.¹⁶¹

Notwithstanding this confusion, Republicans have cited this WhatsApp summary as proof that Hunter Biden involved his father in his business deals. However, Hunter Biden has refuted this allegation, testifying under oath that his father was not present at the time the messages were purportedly sent and that he was “drunk and probably high” as he was in the throes of his addiction crisis.¹⁶² An independent fact checker, *FactCheck.org*, stated of this

¹⁵⁹ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Jason Galanis, 102, 124 (Feb. 23, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Jason-Galanis-Transcript.pdf>).

¹⁶⁰ Append. B, Exhibit 300: Relevant Backup Messages, Staff Report, *Committee on Ways & Means, Report on Materials Presented to the Committee on Ways and Means Under 26 U.S.C. § 6103* (Sept. 27, 2023) (online at https://gop-waysandmeans.house.gov/wp-content/uploads/2023/09/WM-Staff-Report_09.27.2023.pdf); Meeting on Documents Protected Under Internal Revenue Code Section 6103, Committee on Ways and Means (Sept. 27, 2023) (online at <https://gop-waysandmeans.house.gov/event/meeting-on-documents-protected-under-internal-revenue-code-section-6103-2/>).

¹⁶¹ Rep. Jason Smith (@Rep.JasonSmith), X (June 22, 2023) (online at <https://x.com/RepJasonSmith/status/1671956734917705735>).

¹⁶² Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 105–108 (Feb 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

message: “That still is not proof that Joe Biden was in the room that day or that he talked with Hunter Biden about the details of his business deals or specific transactions.”¹⁶³ In addition, the *New York Times* reported, “The president has denied he was present at the time.”¹⁶⁴ It should also be noted that, at the time of this message, Joe Biden was a private citizen.

V. GOP CLAIMS IGNORE HUNTER BIDEN’S AND JAMES BIDEN’S BACKGROUNDS AND EXPERIENCE

House Republicans’ investigation has confirmed that Joe Biden had no role in his son’s or brother’s businesses and never received any benefit from them. Because Republicans cannot identify any role Joe Biden had in his family members’ businesses, they have resorted to making claims about the “Biden family” and its “associates”—not President Biden.¹⁶⁵

Even Republicans’ claims about the “Biden family” have proven to be baseless. For example, Republicans have insinuated that Hunter Biden and James Biden—both private citizens—had no business qualifications. Republicans have even alleged that because Hunter Biden suffered from addiction, he could not bring any value to a business enterprise. For example, during the Committee’s first impeachment hearing in September 2023, Rep. Scott Perry claimed “the President’s son was addicted to drugs and he was frequenting prostitutes. So, I suspect his value of a brand was pretty low” and added, “the President’s son’s only skill is leveraging his family name.”¹⁶⁶ Such claims ignore basic facts about the long professional careers of both Hunter and James Biden.

After graduating from Yale Law School in 1996, Hunter Biden worked as a lawyer at MNBA Bank, including in the general counsel’s office, and he managed a unit within the bank’s fraud department.¹⁶⁷ In 1998, Hunter moved to Washington, D.C., to work in the U.S. Department of Commerce in the Clinton Administration, where he served as director of e-commerce policy. Three years later, he began a career as a lobbyist, eventually co-founding his

¹⁶³ *FactChecking McCarthy’s Impeachment Inquiry Claims*, FactCheck.org (Sept. 13, 2023) (online at www.factcheck.org/2023/09/factchecking-mccarthys-impeachment-inquiry-claims/).

¹⁶⁴ *Assessing 6 Claims by the G.O.P. in the Biden Impeachment Inquiry*, New York Times (Dec. 22, 2023) (online at www.nytimes.com/2023/12/22/us/politics/republican-claims-biden-impeachment-inquiry.html).

¹⁶⁵ Committee on Oversight and Accountability, *Press Release: Comer: Oversight Committee Has Uncovered Mounting Evidence Tying Joe Biden to Family Business Schemes* (Sept. 13, 2023) (online at <https://oversight.house.gov/release/comer-oversight-committee-has-uncovered-mounting-evidence-tying-joe-biden-to-family-business-schemes/>).

¹⁶⁶ Committee on Oversight and Accountability, *Hearing on The Basis for an Impeachment Inquiry of President Joseph R. Biden, Jr.* (Sept. 28, 2023) (online at www.congress.gov/118/chr/CHRG-118hhrg53720/CHRG-118hhrg53720.pdf).

¹⁶⁷ Committee on Oversight and Accountability and Committee on the Judiciary, *Deposition of Robert Hunter Biden*, 16 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

own firm, Oldaker, Biden & Belair.¹⁶⁸ His clients included St. Joseph's University, which hired him to help secure funding for one of the school's volunteer programs.¹⁶⁹

Around this time, Hunter Biden was appointed to an unpaid position on the board of directors of Amtrak by President George W. Bush, where he rose to be vice chairman and head of the corporate governance committee.¹⁷⁰

After Joe Biden became Barack Obama's running mate in 2008, Hunter ended his lobbying career and founded his own consulting firm, Rosemont Seneca Partners, where he advised global infrastructure and alternative investment clients.¹⁷¹ At the time he joined the Burisma board, Hunter Biden had also worked as *of counsel* to the international law firm Boies Schiller Flexner, where he focused on corporate governance.¹⁷²

In addition, Hunter Biden has served as an adjunct professor at Georgetown University's foreign service master's degree program and as chairman of the boards of the Truman National Security Project, Center for National Policy, and the World Food Program USA. He also served as a member of the boards of the Jesuit Volunteer Corps Northwest and Catholic Charities in Washington, D.C.¹⁷³

James Biden's business experience extends back several decades and across several industries. He has run businesses in the restaurant and hospitality industries, been licensed in the real estate and securities industries, has been licensed as an energy trader, and has worked in the benefits and human resources and factoring industries.¹⁷⁴ Since the early 1990s, he has been a principal of the Lion Hall Group, which has provided consulting services in several areas, including insurance and liquid natural gas.¹⁷⁵ James Biden currently runs a company that provides voluntary worksite benefits to major institutions on behalf of the employees.¹⁷⁶

¹⁶⁸ *See id.*

¹⁶⁹ Biography.com, *Hunter Biden* (online at www.biography.com/history-culture/hunter-biden) (accessed Feb. 23, 2024); *Father and Son*, New Yorker (July 1, 2019) (online at www.newyorker.com/magazine/2019/07/08/will-hunter-biden-jeopardize-his-fathers-campaign).

¹⁷⁰ Committee on Oversight and Accountability and Committee on the Judiciary, Deposition of Robert Hunter Biden, 17 (Feb. 28, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Hunter-Biden-Transcript_Redacted.pdf).

¹⁷¹ *See id.* at 17, 23.

¹⁷² *See id.* at 17, 150.

¹⁷³ *See id.* at 17.

¹⁷⁴ Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of James Biden, 15, 56, 67–68 (Feb. 21, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/James-Biden-Transcript.pdf>).

¹⁷⁵ *See id.* at 11, 15.

¹⁷⁶ *See id.* at 10–11.

VI. BIDEN ADMINISTRATION HAS NEVER OBSTRUCTED REPUBLICANS' IMPEACHMENT INVESTIGATION

Republicans are desperate to find scapegoats for the utter failure of their impeachment inquiry. As part of that effort, Republicans have contrived false allegations that various entities within the Biden Administration have withheld information, thereby obstructing their investigation. In fact, the Committee has received extraordinary cooperation from banks, private citizens—including members of the President's family—and the Administration, as made plain by the fact that Republicans have amassed more than 3.8 million pages of documents and 80 hours of testimony from 19 witnesses (including the President's son and brother) during their investigation.

A. Biden Administration Has Given Extraordinary Cooperation to Impeachment Inquiry

Republican allegations that the Biden Administration has obstructed their impeachment inquiry are false and are directly refuted by Chairman Comer's own statements affirming that the Committee has received all of the information it has sought. For example, Chairman Comer has stated, "Every subpoena that I've signed as chairman of the House Oversight Committee over the last five months, we've gotten 100 percent of what we've requested, [w]hether it's with the FBI or with banks or with Treasury."¹⁷⁷ In January of this year, Chairman Comer said, "Because we've done this investigation the right way, we're getting everything we wanted."¹⁷⁸ In February 2024, Chairman Comer again confirmed, "I'm getting everything I wanted."¹⁷⁹

The Department of the Treasury has made available more than 2,000 pages of highly sensitive bank reports for review by Committee Members.¹⁸⁰ The White House and NARA have made more than 20,000 pages of emails public and, in addition, have produced more than 75,000 pages of documents to the Committee in response to the Chairman's demands.¹⁸¹ Various agencies, including the Secret Service, the FBI, and the White House have provided briefings for Committee staff. The White House even offered to work with the Committee in order to

¹⁷⁷ McCarthy: House Could Launch Impeachment Inquiry 'When We Come Back into Session,' The Hill (Aug. 22, 2023) (online at <https://thehill.com/homenews/house/4165602-mccarthy-house-could-launch-impeachment-inquiry-when-we-come-back-into-session/>); See also Committee on Oversight and Accountability—Democrats, *Fact v. Fiction: NO Obstruction of Congressional Investigations of President Biden* (2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Fact%20Sheet%20re%20Obstruction.pdf>).

¹⁷⁸ Rep. James Comer on What It Would Mean If Hunter Biden Pleads the Fifth, Fox News (Jan. 18, 2024) (online at www.youtube.com/watch?v=8R1jsnHJfPs&t=18s).

¹⁷⁹ House Oversight Chair Comer Reacts to Hur Report, Newsmax (Feb. 9, 2024) (online at www.dropbox.com/scl/fi/e5h94wnje09evkuwzspcu/20240209-Comer-Newsmax-Hur-Report.mp4?rlkey=8whwe2m3ytu86kmfsqhhd2atg&e=1&dl=0).

¹⁸⁰ Committee on Oversight and Accountability—Democrats, *Fact v. Fiction: NO Obstruction of Congressional Investigations of President Biden* (2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Fact%20Sheet%20re%20Obstruction.pdf>).

¹⁸¹ Scoop: National Archives Gives New Tranche of Biden Emails to House GOP, Axios (Mar. 30, 2024) (online at www.axios.com/2024/03/30/national-archives-biden-impeachment-republicans).

accommodate Chairman Comer's subpoena for the testimony of former White House Counsel, Dana Remus, despite the legitimate and significant legal and constitutional concerns about compelling the testimony of a former White House Counsel.¹⁸² Rather than engage, however, the Chairman declined to respond to the White House's invitation.

The DOJ has also cooperated on all fronts with the impeachment inquiry. The FBI made extraordinary accommodations to enable Chairman Comer to access an FBI FD-1023 tipsheet by arranging for *in camera* review of the form twice in June 2023.¹⁸³ The FBI also provided three briefings—two at the staff level and one for Chairman Comer and Ranking Member Raskin—regarding the tipsheet and the FBI's confidential human source program. During these briefings, the FBI repeatedly warned that the tipsheet contained unverified and incomplete information.¹⁸⁴

The DOJ made available David Weiss, a Special Counsel who is prosecuting Hunter Biden, to the Judiciary Committee for more than six hours of questioning.¹⁸⁵ In addition to Special Counsel Weiss, the Biden Administration has made numerous federal officials from different agencies and offices available for questioning by the Judiciary and Ways and Means Committees regarding the investigation of Hunter Biden, including four current senior special agents at FBI and IRS, the U.S. Attorney for the District of Columbia, the U.S. Attorney for the Central District of California, and the Acting Deputy Assistant Attorney General for Criminal Matters at the Tax Division of DOJ.¹⁸⁶ The Central Intelligence Agency (CIA) also responded to

¹⁸² Letter from Richard Sauber, Special Counsel to the President, to Chairman James Comer, Committee on Oversight and Accountability, and Chairman Jim Jordan, Committee on the Judiciary (Dec. 6, 2023) (online at <https://punchbowl.news/wp-content/uploads/Letter-12.06.23-Richard-Sauber-to-Comer-and-Jordan.pdf>).

¹⁸³ Committee on Oversight and Accountability, *Report: Resolution Recommending that the House of Representatives Find Christopher Wray, Director, U.S. Federal Bureau of Investigation, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Accountability* (June 7, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/06/Oversight-Resolution-6.7.2023.pdf>); Committee on Oversight and Accountability, *Comer Forces the FBI to Cooperate and Allow All Oversight Committee Members to Review Biden Bribery Record* (June 7, 2023) (online at <https://oversight.house.gov/release/comer-forces-the-fbi-to-cooperate-and-allow-all-oversight-committee-members-to-review-biden-bribery-record>).

¹⁸⁴ Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (Mar. 11, 2024) (online <https://oversightdemocrats.house.gov/sites/evo-subsites/oversightdemocrats.house.gov/files/evo-media-document/2023-03-11.Raskin%20to%20Comer%20re%20FD-1023.pdf>).

¹⁸⁵ Office of the Attorney General, *Order No. 5730-2023 Appointment of David C. Weiss as Special Counsel* (Aug. 11, 2023) (online at www.justice.gov/d9/2023-08/order.appointment_of_david_c._weiss_as_special_counsel.pdf); *Special Counsel Rebuts Claims of Favoritism Toward Hunter Biden*, New York Times (Nov. 7, 2023) (online at www.nytimes.com/2023/11/07/us/politics/david-weiss-hunter-biden-testimony.html).

