

## MEMORANDUM

**Date:** December 1, 2023

**To:** Interested Parties

**Fr:** House Committee on Oversight and Accountability—Democratic Press Office

**Re:** Fact Sheet—Mountain of Evidence Shows No Wrongdoing by President Biden

### **Key Takeaways:**

1. After nearly a year of investigating, House Republicans have collected an extraordinary amount of evidence in their investigation of Hunter Biden's business activities. And this evidence comes on top of the evidence collected by Senate Republicans who conducted their own investigation of Hunter Biden in 2020. There is no lack of evidence—and the evidence shows no wrongdoing by President Biden, let alone an impeachable offense.
2. The Biden-Harris Administration, private banks, and private citizens have bent over backward to accommodate congressional requests. The enormous body of evidence collected as part of this investigation includes:
  - More than 36,000 pages of subpoenaed bank records;
  - More than 2,000 pages of suspicious activity reports (SARs) provided by the Department of the Treasury;
  - Dozens of hours of testimony from two of Hunter Biden's business partners, a senior official from the National Archives and Records Administration, seven federal agents assigned to the investigation of Hunter Biden from IRS and FBI, three U.S. Attorneys and a high-ranking official from DOJ's Tax Division;
  - Hundreds of pages of documents from the Hunter Biden investigation released by the Committee on Ways and Means.
3. This investigation has uncovered significant evidence showing that [Joe Biden was not involved in and did not profit from his family members' business dealings](#). As Republicans' own [witnesses](#) have also [testified](#), the inquiry has failed to establish a factual predicate for impeaching President Biden, let alone any wrongdoing that occurred during his Presidency or Vice Presidency. Jonathan Turley [testified](#) to the Oversight Committee that the "relevant office [for purposes of an impeachment inquiry] should remain the presidency, not the vice presidency, of Joe Biden." No new evidence has emerged to change this fact.
4. This investigation has confirmed that as Vice President, Joe Biden successfully led a bipartisan and international coalition urging the Ukrainian government to address corruption; as President, Joe Biden retained a U.S. Attorney appointed by Donald Trump who continues to enjoy full authority to investigate and prosecute his son Hunter Biden; and as a father and a brother, Joe Biden has helped members of his family in their times of need.

To justify this impeachment inquiry, Speaker Johnson has identified "[the top four pieces of evidence](#)" against President Biden. Below are the facts addressing each of the Speaker's concerns, and more.

### **On Claims of Obstruction and Stonewalling by the Biden-Harris Administration**

This manufactured narrative has been contradicted by Chairman Comer's [own statements](#) touting the vigor and comprehensiveness of his investigation: "Every subpoena that I have signed, as Chairman of the House Oversight Committee over the last five months, we have gotten 100% of what we requested, whether it's with the FBI or with the banks or with Treasury." The Biden-Harris Administration has repeatedly and consistently accommodated the Chairman's requests including in his investigation of President Biden, specifically:

- DOJ, FBI, IRS, and National Archives have made 9 witnesses available to discuss ongoing investigations.
- Treasury provided more than 2,000 pages of SARs.
- The White House and National Archives are following the law and standard practice in releasing the President's records, beginning with the production of records prioritized by Republican investigators. Further, the National Archives have already publicly released over 2,200 emails regarding Hunter Biden.
- The FBI and U.S. Secret Service have provided high-level officials for Member briefings.
- The FBI made available the Form FD-1023 tipsheet to Committee Members [despite significant concerns](#) about endangering the safety of confidential human sources and ongoing law enforcement programs and investigations.

### **On Claims that Joe Biden Was Involved in His Family Members' Business Dealings**

This investigation has uncovered no testimony, no statement from a transcribed interview, no email, no WhatsApp message, nor any evidence whatsoever that shows President Biden was involved in his family's business dealings. Witnesses have repeatedly undercut this allegation, clearly stating that Joe Biden was not involved in and did not profit from his family members' business ventures.

- In his March 31, 2023, [interview](#) with Committee staff, Eric Schwerin, Hunter Biden's former business associate and then-Vice President Biden's former financial adviser, who had access to the Vice President's bank records from 2009 to 2017, [stated](#) he was not aware of any involvement by President Biden in the financial conduct of his relatives' businesses, much less any transactions into or out of the then Vice President's bank account related to business conducted by any Biden family member. Chairman Comer [denies](#) this interview even happened, despite Mr. Schwerin's attorney [confirming](#) the facts above.
- In his July 31, 2023, interview with the Committee, Devon Archer, [repeatedly explained](#) that President Biden was not involved in his son's business activities, that over his decade-long business relationship with Hunter Biden he never heard him discuss the substance of his business with his father, and that the hundreds of pages of business bank records Committee Republicans introduced as exhibits didn't contain any transfer to President Biden. Chairman Comer falsely claimed he attended the interview.
- In his December 8, 2020, interview with the FBI, Rob Walker, Hunter Biden's former business partner, [stated](#) he "certainly never was thinking at any time that the V.P. [Biden] was a part of anything we were doing" and [stated](#) that the idea that President Biden would ever get involved was "wishful thinking" on the part of another business partner, James Gilliar, akin to "unicorns and rainbows."
- In an August 11, 2023, [letter to Chairman Comer](#), the attorney for Elizabeth Hirsh Naftali, a patron of Hunter Biden's art, discredited "numerous false allegations" that attempt to

manufacture a “baseless” link between her art purchases and corruption allegation against President Biden. [In the letter](#), Naftali’s attorney stated: “Any insinuation that her purchase of art was unusual or somehow improper is entirely unsupported. [...] To be clear, Ms. Naftali purchased the artwork solely because she liked the art, and the prices were reasonable [...] never at any time did she have direct or indirect contact with anyone at the White House regarding any art purchased.”

- The [testimony](#) of two Internal Revenue Service agents assigned to the Department of Justice’s Hunter Biden investigation also [acknowledged](#) that they had no evidence that President Biden was involved in his son’s business dealings.
- In regard to the WhatsApp messages cited by some Republicans, independent fact-checker FactCheck.org [stated](#): “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.”

### **On Claims that Joe Biden Profited from His Family’s Business Dealings**

Oversight Committee Republicans have now received more than 36,000 pages of bank records as part of their Biden family probe