¹⁸⁶ Democratic Staff, Committees on Judiciary and Oversight and Accountability, *Memorandum: IRS and FBI Witnesses Debunk Republicans' False Claims About Political Interference in Special Counsel Weiss's Investigation* (Sept. 27, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-09-27%20Joint%20Democratic%20Memorandum%20re%20IRS%20and%20FBI%20Witnesses%20Debunk%20Political%20Interference%20Claims.pdf>); *Top DOJ Prosecutor in DC Refutes Claim that He Blocked Hunter Biden Tax Charges in His District*, CNN (Oct. 13, 2023) (online at www.cnn.com/2023/10/13/politics/matthew-graves-hunter-biden-testimony/index.html); *Hunter Biden Prosecutor Wasn't Blocked from Bringing California Charges, US*

the Committee's inquiries regarding the Hunter Biden investigation. After Chairman Comer and Judiciary Chairman Jordan wrote to the CIA on March 21, 2024, alleging that the CIA obstructed a criminal investigation by the DOJ into Hunter Biden by "interven[ing]" to "prevent" a witness interview, the CIA responded on April 4 making clear that the "CIA did not prevent or seek to prevent IRS or DOJ from conducting any such interview" and "[t]he allegation is false."¹⁸⁷

Similarly, the DOJ has also cooperated with the Committee's oversight of Special Counsel Robert Hur's investigation, beginning with the Special Counsel's report itself, "which the Department provided promptly and in full to Congress." In addition, the DOJ "readily agreed to allow Special Counsel Hur to testify publicly" before the Committee on the Judiciary, and the Special Counsel spent more than five hours answering congressional questions under oath.¹⁸⁸ After Chairmen Comer and Jordan each issued a subpoena on February 27, 2024, for four categories of documents and information, the DOJ subsequently produced documents and information responsive to each of the subpoena's four requests, including the full transcript of President Biden's interview with Special Counsel Hur.¹⁸⁹ Nonetheless, Republicans contrived the specious allegation that Attorney General Merrick Garland "impeded [their] impeachment inquiry" against President Biden by failing to provide audio recordings of President Biden's voluntary interview with Special Counsel Hur.¹⁹⁰ In fact, Republicans, and the American public,

Attorney Tells Congress, AP (Oct. 25, 2023) (online at <https://apnews.com/article/hunter-biden-prosecutor-congress-fl67a5358cd2ee4d915ea44c228d4894>).

¹⁸⁷ Letter from Chairman James Comer, Committee on Oversight and Accountability, and Chairman Jim Jordan, Committee on the Judiciary, to Director William J. Burns, Central Intelligence Agency (Mar. 21, 2024) (online at <https://judiciary.house.gov/sites/evo-subsites/republicans-judiciary.house.gov/files/evo-media-document/2024-03-21%20JDJ%20JC%20to%20CIA.pdf>); Letter from Director James A. Catella, Office of Congressional Affairs, Central Intelligence Agency, to Chairman James Comer, Committee on Oversight and Accountability, and Chairman Jim Jordan, Committee on the Judiciary (Apr. 4, 2024).

¹⁸⁸ Letter from Edward Siskel, Counsel to the President, to Chairman James Comer, Committee on Oversight and Accountability, and Chairman Jim Jordan, Committee on the Judiciary (May 16, 2024), (online at www.politico.com/f/?id=0000018f-8149-d166-a5af-df5b358d0001); Committee on the Judiciary, *Hearing on the Report of Special Counsel Robert K. Hur* (Mar. 12, 2024) (online at <https://judiciary.house.gov/committee-activity/hearings/hearing-report-special-counsel-robert-k-hur>).

¹⁸⁹ Letter from Chairman James Comer, Committee on Oversight and Accountability, and Chairman Jim Jordan, Committee on the Judiciary, to Attorney General Merrick Garland, Department of Justice (Feb. 27, 2024) (online at https://oversight.house.gov/wp-content/uploads/2024/02/Subpoena-Cover-Letter-to-AG-Garland_Hur-Report-Materials-Joint-Letter-2-27-24.pdf); Letter from Department of Justice to Chairman James Comer, Committee on Oversight and Accountability (Mar. 7, 2024) (online at https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/2024.03.07-OUT-Comer-SCO%20Subpoena_0.pdf); Letter from Department of Justice to Chairman James Comer, Committee on Oversight and Accountability, (Mar. 12, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/DOJ.240312.Response%20to%20Comer%20re%20Subpoena%20-%20Hur%20and%20Biden%20Classified%20Docs.pdf>); Letter from Department of Justice to Chairman James Comer, Committee on Oversight and Accountability, and Chairman Jim Jordan, Committee on the Judiciary (Apr. 8, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/2024.04.08-OUT-Jordan-Comer-Re%20SCO%20Hur.pdf>); Recorded Interview Between Special Counsel Robert Hur, et. al., and President Joseph R. Biden, Jr., 1003 (Oct. 8, 2023) (online at <https://democrats-judiciary.house.gov/uploadedfiles/doj-hjc-hur-0000033-0000191.pdf>).

¹⁹⁰ Committee on Oversight and Accountability, *Resolution Recommending that the House of Representatives Find United States Attorney General Merrick B. Garland in Contempt of Congress for Refusal to*

can read the full content of that interview because the Attorney General gave the Committee the information it sought: the contents of the President’s interview with Special Counsel Hur.¹⁹¹ Hearing the President’s words rather than reading them will not change his words and certainly will not reveal any new evidence of an impeachable offense.

In February and March 2024, the Federal Bureau of Prisons (BOP) on two separate occasions made available to the Committee Jason Galanis, who is currently serving a nearly 16-year sentence for securities fraud at a federal prison in Montgomery, Alabama. In February, the BOP arranged for Galanis to appear in person in that federal prison for an hours-long transcribed interview by Committee staff. In March 2024, the BOP once again accommodated a Committee request by enabling Mr. Galanis to appear for a full Committee hearing, including arranging a videoconference link from prison to the Committee hearing room, making Galanis available to answer questions for the entirety of the hours-long hearing, and arranging for Galanis to appear for the hearing in non-prison attire.¹⁹²

Republicans’ claims that the Biden Administration—and particularly Attorney General Garland—have withheld information from the Committee are false and are an effort to try to distract from the fact that the mountains of information that the Committee *has* received have shown no wrongdoing by President Biden. Rather than admit the failure of their impeachment inquiry, however, Republicans are willing “to undermine public trust in the administration and the DOJ in particular.”¹⁹³ In fact, Republicans are even willing to “further politicize our judicial system to score political points,” as Republican Rep. David Joyce observed when he stated that he would oppose a resolution holding Attorney General Garland in contempt.¹⁹⁴

B. The Trump Administration Repeatedly Obstructed Congressional Oversight

The Biden Administration’s record of extraordinary cooperation with Republicans’ impeachment inquiry against President Biden stands in stark contrast to the Trump Administration’s record of obstructing congressional investigations and refusing to comply with

Comply with a Subpoena Duly Issued by the Committee on Oversight and Accountability (May 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/05/Garland-Contempt-Report-re-Hur-Report.pdf>).

¹⁹¹ Recorded Interview Between Special Counsel Robert Hur, et. al., and President Joseph R. Biden, Jr., 1003 (Oct. 8, 2023) (online at <https://democrats-judiciary.house.gov/uploadedfiles/doj-hjc-hur-0000033-0000191.pdf>).

¹⁹² Committee on Oversight and Accountability and Committee on the Judiciary, Transcribed Interview of Jason Galanis, 10–12 (Feb. 23, 2024) (online at <https://oversight.house.gov/wp-content/uploads/2024/03/Jason-Galanis-Transcript.pdf>); Committee on Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://congress.gov/118/meeting/house/117001/documents/HHRG-118-GO00-Transcript-20240320.pdf>).

¹⁹³ *The House GOP’s Latest Bid to Make Merrick Garland a Villain*, Vox (June 12, 2024) (online at www.vox.com/politics/355001/merrick-garland-contempt-vote-house-republicans).

¹⁹⁴ *Only One Republican Voted Against Holding Merrick Garland in Contempt*, The New Republic (June 12, 2024) (online at <https://newrepublic.com/post/182658/one-republican-vote-against-merrick-garland-contempt-david-joyce>).

congressional subpoenas.¹⁹⁵ In fact, one study found that the Trump Administration refused to provide information in more than 100 congressional investigations and inquiries from 2017 to 2021.¹⁹⁶ Republicans have also sought to obscure the former Trump Administration's actual and unprecedented obstruction of congressional oversight, including during the first impeachment of former President Trump.

Unlike the Biden Administration, the Trump Administration refused to comply with the 2019 impeachment inquiry into then-President Trump. President Trump ordered his entire Administration not to cooperate with the House's impeachment inquiry's requests for interviews of federal officials with factual knowledge relevant to the investigation.¹⁹⁷ In total, 12 federal officials refused to testify before Congress, ten of whom defied congressional subpoenas.¹⁹⁸ Similarly, the White House explained in correspondence to Congress that it would not comply with congressional subpoenas issued to it for relevant documents as part of the impeachment inquiry.¹⁹⁹

During the Trump Administration, under then-Attorney General Barr, the DOJ itself refused to cooperate with multiple congressional investigations. For example, in 2018, the Committee on Oversight and Reform launched an investigation into the Department of Commerce's effort to include a citizenship question in the upcoming 2020 census.²⁰⁰ Attorney General Barr, together with then-Secretary of Commerce Wilbur Ross, obstructed the Committee's investigation by refusing to provide key documents specifically identified in bipartisan Committee subpoenas. Further, during the investigation, information emerged that a DOJ official, John Gore, had pressured the Department of Commerce to include the citizenship question at the direction of President Trump.²⁰¹ After Mr. Gore refused to answer more than 150 questions during a transcribed interview in March 2019, the Committee issued a bipartisan subpoena for his deposition testimony.²⁰² Attorney General Barr instructed Mr. Gore not to appear at the deposition as required by the subpoena, and several subsequent attempts by the

¹⁹⁵ See *House Holds Barr and Ross in Contempt over Census Dispute*, New York Times (July 17, 2019) (online at www.nytimes.com/2019/07/17/us/politics/barr-ross-contempt-vote.html).

¹⁹⁶ Co-Equal, *Trump Administration Oversight Precedents* (Mar. 2024) (online at www.co-equal.org/guide-to-congressional-oversight/trump-administration-oversight-precedents).

¹⁹⁷ House Permanent Select Committee on Intelligence, *The Trump-Ukraine Impeachment Inquiry Report* (Dec. 2019) (online at www.govinfo.gov/content/pkg/GOVPUB-Y4_IN8_18-PURL-gpo129303/pdf/GOVPUB-Y4_IN8_18-PURL-gpo129303.pdf).

¹⁹⁸ *Id.*

¹⁹⁹ *Id.*

²⁰⁰ Committee on Oversight and Accountability, *Resolution Recommending that the House of Representatives Find William P. Barr, Attorney General of the United States, and Wilbur L. Ross, Jr., Secretary of Commerce, in Contempt of Congress for Refusal to Comply with Subpoenas Duly Issued by the Committee on Oversight and Reform*, 116th Cong. (2019) (online at www.govinfo.gov/content/pkg/CRPT-116hrpt125/pdf/CRPT-116hrpt125.pdf).

²⁰¹ *Id.*

²⁰² *Id.*

Committee to obtain Mr. Gore’s deposition testimony failed.²⁰³ Accordingly, the Committee voted to hold Attorney General Barr, as well as Secretary Ross, in contempt of Congress in June 2019, and the full House approved the contempt resolutions in July 2019.²⁰⁴

In another instance, in April 2019, reports emerged that Special Counsel Robert Mueller had written to Attorney General Barr expressing concern that a publicly released memorandum written by Attorney General Barr summarizing the Special Counsel’s investigation into Russian interference in the 2016 presidential election “did not fully capture the context, nature, and substance of this Office’s work and conclusions” and urging Mr. Barr to release the full content of the Special Counsel’s report.²⁰⁵ Only one month later did Attorney General Barr release a version of the Special Counsel’s report, and this publicly released report contained significant redactions.²⁰⁶ Subsequently, the House Judiciary Committee sought to convene a hearing to review the Special Counsel’s findings, including the Attorney General’s role in their release, but Attorney General Barr refused to testify.²⁰⁷

Former President Trump and the Trump Administration provide clear examples of what actual obstruction of a congressional investigation looks like. By contrast, the Biden Administration has consistently cooperated with this investigation despite its baseless and transparently partisan nature.

²⁰³ *Id.*

²⁰⁴ *Id.*; *House Votes to Hold Attorney General Barr, Commerce Secretary Ross in Contempt for Failing to Comply with Subpoena on 2020 Census*, Washington Post (July 17, 2019) (online at www.washingtonpost.com/politics/house-to-vote-to-hold-barr-ross-in-contempt-over-2020-census-citizenship-question/2019/07/17/8dbeb35c-a89c-11e9-a3a6-ab670962db05_story.html).

²⁰⁵ See *Mueller Complained That Barr’s Letter Did Not Capture ‘Context’ of Trump Probe*, Washington Post (Apr. 30, 2019) (online at www.washingtonpost.com/world/national-security/mueller-complained-that-barrs-letter-did-not-capture-context-of-trump-probe/2019/04/30/d3c8fdb6-6b7b-11e9-a66d-a82d3f3d96d5_story.html); see also *Read Attorney General William Barr’s Summary of the Mueller Report*, New York Times (Mar. 24, 2019) (online at www.nytimes.com/interactive/2019/03/24/us/politics/barr-letter-mueller-report.html).

²⁰⁶ *Mueller Reveals Trump’s Attempts to Choke off Russia Probe*, Associated Press (Apr. 18, 2019) (online at <https://apnews.com/article/north-america-donald-trump-ap-top-news-politics-russia-48f9d5132d7a4e2d823edad8fc407979>).

²⁰⁷ Co-Equal, *Trump Administration Oversight Precedents* (Mar. 2024) (online at www.co-equal.org/guide-to-congressional-oversight/trump-administration-oversight-precedents).

CHAPTER THREE: THE REPUBLICAN IMPEACHMENT INQUIRY IS BASED UPON RUSSIAN PROPAGANDA AND DISINFORMATION

From the outset, House Republicans' impeachment inquiry has been predicated on a debunked conspiracy theory propagated by the Kremlin—and amplified for years by Donald Trump, Rudy Giuliani, and others in Trump World—alleging that then-Vice President Biden acted corruptly in Ukraine to benefit his son, Hunter Biden, and, by extension, Burisma, a Ukrainian company on whose board Hunter Biden served.

Allegations of Joe Biden's supposed corruption in Ukraine had already been repeatedly discredited by numerous federal government entities—including Donald Trump's own Treasury Department—long before House Republicans made them the centerpiece of their inquiry.²⁰⁸ Nonetheless, Republicans continued to trumpet these allegations—with Chairman Comer even repeatedly claiming they were “credible” evidence that “then-VP Joe Biden engaged in a criminal bribery scheme”—until early 2024.²⁰⁹

In February 2024, the confidential human source behind an FBI tipsheet that recorded allegations of Joe Biden's supposed corruption in Ukraine was arrested for lying to the FBI about the Bidens and admitted he had ties to Russian intelligence services.²¹⁰

²⁰⁸ U.S. Department of State, *Sanctioning Russia-Linked Disinformation Network for Its Involvement in Attempts to Influence U.S. Election* (Jan. 11, 2021) (online at <https://2017-2021.state.gov/sanctioning-russia-linked-disinformation-network-for-its-involvement-in-attempts-to-influence-u-s-election/>); U.S. Department of the Treasury, *Treasury Sanctions Russia-Linked Election Interference Actors* (Sept. 10, 2020) (online at <https://home.treasury.gov/news/press-releases/sm1118>); U.S. Department of the Treasury, *Treasury Takes Further Action Against Russian-Linked Actors* (Jan. 11, 2021) (online at <https://home.treasury.gov/news/press-releases/sm1232>).

²⁰⁹ E.g., Rep. James Comer (@RepJamesComer), X (May 4, 2023) (online at <https://twitter.com/RepJamesComer/status/1654302048530190336>) (“I have reviewed credible whistleblower disclosures that then-VP Joe Biden allegedly engaged in a bribery scheme with a foreign national.”); Rep. James Comer (@RepJamesComer), X (June 9, 2023) (online at <https://twitter.com/RepJamesComer/status/1667273922025226240>) (“Now we know a highly credible informant at the FBI has indicated that then-VP Joe Biden engaged in a criminal bribery scheme.”); *Rep. Comer to Newsmax: Hearsay FBI Informant's Info 'Credible,'* Newsmax (June 6, 2023) (online at www.newsmax.com/newsmax-tv/james-comer-biden-family-fbi-informant/2023/06/06/id/1122612/) (Chairman Comer described: “[A] pattern here of the Bidens doing this while Joe Biden was vice president”); *James Comer Speaks Out After FBI Phone Call over Biden Bribery Allegations Doc, Hannity*, Fox News (May 31, 2023) (online at www.youtube.com/watch?v=vlf8vQOfB0s) (Chairman Comer stated: “So there’s a pattern here that would suggest this is a credible allegation”); *Biden Is Now Prioritizing Illegal Migrants over Homeless Vets ... and Our Media Isn't Being Honest About Trump's Ukraine Comments*, Fox Across America with Jimmy Failla, Fox News Radio (May 15, 2023) (online at www.listennotes.com/podcasts/fox-across-america/biden-is-now-prioritizing-VbSZA4wU5nW) (Chairman Comer stated: “And here’s why I think it’s credible.”); *Sunday Night in America*, Fox News (Mar. 24, 2024) (online at www.foxnews.com/video/6349643271112) (Chairman Comer said: “[T]he Biden family was influence peddling.”); *James Comer Fires Back at AOC over Biden Probe: All the Democrats Have is Russia, Fox & Friends First*, Fox News (Apr. 9, 2024) (online at www.foxnews.com/video/6350558553112) (“Three Biden associates have testified under oath that Joe Biden was the closer of these influence peddling schemes.”).

²¹⁰ U.S. Department of Justice, Special Counsel David C. Weiss, *Press Release: Grand Jury Returns Indictment Charging FBI Confidential Human Source with Felony False Statement and Obstruction Crimes* (Feb. 15, 2024) (online at www.justice.gov/sco-weiss/pr/grand-jury-returns-indictment-charging-fbi-confidential-human).

I. OFFICIAL WARNINGS OF RUSSIA’S EFFORTS TO SMEAR JOE BIDEN HAVE BEEN NUMEROUS AND SPECIFIC

For years before House Republicans launched their impeachment inquiry, there had been repeated warnings from the federal government—including the Administration of former President Donald Trump—detailing the Kremlin’s extensive efforts to interfere in U.S. elections, including by smearing Joe Biden with false allegations that he acted corruptly in Ukraine.

In January 2021, for example, the Trump Administration’s Secretary of State, Michael Pompeo, denounced Russian-backed individuals who “coordinated dissemination and promotion of fraudulent or unsubstantiated allegations involving a U.S. political candidate” and “repeated public statements advancing malicious narratives that U.S. Government officials have engaged in corrupt dealings in Ukraine.”²¹¹

In 2020 and again in January 2021, the Trump Administration imposed sanctions against specific individuals who advanced “disinformation narratives” targeting Joe Biden in an effort to interfere in the 2020 elections.²¹² Warning in September 2020 that “Russia has used a wide range of influence methods and actors to target our electoral process, including targeting U.S. presidential candidates,” the Trump Administration’s Treasury Department sanctioned Andrii Derkach, a pro-Russia member of Ukraine’s parliament who passed along false information incriminating Joe Biden to Rudy Giuliani and other Western sources in order to damage Joe Biden’s reputation.²¹³ According to the Treasury Department, Mr. Derkach, who “ha[d] been an active Russian agent for over a decade, maintaining close connections with the Russian Intelligence Services,” was sanctioned because:

From at least late 2019 through mid-2020, Derkach waged a covert influence campaign centered on cultivating false and unsubstantiated narratives concerning U.S. officials in the upcoming 2020 Presidential Election, spurring corruption investigations in both Ukraine and the United States designed to culminate prior to election day. Derkach’s unsubstantiated narratives were pushed in Western media through coverage of press conferences and other news events, including interviews and statements.²¹⁴

In January 2021, the Trump Administration’s Treasury Department sanctioned several members of “Derkach’s inner circle,” including Andriy Telizhenko, who, according to the Trump Administration, “made repeated public statements to advance disinformation narratives that U.S.

source-felony-false); Indictment, *United States v. Smirnov*, No. 2:24-cr-00091-ODW (C.D. Cal. filed Feb. 2, 2024) (online at www.justice.gov/sco-weiss/media/1338741/dl).

²¹¹ U.S. Department of State, *Sanctioning Russia-Linked Disinformation Network for Its Involvement in Attempts to Influence U.S. Election* (Jan. 11, 2021) (online at <https://2017-2021.state.gov/sanctioning-russia-linked-disinformation-network-for-its-involvement-in-attempts-to-influence-u-s-election/>).

²¹² U.S. Department of the Treasury, *Treasury Takes Further Action Against Russian-Linked Actors* (Jan. 11, 2021) (online at <https://home.treasury.gov/news/press-releases/sm1232>).

²¹³ U.S. Department of the Treasury, *Treasury Sanctions Russia-Linked Election Interference Actors* (Sept. 10, 2020) (online at <https://home.treasury.gov/news/press-releases/sm1118>).

²¹⁴ *Id.*

government officials have engaged in corrupt dealings in Ukraine” and whose statements were “consistent with and in support of Derkach’s efforts, acting as an agent of the Russian intelligence services, to influence the 2020 U.S. Presidential election.”²¹⁵ At the time, the Treasury Department also elaborated on Mr. Derkach’s actions, writing that:

Since at least 2019, Derkach and his associates have leveraged U.S. media, U.S.-based social media platforms, and influential U.S. persons to spread misleading and unsubstantiated allegations that current and former U.S. officials engaged in corruption, money laundering, and unlawful political influence in Ukraine.²¹⁶

Notably, Mr. Giuliani, who was then President Trump’s personal lawyer, actively and repeatedly sought information that would smear Joe Biden from both Mr. Derkach and Mr. Telizhenko, including inviting both men to appear on his *Common Sense* podcast.²¹⁷ *TIME* reported that Mr. Giuliani “met with the sanctioned Ukrainians on multiple occasions, received documents from them and repeated their claims on cable news networks—all as part of his crusade to embarrass the Biden family and help his client win another term as President.”²¹⁸ *TIME* also reported: “Derkach could not have gotten through to American voters without help from Trump and Giuliani, while the Trump campaign’s attacks against the Biden family relied in large part on the ammunition Derkach provided.”²¹⁹

Mr. Giuliani shared the allegations he heard from these Russian operatives with then-President Trump’s Justice Department. Then-Attorney General William Barr assigned Scott Brady, then-U.S. Attorney for the Western District of Pennsylvania, to review the allegations reported by Mr. Giuliani. Brady conducted a probe formally known as an “assessment,” which included numerous investigative steps, such as reviewing SARs and interviewing both Mr. Giuliani and a confidential human source. After eight months, Mr. Brady’s team found insufficient evidence to warrant escalating the assessment to any subsequent step, such as a preliminary or full investigation. DOJ’s assessment was closed in August 2020 and that decision was approved by Mr. Brady and other high-ranking officials in the DOJ. In sum, officials in Trump’s own administration had assessed the accusations that now serve as the foundation for the House impeachment inquiry and did not find they warranted further investigation—and the

²¹⁵ U.S. Department of the Treasury, *Treasury Takes Further Action Against Russian-Linked Actors* (Jan. 11, 2021) (online at <https://home.treasury.gov/news/press-releases/sm1232>).

²¹⁶ *Id.*

²¹⁷ *\$5.3 Billion in Ukrainian Foreign Aid Missing*, Common Sense (Feb. 29, 2020) (online at www.youtube.com/watch?v=hLur6qiV87E); *The Complete Witness: Proof of Bribery & Collusion*, Common Sense (Feb. 8, 2020) (online at www.youtube.com/watch?v=crZpE3FGoVM).

²¹⁸ *U.S. Sanctions Giuliani’s Sources of Biden Dirt, Labels Them Part of a Russia-Linked ‘Influence Network,’* TIME (Jan. 11, 2021) (online at <https://time.com/5928781/u-s-sanctions-giulianis-sources-of-biden-dirt-labels-them-part-of-a-russia-linked-influence-network/>).

²¹⁹ *Exclusive: How an Accused Russian Agent Worked with Rudy Giuliani in a Plot Against the 2020 Election*, TIME (June 3, 2021) (online at <https://time.com/6052302/andriy-derkach-profile/>).

Trump Administration had reached this conclusion years before House Republicans began to trumpet these same allegations in 2023.²²⁰

Around the time that Mr. Brady ended his assessment and prior to the 2020 presidential election, the Trump Administration’s Director of the National Counterintelligence and Security Center, William Evanina, issued a statement explicitly warning that Russia was attempting to smear Joe Biden. Director Evanina stated that “Russia is using a range of measures to primarily denigrate former Vice President Biden and what it sees as an anti-Russia ‘establishment’” and that “pro-Russia Ukrainian parliamentarian Andriy Derkach is spreading claims about corruption—including through publicizing leaked phone calls—to undermine former Vice President Biden’s candidacy and the Democratic Party.”²²¹ Notably, in testimony before the Committee’s Subcommittee on Cybersecurity, Information Technology, and Government Innovation in May 2024, former Director Evanina warned “we should fully expect” Russia and other adversaries “to participate in the same type of disinformation misinformation in the upcoming election.”²²²

Federal intelligence authorities have also confirmed that Russia worked to meddle in the 2020 presidential election. In an unclassified report released in March 2021, the National Intelligence Council issued a declassified Intelligence Community Assessment (ICA) assessing that:

Russian President Putin authorized, and a range of Russian government organizations conducted, influence operations aimed at denigrating President Biden’s candidacy and the Democratic Party, supporting former President Trump, undermining public confidence in the electoral process, and exacerbating sociopolitical divisions in the US.²²³

The 2021 ICA continued:

The primary effort the IC [Intelligence Community] uncovered revolved around a narrative—that Russian actors began spreading as early as 2014—alleging corrupt ties between President Biden, his family, and other US officials and Ukraine. Russian

²²⁰ Committee on Oversight and Accountability, *Press Release: Ranking Member Raskin’s Statement on the Facts Following FBI Briefing and In-Person Document Review* (June 7, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskin-s-statement-on-the-facts-following-fbi-briefing-and-in>); Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (June 29, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-06-29.JBR%20to%20Comer%20re%20Form-1023.pdf>).

²²¹ National Counterintelligence and Security Center, *Press Release: Statement by NCSC Director William Evanina: Election Threat Update for the American Public* (Aug. 7, 2020) (online at www.dni.gov/index.php/newsroom/press-releases/press-releases-2020/3473-statement-by-ncsc-director-william-evanina-election-threat-update-for-the-american-public).

²²² Committee on Oversight and Accountability, Subcommittee on Cybersecurity, Information Technology, and Government Innovation, *Hearing on Red Alert: Countering the Cyberthreat from China* (May 15, 2024) (online at <https://oversight.house.gov/hearing/red-alert-countering-the-cyberthreat-from-china/>).

²²³ National Intelligence Council, *Foreign Threats to the 2020 US Federal Elections* (Mar. 10, 2021) (online at www.dni.gov/files/ODNI/documents/assessments/ICA-declass-16MAR21.pdf).

intelligence services relied on Ukraine-linked proxies and these proxies' networks—including their US contacts—to spread this narrative to give Moscow plausible deniability of their involvement.²²⁴

II. LEV PARNAS ALSO WARNED THAT THE CONSPIRACY AGAINST JOE BIDEN WAS FALSE

In a letter he sent to the Committee in July 2023, Lev Parnas—who, by his own account, was a “key participant” in “Rudy Giuliani and Donald Trump’s efforts to uncover information about the Bidens and Ukraine” from November 2018 through October 2019—detailed the “campaign orchestrated by Giuliani and Trump to dig up dirt on the Bidens, and to spread misinformation about them through various networks including government officials, journalists, and FOX News personnel.” Mr. Parnas informed the Committee “there is no evidence of Joe or Hunter Biden interfering with Ukrainian politics, and there never has been” and warned:²²⁵

With all due respect, Chairman Comer, the narrative you are seeking for this investigation has been proven false many times over, by a wide array of respected sources. There is simply no merit to investigating this matter any further.²²⁶

To be clear, the Obama-Biden Administration pushed for the removal of Ukraine’s then-Prosecutor General Viktor Shokin consistent with and in support of the anti-corruption efforts of many “other Western nations,” the International Monetary Fund, and numerous international aid organizations.²²⁷ According to the *Financial Times*, “The push for Mr Shokin’s removal was part of an international effort to bolster Ukraine’s institutions following Russia’s annexation of Crimea and the armed conflict in the eastern part of the country.”²²⁸ The push to reform the Ukrainian Prosecutor General’s office was also supported by a bipartisan group of U.S. Senators—including Sen. Johnson—who wrote in February 2016 to then-Ukrainian President Petro Poroshenko that Ukraine’s “governing coalition faces not only endemic corruption left from decades of mismanagement and cronyism, but also an illegal armed seizure of territory by Russia and its proxies.” Noting that “reforms will show Russian President Vladimir Putin that an independent, transparent, and democratic Ukraine can and will succeed,” the Senators wrote: “[w]e similarly urge you to press ahead with urgent reforms to the Prosecutor General’s office

²²⁴ *Id.*

²²⁵ Letter from Lev Parnas to Chairman James Comer, Committee on Oversight and Accountability (July 18, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Parnas%2C%20COA%20Letter%2C%20July%2018%2C%202023.pdf>).

²²⁶ *Id.*

²²⁷ *Ukraine Ousts Viktor Shokin, Top Prosecutor, and Political Stability Hangs in the Balance*, New York Times (Mar. 29, 2016) (online at www.nytimes.com/2016/03/30/world/europe/political-stability-in-the-balance-as-ukraine-ousts-top-prosecutor.html); *EU Hails Sacking of Ukraine’s Prosecutor Viktor Shokin*, Irish Times (Mar. 29, 2016) (online at www.irishtimes.com/news/world/europe/eu-hails-sacking-of-ukraine-s-prosecutor-viktor-shokin-1.2591190); *Explainer: Biden, Allies Pushed Out Ukrainian Prosecutor Because He Didn’t Pursue Corruption Cases*, USA Today (Oct. 3, 2019) (online at www.usatoday.com/story/news/politics/2019/10/03/what-really-happened-when-biden-forced-out-ukraines-top-prosecutor/3785620002/).

²²⁸ *Envoys Pushed to Oust Ukraine Prosecutor Before Biden*, Financial Times (Oct. 3, 2019) (online at www.ft.com/content/e1454ace-e61b-11e9-9743-db5a370481bc).

and judiciary.”²²⁹ In October 2019, Sen. Johnson acknowledged that he did sign this letter, stating “[...] the whole world, by the way, including the Ukrainian Caucus, which I signed the letter, you know, the whole world felt that this, that Shokin wasn’t doing their job so we’re all saying hey, you got, you have to rid yourself of corruption.”²³⁰

In his letter to the Committee, Mr. Parnas explained that he was approached by Rudy Giuliani in November 2018 after Mr. Giuliani saw a video in which Joe Biden explained how, in 2016, consistent with the international consensus that Prosecutor General Shokin should be removed, he had urged President Poroshenko to fire Shokin.²³¹ Mr. Parnas relayed, however, that Mr. Giuliani told him of “his discovery that Biden’s son Hunter was on the board of the Ukrainian energy company Burisma and that Shokin was supposedly looking into possible corruption in the company” and explained that “[w]hen Giuliani spoke to me, he got very excited and said, ‘This is the smoking gun [he’d] been looking for’—meaning he saw it as a way to discredit the Bidens.”²³²

Mr. Parnas’s letter detailed how Mr. Giuliani repeatedly pressured former officials in Ukraine—including both former Ukrainian Prosecutors General Shokin and Yuri Lutsenko—to provide evidence against Joe Biden—but they never produced such evidence.²³³ Mr. Parnas also detailed the efforts of a wider circle of Trump World figures (whom Mr. Parnas named the “BLT Team” after the restaurant in the Trump International Hotel in Washington, D.C., where they regularly met) to find or manufacture dirt on the Bidens in Ukraine. Further, Mr. Parnas explained how pliant Members of Congress assisted in the effort to amplify allegations against Joe Biden. In particular, Mr. Parnas wrote that he was told by a BLT team member that Sen. Johnson would be the “‘guy in the Senate’ to push all the information that we were getting—which still amounted to the same unverified conspiracy theories.” Mr. Parnas also explained that Mr. Giuliani kept former President Trump updated on the various actions they were taking to try to find derogatory information on Joe Biden.²³⁴

Mr. Parnas also described “flagrant examples of Giuliani interfering in Ukrainian politics,” including how, after Volodymyr Zelenskyy was elected president of Ukraine, Mr. Parnas eventually delivered a letter from Mr. Giuliani to President Zelenskyy and also personally conveyed the message to President Zelenskyy’s staff that unless President Zelenskyy announced

²²⁹ Letter from Senator Rob Portman, Senator Richard J. Durbin et. al. to H.E. Petro Poroshenko, President of Ukraine (Feb. 12, 2016) (online at www.ronjohnson.senate.gov/services/files/89BF50BE-6C0C-45D8-B38B-B0CE4D561CA1).

²³⁰ *The Whistleblower Report is a Planned Political Hit on Our President*, Vicki McKenna, iHeart (Oct. 3, 2019) (online at www.iheart.com/podcast/477-vicki-mckenna-28233399/episode/the-whistleblower-report-is-a-planned-50228625/).

²³¹ *Id.*

²³² Letter from Lev Parnas to Chairman James Comer, Committee on Oversight and Accountability (July 18, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Parnas%2C%20COA%20Letter%2C%20July%2018%2C%202023.pdf>).

²³³ *Id.*

²³⁴ *Id.*

an investigation into Joe Biden, the U.S. would withhold aid from Ukraine.²³⁵ Of course, on July 25, 2019, former President Trump himself personally asked President Zelenskyy to “do us a favor” and open an investigation of Joe Biden to examine the allegations that Biden had acted corruptly in Ukraine while serving as Vice President—and President Trump conditioned future U.S. aid to Ukraine on such an announcement. Former President Trump also urged President Zelenskyy “to work with his personal attorney, Rudy Giuliani”—who was then engaged in the effort to uncover dirt on Joe Biden described by Mr. Parnas in his letter to the Committee.²³⁶ Former President Trump was subsequently impeached by the House of Representatives for, among other actions:

[S]olicit[ing] the interference of a foreign government, Ukraine, in the 2020 United States President election [...] through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent.²³⁷

Mr. Parnas concluded his letter to the Committee by explaining that despite the extensive efforts he, Rudy Giuliani, and their allies undertook, they never found any evidence of wrongdoing by Joe Biden. Mr. Parnas said:

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. In fact, they asked me multiple times why our team was so concerned with this idea. The truth is that everyone, from Giuliani and the BLT Team to Devin Nunes and his colleagues, to the people at FOX News, knew that these allegations against the Bidens were false. There has never been any factual evidence, only conspiracy theories spread by people who knew exactly what they were doing.²³⁸

Given Mr. Parnas’s extensive first-hand knowledge of the efforts by Rudy Giuliani and other Trump World figures to propagate the false allegations that Joe Biden acted corruptly in Ukraine, Ranking Member Raskin introduced a motion during the Committee’s first impeachment hearing in September 2023 to subpoena both Mr. Parnas and Mr. Giuliani to

²³⁵ *Id.*

²³⁶ Permanent Select Committee on Intelligence, *The Trump-Ukraine Impeachment Inquiry Report* (Dec. 2019) (online at www.govinfo.gov/content/pkg/GOVPUB-Y4_IN8_18-PURL-gpo129303/pdf/GOVPUB-Y4_IN8_18-PURL-gpo129303.pdf).

²³⁷ H.Res.755 (116th Cong.) (2019).

²³⁸ Letter from Lev Parnas to Chairman James Comer, Committee on Oversight and Accountability (July 18, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/Parnas%2C%20COA%20Letter%2C%20July%2018%2C%202023.pdf>).

provide testimony as part of the Committee’s impeachment inquiry. Republicans voted down Ranking Member Raskin’s motion.²³⁹

At the request of Ranking Member Raskin, Mr. Parnas voluntarily testified at the Committee’s second impeachment hearing, held in March 2024. In his testimony before the Committee, Mr. Parnas explained that, “Rudy Giuliani, on behalf of then President Donald Trump, tasked me with a mission to travel the globe, finding dirt on the Bidens so then an array of networks could spread misinformation about them, thus securing the 2020 election for Donald J. Trump.” Despite Mr. Parnas’s best efforts, however, “In nearly a year traveling the world and interviewing officials in different countries, I found precisely zero evidence of the Bidens corruption in Ukraine [*sic*].”²⁴⁰ Mr. Parnas also made clear that “[t]he only information ever pushed on the Bidens in Ukraine has come from one source and one source only: Russia and Russian agents.”²⁴¹

III. FD-1023 TIPSHEET WAS AT THE CENTER OF THE SHAM IMPEACHMENT EFFORT

There can be no serious dispute that Republican Members repeatedly, explicitly, and emphatically premised their impeachment inquiry on a now thoroughly discredited Form FD-1023 tipsheet that recorded false allegations against Joe Biden raised by a confidential human source who has been indicted for lying to the FBI and who has admitted extensive contacts with Russian intelligence services. Despite the extensive official warnings explaining how allegations that Joe Biden had acted corruptly in Ukraine were untrue and were Russian propaganda, beginning in May 2023, Republicans repeatedly cited and amplified precisely those false allegations memorialized in the FD-1023 tipsheet.

On May 3, 2023, Chairman Comer and Senator Chuck Grassley wrote to Attorney General Garland and FBI Director Christopher Wray stating that through whistleblower disclosures, they had become aware that the DOJ and FBI “possess an unclassified FD-1023 form that describes an alleged criminal scheme involving then-Vice President Biden and a foreign national relating to the exchange of money for policy decisions.” Without providing any corroborating evidence, Chairman Comer and Senator Grassley claimed, “The significant public interest in assessing the FBI’s response to this information, as well as growing concern about the DOJ and the FBI’s track record of allowing political bias to infect their decision-making process,

²³⁹ Committee on Oversight and Accountability, *Hearing on The Basis for an Impeachment Inquiry of President Joseph R. Biden, Jr.* (Sept. 28, 2023) (online at www.congress.gov/118/chrhg/CHRG-118hhrg53720/CHRG-118hhrg53720.pdf).

²⁴⁰ Committee on Oversight and Accountability, Testimony of Lev Parnas, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://congress.gov/118/meeting/house/117001/documents/HHRG-118-GO00-Transcript-20240320.pdf>).

²⁴¹ *Id.*

necessitate exacting congressional oversight.”²⁴² Concomitant with this letter, Chairman Comer issued a subpoena to the FBI for the FD-1023.²⁴³

On May 10, 2023, the FBI wrote to Chairman Comer noting that his subpoena and letter with Sen. Grassley had been the “first communication with the FBI seeking this information” and warning:

Information from confidential human sources is unverified and, by definition, incomplete. An FD-1023 form documents information as told to a line FBI agent. Recording the information does not validate the information, establish its credibility, or weigh it against other information known or developed by the FBI. The mere existence of such a document would establish little beyond the fact that a confidential human source provided information and the FBI recorded it. Indeed, the FBI regularly receives information from sources with significant potential biases, motivations, and knowledge, including drug traffickers, members of organized crime, or even terrorists.²⁴⁴

The same day the FBI sent its letter warning that claims in FD-1023 tipsheets are raw and unproven data, Chairman Comer pledged in a press conference to “assess” the FD-1023 tipsheet and “report ... only facts when they are verified and indisputable.”²⁴⁵

The FBI made extraordinary accommodations to enable Chairman Comer to access the FD-1023 tipsheet by arranging for *in camera* review of the form twice in June 2023.²⁴⁶ Following *in camera* review of the tipsheet, Ranking Member Raskin wrote to Chairman Comer pointing out that—as previously discussed—Rudy Giuliani had already provided allegations similar to those in the tipsheet to the FBI and, after eight months of investigative effort by the Trump Administration’s DOJ and with the concurrence of Scott Brady, then-U.S. Attorney for the Western District of Pennsylvania, as well as other high-level DOJ officials, the assessment

²⁴² Letter from Ranking Member Charles E. Grassley, Senate Committee on the Budget, and Chairman James Comer, House Committee on Oversight and Accountability, to Attorney General Merrick Garland, Department of Justice, and Director Christopher Wray, Federal Bureau of Investigation (May 3, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/05/Grassley-Comer-letter.pdf>).

²⁴³ Committee on Oversight and Accountability, *Subpoena to Director Christopher Wray, Federal Bureau of Investigation* (May 3, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/05/Comer-Subpoena-cover-letter-and-Wray-Subpoena-050322.pdf>).

²⁴⁴ Letter from Acting Assistant Director Christopher Dunham, Office of Congressional Affairs, Federal Bureau of Investigation, to Chairman James Comer, Committee on Oversight and Accountability (May 10, 2023) (online at www.grassley.senate.gov/imo/media/doc/fbi_to_grassley_comer_-_biden_1023_response.pdf).

²⁴⁵ *House Republican News Conference on Hunter Biden Investigation*, C-SPAN (May 10, 2023) (online at www.c-span.org/video/?527960-1/house-republican-news-conference-hunter-biden-investigation).

²⁴⁶ Committee on Oversight and Accountability, *Report: Resolution Recommending that the House of Representatives Find Christopher Wray, Director, U.S. Federal Bureau of Investigation, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Accountability* (June 7, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/06/Oversight-Resolution-6.7.2023.pdf>); Committee on Oversight and Accountability, *Comer Forces the FBI to Cooperate and Allow All Oversight Committee Members to Review Biden Bribery Record* (June 7, 2023) (online at <https://oversight.house.gov/release/comer-forces-the-fbi-to-cooperate-and-allow-all-oversight-committee-members-to-review-biden-bribery-record>).

was not elevated to either a preliminary or full investigation.²⁴⁷ Nonetheless—and despite his pledge to release only “verified” facts—Chairman Comer began publicly and repeatedly proclaiming that the tipsheet was “credible” evidence that “then-VP Joe Biden engaged in a criminal bribery scheme.”²⁴⁸

Indeed, the FD-1023 tipsheet and its allegations against Joe Biden were so central to the Committee’s impeachment inquiry that Chairman Comer accused the DOJ of “seeking to bury this record to protect the Bidens.”²⁴⁹ Claiming that “[t]he FD-1023 form contained a significant amount of highly relevant information,” Chairman Comer threatened to hold FBI Director Wray—who was appointed by former President Donald Trump—in criminal contempt for refusing to provide an unredacted copy of it to the Committee.²⁵⁰

²⁴⁷ Committee on Oversight and Accountability, *Press Release: Ranking Member Raskin’s Statement on the Facts Following FBI Briefing and In-Person Document Review* (June 7, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskin-s-statement-on-the-facts-following-fbi-briefing-and-in>); Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (June 29, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-06-29.JBR%20to%20Comer%20re%20Form-1023.pdf>).

²⁴⁸ E.g., Rep. James Comer (@RepJamesComer), X (May 4, 2023) (online at <https://twitter.com/RepJamesComer/status/1654302048530190336>) (“I have reviewed credible whistleblower disclosures that then-VP Joe Biden allegedly engaged in a bribery scheme with a foreign national.”); Rep. James Comer (@RepJamesComer), X (June 9, 2023) (online at <https://twitter.com/RepJamesComer/status/1667273922025226240>) (“Now we know a highly credible informant at the FBI has indicated that then-VP Joe Biden engaged in a criminal bribery scheme.”); Rep. Comer to Newsmax: *Hearsay FBI Informant’s Info ‘Credible,’* Newsmax (June 6, 2023) (online at www.newsmax.com/newsmax-tv/james-comer-biden-family-fbi-informant/2023/06/06/id/1122612/) (Chairman Comer described: “a pattern here of the Bidens doing this while Joe Biden was vice president”); *James Comer Speaks Out After FBI Phone Call Over Biden Bribery Allegations* Doc, *Hannity*, Fox News (May 31, 2023) (online at www.youtube.com/watch?v=vlf8vQOfB0s) (Chairman Comer stated: “So there’s a pattern here that would suggest this is a credible allegation”); *Biden Is Now Prioritizing Illegal Migrants Over Homeless Vets ... and Our Media Isn’t Being Honest About Trump’s Ukraine Comments*, *Fox Across America with Jimmy Failla*, Fox News Radio (May 15, 2023) (online at www.listennotes.com/podcasts/fox-across-america/biden-is-now-prioritizing-VbSZA4wU5nW) (Chairman Comer stated: “And here’s why I think it’s credible.”); *Sunday Night in America*, Fox News (Mar. 24, 2024) (online at www.foxnews.com/video/6349643271112) (Chairman Comer said: “[T]he Biden family was influence peddling.”); *James Comer Fires Back at AOC Over Biden Probe: All the Democrats Have is Russia*, *Fox & Friends First*, Fox News (Apr. 9, 2024) (online at www.foxnews.com/video/6350558553112) (Chairman Comer stated: “Three Biden associates have testified under oath that Joe Biden was the closer of these influence peddling schemes.”).

²⁴⁹ Senator Chuck 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).

²⁵⁰ Committee on Oversight and Accountability, *Report: Resolution Recommending that the House of Representatives Find Christopher Wray, Director, U.S. Federal Bureau of Investigation, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Accountability* (June 7, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/06/Oversight-Resolution-6.7.2023.pdf>); 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/>); The White House, *Press Release: President Donald J. Trump Announces Intent to Nominate Christopher A. Wray to be Director of the Federal Bureau of Investigation* (June 7, 2017) (online at <https://trumpwhitehouse.archives.gov/presidential-actions/president-donald-j-trump-announces-intent-nominate-christopher-wray-director-federal-bureau-investigation/>).

Following the contempt threat, the FBI accommodated the Committee’s demand for access by making the tipsheet available for review by all Committee Members.²⁵¹ Nonetheless, in July 2023—and despite the FBI’s explicit warnings about the need to protect the safety of its confidential human sources and the integrity of its investigations—Chairman Comer and Sen. Grassley released an unredacted version of the FD-1023 to the public after obtaining a copy from “whistleblowers,” calling it “[t]he FBI’s Biden Bribery Record” and claiming—again, without evidence—that “[g]iven the misconduct and politicization at the Department of Justice, the American people must be able to read this record for themselves.”²⁵²

Ranking Member Raskin has requested that Chairman Comer release information on the steps he “took—if any—to objectively assess the allegations contained in the FBI tipsheet before releasing it” and thus to fulfill his pledge to release “only facts when they are verified and indisputable,” but Chairman Comer has thus far failed to provide any information in response to the Ranking Member’s request.²⁵³

After the FD-1023 was released, Republican House Members eagerly repeated the tipsheet’s baseless and false allegation that Joe Biden acted improperly in Ukraine as evidence in their push to impeach him. For example:

- In a post on social media on July 20, 2023, House Ways and Means Committee Chairman Smith—who was tasked by former Speaker Kevin McCarthy with coordinating the House’s impeachment inquiry together with Chairman Comer and Judiciary Committee Chairman Jordan²⁵⁴—said:

Smoking gun: The D-1023 [*sic*] form showing proof that Joe and Hunter Biden were involved in the \$5,000,000 bribery scheme with a Burisma executive has been released by Senator Chuck Grassley.

²⁵¹ Committee on Oversight and Accountability, *Report: Resolution Recommending that the House of Representatives Find Christopher Wray, Director, U.S. Federal Bureau of Investigation, in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Accountability* (June 7, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/06/Oversight-Resolution-6.7.2023.pdf>); Committee on Oversight and Accountability, *Press Release: Comer Forces the FBI to Cooperate and Allow All Oversight Committee Members to Review Biden Bribery Record* (June 7, 2023) (online at <https://oversight.house.gov/release/comer-forces-the-fbi-to-cooperate-and-allow-all-oversight-committee-members-to-review-biden-bribery-record>).

²⁵² Senator Chuck 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).

²⁵³ Letter from Ranking Member Jamie Raskin, to Chairman James Comer, Committee on Oversight and Accountability (Mar. 11, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/oversightdemocrats.house.gov/files/evo-media-document/2023-03-11.Raskin%20to%20Comer%20re%20FD-1023.pdf>).

²⁵⁴ *WATCH: House Speaker McCarthy Announces House Impeachment Inquiry of Biden*, PBS NewsHour (Sept. 12, 2023) (online at www.pbs.org/newshour/politics/watch-house-speaker-mccarthy-announces-house-impeachment-inquiry-of-biden).

Thank you @ChuckGrassley!²⁵⁵

- Committee Member Paul Gosar stated, “my committee subpoenaed a key document from the FBI that contained a verified report that Joe Biden, while serving as Vice-President, received up to \$5 million in bribes from the Ukraine government.”²⁵⁶
- Committee Member Byron Donalds posted on social media:

After reading the FBI FD-1023 form, the American people should know it also stipulates that according to the confidential human source, money was moved through several accounts to get to Joe Biden.

To clarify, money was MOVED ON PURPOSE through multiple accounts to get to Biden.²⁵⁷

- Re-posting the Oversight Committee’s social media post of the FD-1023, Committee Member Lauren Boebert stated:

We promised to uncover Joe Biden’s corrupt business deals and that is EXACTLY what we have done!
IMPEACH.²⁵⁸

During his announcement that he had instructed several committees to open an impeachment inquiry into the President, former Speaker McCarthy invoked the debunked tipsheet, stating: “Even a trusted FBI informant has alleged a bribe to the Biden family.”²⁵⁹

The centrality of the allegations recorded in the FD-1023 tipsheet to Republicans’ efforts to impeach Joe Biden was made explicit during the first hearing held by the Committee on impeachment in September 2023 by Committee Member—and Judiciary Committee Chairman—Jim Jordan, who began his opening statement by summarizing the broad outlines of the allegation that Joe Biden acted corruptly in Ukraine, citing the FD-1023 and the false allegation propagated by the Russians and by Trump World that, as Vice President, Joe Biden

²⁵⁵ Rep. Jason Smith, (@JasonSmithMO), X (July 20, 2023) (online at <https://twitter.com/JasonSmithMO/status/1682111038810931200?s=20>).

²⁵⁶ Congressman Paul Gosar, *This Week with Gosar* (online at <https://gosar.house.gov/news/email/show.aspx?ID=74G44CP3AJBXJ4U3TJVTNOGHCI>) (accessed Apr. 3, 2024).

²⁵⁷ Congressman Byron Donalds (@RepDonaldsPress), X (June 9, 2023) (online at <https://twitter.com/RepDonaldsPress/status/1667168936775897096>).

²⁵⁸ Rep. Lauren Boebert (@RepBoebert), X (July 20, 2023) (online at <https://twitter.com/RepBoebert/status/1682082195882606592>).

²⁵⁹ *WATCH: House Speaker McCarthy Announces House Impeachment Inquiry of Biden*, PBS NewsHour (Sept. 12, 2023) (online at www.pbs.org/newshour/politics/watch-house-speaker-mccarthy-announces-house-impeachment-inquiry-of-biden).

worked to have the former Ukrainian Prosecutor General fired to protect Burisma, on whose Board Hunter Biden served.²⁶⁰

During his closing remarks at the Committee’s first impeachment hearing, Chairman Jordan returned to this same conspiracy. After again reciting the false allegation that Joe Biden acted improperly to protect Burisma, Chairman Jordan concluded: “That is the case. That is the case. That is why the Chairman wants the bank records. That is why we are doing the impeachment inquiry. It cannot get plainer and simpler than that.”²⁶¹

On February 15, 2024, Special Counsel David C. Weiss announced a grand jury’s indictment of Alexander Smirnov, whom we now know to be the confidential human source whose allegations were memorialized in the FD-1023 tipsheet. Mr. Smirnov, who is reportedly a dual U.S.-Israeli citizen, is alleged to have created “a false and fictitious record, in violation of 18 U.S.C. § 1519, for statements he made that were recorded in an official record of the Federal Bureau of Investigation (FBI) known as a Form 1023.”²⁶² According to Special Counsel Weiss, a Trump appointee:

[D]espite repeated admonishments that he must provide truthful information to the FBI and that he must not fabricate evidence, Smirnov provided false derogatory information to the FBI about Public Official 1 (President Biden), and Businessperson 1 (Hunter Biden), the son of Public Official 1, in 2020, after Public Official 1 became a presidential candidate.²⁶³

As Special Counsel Weiss has alleged, Mr. Smirnov has “extensive foreign ties, including, most troublingly and by his own account, contact with foreign intelligence services, including Russian intelligence agencies, and has had such contacts recently.”²⁶⁴ In particular, Mr. Smirnov admitted that “officials associated with Russian intelligence were involved in passing a story about Business person 1 [Hunter Biden].”²⁶⁵ Critically, the Special Counsel has warned that “Smirnov’s efforts to spread misinformation about a candidate of one of the two

²⁶⁰ Committee on Oversight and Accountability, *Hearing on The Basis for an Impeachment Inquiry of President Joseph R. Biden, Jr.* (Sept. 28, 2023) (online at www.congress.gov/118/chrg/CHRG-118hhrg53720/CHRG-118hhrg53720.pdf).

²⁶¹ *Id.*

²⁶² U.S. Department of Justice, Office of Special Counsel David C. Weiss, *Press Release: Grand Jury Returns Indictment Charging FBI Confidential Human Source with Felony False Statement and Obstruction Crimes* (Feb. 15, 2024) (online at www.justice.gov/sco-weiss/pr/grand-jury-returns-indictment-charging-fbi-confidential-human-source-felony-false); *Ex-FBI Informant Charged with Fabricating Biden Family Bribery Scheme to Remain in Custody Before Trial*, PBS NewsHour (Feb. 26, 2024) (online at www.pbs.org/newshour/politics/ex-fbi-informant-charged-with-fabricating-biden-family-bribery-scheme-to-appear-in-court).

²⁶³ *Id.*

²⁶⁴ Government’s Application for Review of Magistrate Judge’s Bail Order, Memorandum of Points and Authorities, 7 (Feb. 21, 2024) *United States of America v. Alexander Smirnov*, Central District of California (No. CR 2:24-cr-00091-ODW) (online at https://storage.courtlistener.com/recap/gov.uscourts.cacd.915062/gov.uscourts.cacd.915062.11.0_4.pdf).

²⁶⁵ *Id.* at 5.

major parties in the United States continues” [*sic*] and “[h]e is actively peddling new lies that could impact U.S. elections after meeting with Russian intelligence officials in November.”²⁶⁶

During the Committee’s second impeachment hearing, Rep. Stephen Lynch asked Mr. Parnas whether Republicans “should have known” that the allegation in the FBI tipsheet was “fabricated.” Mr. Parnas explained that it was:

[N]ot that they should have known, they did know. They knew exactly what was going on. They knew that the evidence was not vetted. This information was just coming in—from anywhere from left, right field—and it was being pushed straight to the halls of Congress without zero [...] verification of it.²⁶⁷

In fact, the allegations in the tipsheet closely paralleled the same narrative constructed in well-known propaganda and disinformation promoted by Russia and its intelligence services over the past decade.²⁶⁸ The allegations also largely repeated the allegations that Rudy Giuliani had previously shared with the FBI—and which had been assessed by the DOJ. As noted, the

²⁶⁶ *Id.* at 20–21.

²⁶⁷ Committee on Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Abuse of Public Office* (Mar. 20, 2024) (online at <https://congress.gov/118/meeting/house/117001/documents/HHRG-118-GO00-Transcript-20240320.pdf>).

²⁶⁸ *E.g.*, Committee on Oversight and Accountability, *Press Release: Ranking Member Raskin’s Statement Following Review of Debunked FBI Tip* (June 5, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskin-s-statement-following-review-of-debunked-fbi-tip>) (“We now know what I had long suspected: that Chairman Comer’s subpoena is about recycling stale and debunked Burisma conspiracy theories long peddled by Rudy Giuliani and a Russian agent, sanctioned by former President Trump’s own Treasury Department, as part of the effort to smear President Biden and help Mr. Trump’s reelection campaign.”); Senate Committee on Homeland Security & Government Affairs, *Election Interference: Majority Investigation Amplifies Russian Attack on 2020 Election* (Sept. 23, 2020) (online at www.hsgac.senate.gov/wp-content/uploads/imo/media/doc/200923_FullReport_PetersHSGACWydenFinance.pdf) (“The Russian government has encouraged a disinformation campaign against former Vice President Biden. This campaign was already underway in 2015 in response to his anticorruption efforts in Ukraine, and it gained renewed fervor because of his candidacy in the 2020 presidential election”); House Foreign Affairs Committee, *Press Release: Engel Releases Summary of State Department Records Undercutting Senate Republican Smear: Records Reveal Russian Origins of Smear Against Former Vice President* (Sept. 23, 2020) (online at <https://democrats-foreignaffairs.house.gov/2020/9/engel-releases-summary-of-state-department-records-undercutting-senate-republican-smear>) (“The documents show that on the evening of December 5, 2015, U.S. Embassy officials in Kyiv noticed articles in Russian-language media highlighting Hunter Biden’s role at Burisma and using that to undercut anti-corruption efforts that were being led by Vice President Biden. ... [T]he records show this attack had its origin in Russian propaganda, and it was designed to undercut the efforts of Vice President Biden and the entire US government to support anticorruption efforts in Ukraine and prosecution, not leniency, for Burisma’s Zlochevsky.”); U.S. Department of the Treasury, *Press Release: Treasury Sanctions Russia-Linked Election Interference Actors* (Sept. 10, 2020) (online at <https://home.treasury.gov/news/press-releases/sm1118>); U.S. Department of the Treasury, *Press Release: Treasury Takes Further Action Against Russia-Linked Actors* (Jan. 11, 2021) (online at <https://home.treasury.gov/news/press-releases/sm1232>); U.S. Department of State, *Press Statement by Secretary of State Michael R. Pompeo: Sanctioning Russia-Linked Disinformation Network for Its Involvement in Attempts to Influence U.S. Election* (Jan. 11, 2021) (online at <https://2017-2021.state.gov/sanctioning-russia-linked-disinformation-network-for-its-involvement-in-attempts-to-influence-u-s-election/>); National Intelligence Council, *Intelligence Community Assessment: Foreign Threats to the 2020 US Federal Elections* (Mar. 10, 2021) (online at www.dni.gov/files/ODNI/documents/assessments/ICA-declass-16MAR21.pdf).

DOJ had closed its assessment in August 2020 after eight months of investigative efforts found insufficient evidence to warrant escalating the matter to a preliminary or full investigation.

According to reporting by *Politico*:

“After the new details about Smirnov emerged, Republican investigators started distancing their probe from his initial accusations. That included deleting references to the FBI document from a letter they sent this week requesting an interview with a White House staffer.”²⁶⁹

On March 11, 2024, Ranking Member Raskin sent a letter to Chairman Comer asking that he “now make public all information related to your decision last July to release a Federal Bureau of Investigation (FBI) Form FD-1023 containing unverified, uncorroborated, and unsubstantiated allegations.”²⁷⁰ Noting that by using government resources to trumpet the unproven allegations against President Biden, the Committee had been “made party to a fraud on the American people,” Ranking Member Raskin asked the Chairman to:

[I]mmediately release a detailed account of what steps you took—if any—to objectively assess the allegations contained in the FBI tipsheet before releasing it, including any documents and information you used to assess the credibility of these allegations and any documents and information that reflect the efforts by third parties to encourage or coax you to release the FD-1023 tipsheet publicly.²⁷¹

To date, the Chairman has not responded to the Ranking Member’s letter and has not released any information regarding any steps he or Committee Republicans may have taken to attempt to verify the false allegations recorded in the FD-1023 tipsheet that formed the central core of Republicans’ effort to impeach President Biden.

²⁶⁹ *Biden Impeachment Effort on the Brink of Collapse*, Politico (Feb. 23, 2024) (online at www.politico.com/news/2024/02/23/biden-impeachment-collapse-00142689); *Dems Want Answers: Why Did GOP Use Russia’s Alexander Smirnov in Biden Impeachment Probe?*, USA Today (Mar. 11, 2024) (online at www.usatoday.com/story/news/politics/2024/03/11/biden-impeachment-inquiry-alexander-smirnov/72852627007/).

²⁷⁰ Letter from Ranking Member Jamie Raskin, to Chairman James Comer, Committee on Oversight and Accountability (Mar. 11, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/oversightdemocrats.house.gov/files/evo-media-document/2023-03-11.Raskin%20to%20Comer%20re%20FD-1023.pdf>).

²⁷¹ *Id.*

CHAPTER FOUR: REPUBLICANS HAVE REFUSED TO INVESTIGATE ACTUAL CORRUPTION INVOLVING PRESIDENT TRUMP AND HIS IMMEDIATE FAMILY

Chairman Comer has claimed he wants to put “safeguards [...] in place to prevent public officials from selling access to their public office for private gain.”²⁷² He has also claimed to be deeply concerned about “foreign nationals’ attempts to target and coerce high-ranking U.S. officials’ family members by providing money or other benefits in exchange for certain actions.”²⁷³

Despite these self-professed concerns, Chairman Comer has steadfastly refused to investigate the acceptance by former President—and convicted felon—Donald Trump while in office of at least \$7.8 million in foreign emoluments from at least 20 foreign governments—including China and Saudi Arabia—in violation of the Constitution’s Foreign Emoluments Clause. Chairman Comer has also refused to investigate the \$2 billion the Saudi sovereign wealth fund agreed to invest in the fledgling private equity fund founded by Mr. Trump’s son-in-law and former Senior Advisor, Jared Kushner, shortly after he left the Trump Administration.²⁷⁴

Instead, in an obvious effort to protect the former President—and now presidential candidate—Chairman Comer abruptly and shockingly curtailed the Committee’s ongoing investigation into former President Trump’s actions by releasing his former accounting firm, Mazars LLP, from its obligation to produce relevant documents to the Committee.²⁷⁵

Chairman Comer’s blanket refusal to probe the *actual* foreign corruption involving former President Trump and his family—while wasting the Committee’s time and

²⁷² House Committee on Oversight and Accountability, *Press Release: Comer: Mountain of Evidence Reveals Joe Biden Abused His Public Office for His Family’s Financial Gain* (Sept. 28, 2023) (online at <https://oversight.house.gov/release/comer-mountain-of-evidence-reveals-joe-biden-abused-his-public-office-for-his-family-s-financial-gain>).

²⁷³ Letter from Chairman James Comer, Committee on Oversight and Accountability, to Matthew Schwartz, Boies Schiller Flexner, Counsel to Devon Archer (June 12, 2023) (online at <https://oversight.house.gov/wp-content/uploads/2023/06/Letter-to-Archer-061223.pdf>).

²⁷⁴ *Comer Says Kushner ‘Crossed the Line of Ethics’ with Saudi Deal*, The Hill (Aug. 11, 2023) (online at <https://thehill.com/blogs/blog-briefing-room/news/4148951-comer-says-kushner-crossed-the-line-of-ethics-with-saudi-deal/>); Letter from Ranking Member Jamie Raskin, to Chairman James Comer, Committee on Oversight and Accountability (Aug. 31, 2023) (online at <https://oversightdemocrats.house.gov/news/press-releases/ranking-member-raskin-urges-chairman-comer-to-subpoena-kushner-s-investment-firm>); Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability, and Ranking Member Robert Garcia, Subcommittee on National Security, the Border, and Foreign Affairs, to Chairman James Comer, Committee on Oversight and Accountability (Mar. 26, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/evo-media-document/2024-03-26.Raskin%20Garcia%20to%20Comer%20Grothman%20re%20Kushner%20Hearing.pdf>).

²⁷⁵ Democratic Staff, Committee on Oversight and Accountability, *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2024-01-04.COA%20DEMS%20-%20Mazars%20Report.pdf>).

resources on an impeachment inquiry in which there exists no evidence of corruption on the part of President Biden—reveals this inquiry to be nothing more than a pretext for damaging Donald Trump’s political rival and benefitting the Trump 2024 presidential campaign. In fact, Chairman Comer himself has explicitly and repeatedly admitted that he is conducting this investigation to help Mr. Trump’s campaign by trying to influence “people in November when they vote,” “make sure every voter knows the truth about the Biden Crime Family,” send Mr. Trump’s poll numbers “trending upward,” and hurt “Biden with swing voters across the country.”²⁷⁶ The use of the impeachment power to promote such nakedly political ends based on baseless allegations is a gross abuse of Congress’s impeachment authority.

I. CHAIRMAN COMER BLOCKED COMMITTEE’S INVESTIGATION OF FOREIGN EMOLUMENTS ACCEPTED BY FORMER PRESIDENT TRUMP

In 2019, under then-Chairman Elijah E. Cummings, the Committee subpoenaed then-President Trump’s financial records from his long-time accounting firm, Mazars USA LLP (Mazars), as part of the Committee’s investigation into whether Trump had conflicts of interest that could impair his ability to make policy decisions in the national interest and whether he was violating the U.S. Constitution’s Foreign Emoluments Clause. Former President Trump waged a years-long legal battle to keep his records secret. In July 2020, the U.S. Supreme Court rendered its decision in *Trump v. Mazars*, holding that President Trump was not above the law and had to comply with the Committee’s subpoena under a new four-part test.²⁷⁷ President Trump continued to fight the scope of the subpoena in lower courts until September 2022, when a federal district court approved a settlement among President Trump, Mazars, and the Committee, pursuant to which the court supervised the agreement.²⁷⁸

The Committee began to receive documents from Mazars in September 2022. Document productions continued until January 2023 when, shortly after becoming Chairman of the Committee, Chairman Comer relieved Mazars from the obligation to make any further productions. Specifically, personal attorneys representing Donald Trump—apparently with the consent of the Committee—informed Mazars that it no longer needed to produce additional documents under the subpoena. In a January 2023 email obtained by the Committee, a lawyer for Mr. Trump told officials at Mazars, “[M]y understanding is that the Committee has no interest in forcing Mazars to complete it and is willing to release it from further obligations under

²⁷⁶ *James Comer Risks an Irony Overdose*, Washington Post (May 23, 2024) (online at www.washingtonpost.com/politics/2024/05/23/james-comer-risks-an-irony-overdose/); *Biden, 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); Max Cohen (@MaxPCohen), X (May 16, 2024) (online at <https://x.com/maxpcohen/status/1791228950997295327>).

²⁷⁷ *Trump v. Mazars USA, LLP*, 140 S. Ct. 2019 (2020).

²⁷⁸ Committee on Oversight and Reform, *Press Release: Chairwoman Maloney’s Statement on Oversight Committee Securing Agreement to Obtain Former President Trump’s Financial Records* (Sept. 1, 2022) (online at <https://oversightdemocrats.house.gov/news/press-releases/chairwoman-maloney-s-statement-on-oversight-committee-securing-agreement-to>).

the settlement agreement.”²⁷⁹ Ranking Member Raskin noted at the time that Chairman Comer’s actions were an “astonishing delegation of the legislative power of the Chair to a twice-impeached former President whose Executive Branch actions are still actively under Committee investigation.”²⁸⁰ As a result of this action, record productions from Mazars ceased.

II. PRESIDENT TRUMP POCKETED MILLIONS IN FOREIGN PAYMENTS—IN VIOLATION OF THE CONSTITUTION

Committee Republicans have not identified a single dime that went to Joe Biden from any foreign government—or from any of Hunter or James Biden’s businesses. By contrast, from public records and from records produced to the Committee by former President Trump’s former accounting firm, the Committee’s Democratic staff have identified a staggering \$7.8 million in foreign government spending accepted by former President Trump’s businesses while he was in office.²⁸¹ And this sum is likely a significant undercount of the total in foreign payments accepted by former President Trump through his businesses given that the accounting records provided to the Committee before Chairman Comer blocked further productions cover just a handful of Trump’s more than 500 businesses, two years of his presidency, and just 20 of the more than 190 nations in the world. The foreign government spending identified in this narrow window into Donald Trump’s finances during his presidency is a clear and willful violation of the U.S. Constitution’s Foreign Emoluments Clause, which forbids the President from accepting money payments or gifts “of any kind whatever” from foreign governments and monarchs without “the Consent of the Congress.”²⁸² Former President Trump never sought or obtained such consent.

The vast majority of the unconstitutional foreign emoluments accepted by former President Trump noted in the records produced by Mazars to the Committee and in public records came from the People’s Republic of China, which accounted for more than \$5.5 million of the nearly \$8 million in total foreign government spending uncovered in the Democratic staff report. Chairman Comer’s unwillingness to investigate the millions of dollars that former President Trump accepted from China in violation of the Foreign Emoluments Clause is

²⁷⁹ Email from Patrick Strawbridge, Consovoy McCarthy PLLC, on behalf of Donald Trump, to Counsel for Mazars USA LLP, (Jan. 19, 2023); Letter from Ranking Member Jamie Raskin to Chairman James Comer, Committee on Oversight and Accountability (Mar. 12, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/FINAL%202023.03.12.%20JBR%20to%20Comer%20re%20Mazars%20BofA%20Subpoena.pdf>); *Comer Stymies Probe into Trump Tax Records, House Democrats Say*, Washington Post (Mar. 13, 2023) (online at www.washingtonpost.com/politics/2023/03/13/trump-tax-records-investigation/).

²⁸⁰ 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/evo-subsites/democrats-oversight.house.gov/files/FINAL%202023.03.12.%20JBR%20to%20Comer%20re%20Mazars%20BofA%20Subpoena.pdf>).

²⁸¹ Democratic Staff, Committee on Oversight and Accountability, *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2024-01-04.COA%20DEMS%20-%20Mazars%20Report.pdf>).

²⁸² *Id.*; U.S. Const. art. I, § 9, cl. 8.

especially notable given that, in the context of his present impeachment inquiry, Chairman Comer has described China as “our biggest threat.”²⁸³

In addition to the People’s Republic of China, the foreign nations making payments to President Trump spanned the globe and included several of the world’s most corrupt and authoritarian governments. These countries spent sizable sums on apartments and hotel stays at Donald Trump’s properties—personally enriching President Trump while these countries sought—and in many cases received—favorable treatment from his Administration.

III. CASE STUDY: FORMER PRESIDENT TRUMP’S LUCRATIVE AND ONGOING FINANCIAL ENTANGLEMENTS WITH SAUDI ARABIA

A close review of the payments accepted by former President Trump from just one country—Saudi Arabia—while he was in office reveals the staggering conflicts of interest he created by refusing to divest of his businesses before taking office. In addition, numerous questions surround the decision of Saudi Arabia’s crown prince, Mohammed bin Salman (commonly identified by his initials, M.B.S.) to invest in a firm founded by President Trump’s son-in-law and former Senior Advisor, Jared Kushner, shortly after he left the White House, where he had been deeply engaged in shaping U.S. policy toward Saudi Arabia.

The Saudi government was a longstanding and valued customer of Mr. Trump’s businesses even before he entered office. Saudi officials purchased the entire 45th floor of Trump World Tower in New York in 2001 for \$12 million and continued to own it throughout Mr. Trump’s presidency.²⁸⁴ In his very first campaign speech, which he held at Trump Tower in June 2015, Mr. Trump praised the Saudis, proclaiming, “I love the Saudis. Many are in this building.”²⁸⁵ In August 2015, then-candidate Trump similarly declared, “Saudi Arabia, I get along great with all of them. They buy apartments from me. They spend \$40 million, \$50

²⁸³ *Sunday Morning Futures*, Fox News (Mar. 17, 2024) (online at https://archive.org/details/FOXNEWSW_20240317_190000_Sunday_Morning_Futures_With_Maria_Bartiromo/sta/rt/1206/end/1266?q=china;+Dem+Report+on+Trump's+Financial+Ties+to+China+Puts+Focus+on+GOP's+Biden+Impeachment+Inquiry, CBS Austin (Jan. 8, 2024) (online at <https://cbsaustin.com/news/nation-world/dem-trump-biden-china-financial-scandal-2024-election-president-white-house-properties-beijing-money-report-department-justice-middle-east-oversight-committee-investigations>).

²⁸⁴ *‘I Love The Saudis’: Trump Business Ties to Kingdom Run Deep*, Associated Press (Oct. 12, 2018) (online at <https://apnews.com/article/caffbc8448e49329e04ef7941c2b85a>); New York City Department of Finance, Document ID: 2004072700986001 (online at https://a836-acris.nyc.gov/DS/DocumentSearch/DocumentImageView?doc_id=2008090401549001) (accessed Dec. 6, 2023); New York City Department of Finance, Notice of Property Value, Borough: Manhattan, Block: 1340, Lot: 1176 (Jan. 15, 2016) (accessed Dec. 6, 2023); New York City Department of Finance, Final Assessment Roll 2017–2018, Borough: Manhattan, Block: 1340, Lot: 1176 (Jan. 5, 2017) (accessed Dec. 6, 2023); New York City Department of Finance, Final Assessment Roll 2018–2019, Borough: Manhattan, Block: 1340, Lot: 1176 (Jan. 5, 2018) (accessed Dec. 6, 2023); New York City Department of Finance, Final Assessment Roll 2019–2020, Borough: Manhattan, Block: 1340, Lot: 1176 (Jan. 5, 2019) (accessed Dec. 6, 2023); New York City Department of Finance, Final Assessment Roll 2020–2021, Borough: Manhattan, Block: 1340, Lot: 1176 (Jan. 5, 2020) (accessed Dec. 6, 2023); New York City Department of Finance, Final Assessment Roll 2021–2022, Borough: Manhattan, Block: 1340, Lot: 1176 (Jan. 5, 2021) (accessed Dec. 6, 2023).

²⁸⁵ *Here’s Donald Trump’s Presidential Announcement Speech*, TIME (June 16, 2015) (online at <https://time.com/3923128/donald-trump-announcement-speech/>).

million.” He added, “Am I supposed to dislike them? I like them very much.”²⁸⁶ After his electoral victory, former President Trump’s refusal to divest of his business empire created the conditions in which conflicts of interest only deepened.

Trump chose the Kingdom of Saudi Arabia as his very first state visit—an unprecedented inaugural presidential trip, which Mr. Trump took against the advice of his then-Secretary of State, Rex Tillerson but reportedly with the strong encouragement of Mr. Kushner.²⁸⁷

Approximately three weeks after then-President Trump’s state visit to Saudi Arabia, in early June 2017, it was reported that Saudi Arabia, the United Arab Emirates (U.A.E.), and Egypt, among other nations, were “cutting all ties with Qatar.” Saudi Arabia also sealed its border with Qatar—creating a significant geopolitical rift in one of the most strategically sensitive regions in the world for the United States.²⁸⁸ President Trump thereafter made a series of public statements apparently siding with the Saudis and U.A.E. in the dispute—even though Qatar hosted a major U.S. military installation.²⁸⁹ According to *CNN*, “President Donald Trump appeared to take credit for the decision of major Gulf nations to cut diplomatic relations with Qatar, an important US ally, putting his stamp of approval on the move despite Pentagon and State Department attempts to remain neutral.”²⁹⁰

On June 21, 2017, King Salman named M.B.S. as the Crown Prince of Saudi Arabia.²⁹¹ Public reporting suggested that M.B.S. “used Trump’s visit to aid his sudden rise over a rival to become crown prince.”²⁹²

Then, in 2018, when M.B.S. faced global condemnation for ordering the murder and dismemberment of *Washington Post* contributing journalist and Saudi regime critic Jamal

²⁸⁶ *Trump Claims He Has “No Financial Interests in Saudi Arabia”—But He Makes Lots of Money from It*, CNBC (Oct. 16, 2018) (online at www.cnbc.com/2018/10/16/trump-says-no-financial-interests-in-saudi-arabia-but-makes-money.html).

²⁸⁷ *After Helping Prince’s Rise, Trump and Kushner Benefit from Saudi Funds*, Washington Post (Feb. 11, 2023) (online at www.washingtonpost.com/politics/2023/02/12/after-helping-princes-rise-trump-kushner-benefit-saudi-funds/).

²⁸⁸ *Saudi Arabia, Egypt and Other Arab Nations Cut Diplomatic Ties with Qatar*, NPR (June 5, 2017) (online at www.npr.org/sections/thetwo-way/2017/06/05/531548717/saudi-arabia-egypt-and-other-arab-nations-cut-diplomatic-ties-with-qatar).

²⁸⁹ Donald J. Trump (@realDonaldTrump), X (June 6, 2017) (online at <https://twitter.com/realDonaldTrump/status/872062159789985792?s=20>); Tweets of June 6, 2017, The American Presidency Project, University of California, Santa Barbara (online at www.presidency.ucsb.edu/documents/tweets-june-6-2017); Congressional Research Service, *Qatar: Issues for the 118th Congress* (June 21, 2023) (online at <https://crsreports.congress.gov/product/pdf/R/R47467/4>).

²⁹⁰ *Trump Appears to Take Credit for Gulf Nations’ Move Against Qatar*, CNN (June 6, 2017) (online at www.cnn.com/2017/06/06/politics/trump-qatar-ideology/index.html).

²⁹¹ *Saudi King Rewrites Succession, Replacing Heir with Son, 31*, New York Times (June 21, 2017) (online at www.nytimes.com/2017/06/21/world/middleeast/saudi-arabia-crown-prince-mohammed-bin-salman.html).

²⁹² *After Helping Prince’s Rise, Trump and Kushner Benefit from Saudi Funds*, Washington Post (Feb. 12, 2023) (online at www.washingtonpost.com/politics/2023/02/12/after-helping-princes-rise-trump-kushner-benefit-saudi-funds/).

Khashoggi, Mr. Trump cast doubt on the findings of his own CIA that M.B.S. was responsible for Mr. Khashoggi's death and continued to refer to him as a "friend."²⁹³

These actions are silhouetted against the Saudi government's payments to Trump's businesses, which appear to have continued uninterrupted throughout Trump's presidency. For example, in 2018—the year covered by the records provided to the Committee by Mazars and the year when M.B.S. ordered the murder of Khashoggi—the 45th floor units in the Trump World Tower owned by Saudi Arabia incurred a monthly base charge of \$11,189.21, yielding an annual total of \$134,270 in such charges. Assuming that the monthly base charge incurred by the 45th floor did not change over the course of the four years of the Trump Administration, Saudi Arabia would have incurred charges totaling \$537,080. The Mazars records for the year 2018 also show that in addition to the monthly base charges, the units incurred a monthly special assessment of \$2,476 for each of the ten months from January through October 2018—totaling an additional \$24,760.²⁹⁴

Following the imposition of the blockade on Qatar—and just before M.B.S.'s second visit to the White House to meet with President Trump on March 20, 2018—the government of Saudi Arabia booked rooms at the Trump International Hotel in Washington, D.C., from March 7 to March 15, 2018.²⁹⁵ The Saudi Ministry of Defense paid \$78,342 to the Trump International Hotel for this one-week stay, including one suite charged at \$10,500 per night for two nights.²⁹⁶

²⁹³ *Trump Calls Saudi Crown Prince Mohammed Bin Salman a "Friend of Mine,"* CBS (June 28, 2019) (online at www.cbsnews.com/news/trump-calls-saudi-crown-prince-mohammed-bin-salman-a-friend-of-mine/); *Before Giving Billions to Jared Kushner, Saudi Investment Fund Had Big Doubts*, New York Times (Apr. 10, 2022) (online at <https://nytimes.com/2022/04/10/us/jared-kushner-saudi-investment-fund.html>); *Trump Won't Believe His Own Intelligence Community—Again*, Washington Post (Nov. 17, 2018) (online at www.washingtonpost.com/politics/2018/11/15/trump-administration-is-trying-hard-not-blame-saudi-crown-prince-khashoggis-death/).

²⁹⁴ MAZARS-OVERSIGHT_COMMITTEE-00027371; MAZARS-OVERSIGHT_COMMITTEE-00027416; MAZARS-OVERSIGHT_COMMITTEE-00027464; MAZARS-OVERSIGHT_COMMITTEE-00027512; MAZARS-OVERSIGHT_COMMITTEE-00027577; MAZARS-OVERSIGHT_COMMITTEE-00027628; MAZARS-OVERSIGHT_COMMITTEE-00027675; MAZARS-OVERSIGHT_COMMITTEE-00027721; MAZARS-OVERSIGHT_COMMITTEE-00027769; MAZARS-OVERSIGHT_COMMITTEE-00027808; MAZARS-OVERSIGHT_COMMITTEE-00027853; MAZARS-OVERSIGHT_COMMITTEE-00027898.

²⁹⁵ MAZARS-OVERSIGHT_COMMITTEE-00008122 to MAZARS-OVERSIGHT_COMMITTEE-00008140; *Saudi Prince's White House Visit Reinforces Trump's Commitment to Heir Apparent*, New York Times (Mar. 20, 2018) (online at www.nytimes.com/2018/03/20/us/politics/saudi-crown-prince-arrives-at-white-house-to-meet-with-trump.html).

²⁹⁶ After the Committee began receiving documents from Mazars showing emolument spending by foreign nations at Trump-owned properties while Donald Trump was President, then-Chairwoman Carolyn B. Maloney wrote to Debra Steidel Wall, the Acting Archivist of the United States, on November 14, 2022, requesting presidential records regarding "foreign governments' attempts to influence the Trump Administration." The Committee's November 2022 letter cited total spending by Saudi Arabia of \$85,961 for that country's March 2018 stay at the Trump International Hotel in Washington, D.C. A close review of the receipt provided by Mazars for this stay shows that \$9,619 in taxes were removed from the total due with the notation "Mission tax Exempt." The Trump International Hotel's classification of this stay as tax exempt is a clear indication that an expenditure by a foreign government occurred in violation of the Constitution's Foreign Emoluments Clause. Other smaller debits and credits were also added and subtracted from the bill, yielding a total of \$78,342, which equals the amount of the "check" recorded as payment on the receipt. As such, this report identifies the total amount of the expenditure made

Although the records largely anonymize the identities of the Saudi delegation members who stayed at the hotel, two officials staying at the hotel are referred to as “His Excellency,” indicating that Saudi Royal family members or senior government ministers were patronizing the hotel.²⁹⁷ The bill included numerous charges for amenities, including a \$2,000 charge for “Coffee Table Flowers for all suites + amenities + 2 Gold and Dark Green Macaroon Towers.”²⁹⁸

In sum, the limited records available to the Committee indicate that Saudi Arabia paid at least \$615,422 to Trump properties during the Trump presidency—and this figure is likely a deep undercount.²⁹⁹

Since leaving office, the former president and Mr. Kushner have reaped staggering financial benefits from their close relationship with M.B.S. In November 2022, as President Trump prepared to launch his current presidential campaign, The Trump Organization was busy finalizing a deal with a Saudi firm and the Omani government for a multi-billion-dollar real estate development in Oman. Trump-owned golf courses have also hosted tournaments for LIV Golf, which is backed by the Saudi government’s sovereign wealth fund, controlled by M.B.S.³⁰⁰ Mr. Trump continues to keep the Crown Prince close as he runs for office, with the pair reportedly having a conversation as recently as March 2024. While the topic of their discussion has not been disclosed, their conversation took place during a sensitive time in which the Biden Administration was working to broker peace in the Middle East—an effort that has significant implications for Saudi Arabia and the United States.³⁰¹

Jared Kushner has also benefited from the relationships he developed with foreign leaders while in office—particularly with M.B.S. Within six months of leaving the White House, Mr. Kushner formed an investment firm, A Fin Management, LLC (Affinity), and secured \$2 billion from the Saudi sovereign wealth fund—an investment that accounts for the vast majority of Affinity’s portfolio, which was recently valued at \$3 billion. Reportedly, M.B.S. personally approved the sizable investment in Affinity over the objections of the Saudi wealth fund’s

by the Saudi government for this stay—and thus the total emolument spending—as \$78,342. See Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to Debra Steidel Wall, Acting Archivist of the United States, National Archives and Records Administration (Nov. 14, 2022) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2022-11-14.CBM%20to%20Steidel%20Wall-NARA%20re%20Mazars%20Docs.pdf>).

²⁹⁷ MAZARS-OVERSIGHT_COMMITTEE-00008122 to MAZARS-OVERSIGHT_COMMITTEE-00008140.

²⁹⁸ MAZARS-OVERSIGHT_COMMITTEE-00008139.

²⁹⁹ Democratic Staff, Committee on Oversight and Accountability, *White House for Sale: How Princes, Prime Ministers, and Premiers Paid Off President Trump* (Jan. 4, 2024) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2024-01-04.COA%20DEMS%20-%20Mazars%20Report.pdf>).

³⁰⁰ *Trump Spoke Recently with Saudi Leader*, New York Times (Apr. 3, 2024) (online at www.nytimes.com/2024/04/03/us/politics/trump-mohammed-bin-salman.html); *Saudi Arabia’s Public Investment Fund Just Reshaped Pro Golf. It’s Not Stopping There*, CNN (June 7, 2023) (online at www.cnn.com/2023/06/07/investing/saudi-arabia-pif-golf-liv/index.html).

³⁰¹ *Trump Spoke Recently with Saudi Leader*, New York Times (Apr. 3, 2024) (online at www.nytimes.com/2024/04/03/us/politics/trump-mohammed-bin-salman.html).

advisers, who raised multiple concerns about this proposed investment, including Mr. Kushner’s “inexperience” and a proposed asset management fee that “seem[ed] excessive.”³⁰²

In addition to relying on foreign backers, Mr. Kushner’s Affinity firm itself was focused on investing in foreign projects throughout the globe, creating yet another set of potential conflicts of interest as Donald Trump seeks a second term. The *New York Times* reported that Mr. Kushner’s business model was unprecedented, describing his “foreign transactions” as being “previously unseen in scale and speed for a former White House adviser.”³⁰³

Ethics experts have expressed concern that Mr. Kushner’s Saudi “deal creates the appearance of potential payback for Mr. Kushner’s actions in the White House—or of a bid for future favor” in a second Trump term.³⁰⁴ Even Chairman Comer has acknowledged that Mr. Kushner’s arrangement “crossed the line of ethics”—but Committee Republicans have repeatedly blocked efforts by Committee Democrats to obtain the information necessary to assess whether and to what extent Mr. Kushner was involved in influence peddling.³⁰⁵ For example, Chairman Comer never responded to Ranking Member Raskin’s August 31, 2023, letter requesting that the Committee issue a subpoena to compel Mr. Kushner’s firm to comply with previous document requests from Committee Democrats.³⁰⁶ In January 2024, Committee Republicans voted down an amendment proposed by Rep. Robert Garcia that would have required Mr. Kushner’s firm to “produce documents related to its receipt from Gulf monarchies, as requested in the February 15, 2023, letter from Ranking Member Raskin to Mr. Kushner, and in the June 2, 2022, letter from then-Chairwoman Maloney to Mr. Kushner.”³⁰⁷ And at the Committee’s second impeachment hearing, in March 2024, Committee Republicans voted down a motion offered by Ranking Member Raskin to subpoena Mr. Kushner to appear at a Committee deposition to answer questions about his financial dealings with foreign governments.³⁰⁸ According to reporting by the *New York Times*, “[W]hen a reporter suggested it might be

³⁰² *Before Giving Billions to Jared Kushner, Saudi Investment Fund Had Big Doubts*, New York Times (Apr. 10, 2022) (online at www.nytimes.com/2022/04/10/us/jared-kushner-saudi-investment-fund.html).

³⁰³ *As Kushner’s Investment Firm Steps Out, the Potential Conflicts Are Growing*, New York Times (Apr. 9, 2024) (online at www.nytimes.com/2024/04/09/us/politics/jared-kushner-affinity-partners.html).

³⁰⁴ *Before Giving Billions to Jared Kushner, Saudi Investment Fund Had Big Doubts*, New York Times (Apr. 10, 2022) (online at www.nytimes.com/2022/04/10/us/jared-kushner-saudi-investment-fund.html).

³⁰⁵ *Comer Says Kushner ‘Crossed the Line of Ethics’ with Saudi Deal*, The Hill (Aug. 11, 2023) (online at <https://thehill.com/blogs/blog-briefing-room/news/4148951-comer-says-kushner-crossed-the-line-of-ethics-with-saudi-deal/>).

³⁰⁶ Letter from Ranking Member Jamie Raskin, to Chairman James Comer, Committee on Oversight and Accountability (Aug. 31, 2023) (online at <https://oversightdemocrats.house.gov/sites/evo-subsites/democrats-oversight.house.gov/files/2023-08-31.JBR%20to%20Comer%20re%20Kushner%20Subpoena.pdf>).

³⁰⁷ H.Res. ___, Recommending that the House of Representatives find Robert Hunter Biden in Contempt of Congress for Refusal to Comply with a Subpoena Duly Issued by the Committee on Oversight and Accountability (Amendment to the ANS offered by Mr. Garcia) (online at www.congress.gov/event/118th-congress/houseevent/116732).

³⁰⁸ Committee on Oversight and Accountability, *Hearing on Influence Peddling: Examining Joe Biden’s Influence Abuse of Public Office* (Mar. 20, 2024) (online at <https://oversight.house.gov/hearing/influence-peddlingexamining-joe-bidens-abuse-of-public-office/>).

politically unsustainable for him to investigate Mr. Trump’s son-in-law,” Chairman Comer stated: “I don’t disagree with what you said.”³⁰⁹

³⁰⁹ *Comer, Republicans’ Investigative Chief, Embraces Roles 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).

CONCLUSION

At the conclusion of this exhaustive 20-month investigation, involving 3.8 million pages of documents, 80 hours of testimony from 19 witnesses, and untold taxpayer dollars, congressional Republicans cannot identify any wrongdoing let alone a high crime or misdemeanor committed by President Biden. In attempting to smear President Biden, at the behest and exhortation of Donald Trump, they have cherry-picked and distorted facts, even going so far as to echo and amplify Russian disinformation. However, the mountain of evidence amassed through this investigation has served only to exonerate President Biden.

Meanwhile, Republicans have worked to impede and obstruct any effort to investigate Mr. Trump's actual and proven corruption, including his unconstitutional receipt, while Commander-in-Chief, of millions of dollars from foreign governments that sought, and often received, favors from his Administration.

Ultimately, today's Republican report serves only to underscore the spectacular failure of their endeavor and to further highlight the contrast between Joe Biden, a career public servant, who has spent his life fighting for the American people and who stands for the common good and strong democracy and Donald Trump, a twice-impeached career grifter, adjudicated fraudster, sexual assaulter, defamer of women, and convicted felon who sees the presidency as an instrument for unceasing self-enrichment, self-aggrandizement, and revenge.³¹⁰

³¹⁰ See, e.g., *Trump 'Lit that Fire' of Capitol Insurrection, Jan 6 Committee Report Says*, PBS NewsHour (Dec. 23, 2022) (online at www.pbs.org/newshour/politics/trump-lit-that-fire-of-capitol-insurrection-jan-6-committee-report-says); *Trump Businesses Received \$7.8 Million from Foreign Countries During Presidency, House Reports*, Forbes (Jan. 4, 2024) (online at www.forbes.com/sites/zacharyfolk/2024/01/04/trump-businesses-received-78-million-from-foreign-countries-during-presidency-house-reports/); *Here's a Look Inside Donald Trump's \$355 Million Civil Fraud Verdict*, Associated Press (Feb. 17, 2024) (online at <https://apnews.com/article/trump-fraud-letitia-james-new-york-engoron-38bc3a7f2ccb22555c026e9bf70fd5bb>); *Judge Clarifies: Yes, Trump Was Found to Have Raped E. Jean Carroll*, Washington Post (July 19, 2023) (online at www.washingtonpost.com/politics/2023/07/19/trump-carroll-judge-rape/); *Trump Asked Russia to Find Clinton's Emails. On Or Around the Same Day, Russians Targeted Her Accounts*, PBS (July 13, 2018) (online at www.pbs.org/newshour/politics/trump-asked-russia-to-find-clintons-emails-on-or-around-the-same-day-russians-targeted-her-accounts); *McConnell Criticizes Trump's Calls to Terminate the Constitution*, NPR (Dec. 6, 2022) (online at www.npr.org/2022/12/06/1141096473/mcconnell-trump-terminate-constitution); *Trump's Vow to Only be a Dictator On 'Day One' Follows Growing Worry over His Authoritarian Rhetoric*, Associated Press (Dec. 7, 2023) (online at <https://apnews.com/article/trump-hannity-dictator-authoritarian-presidential-election-f27e7e9d7c13fabbe3ae7dd7f1235c72>).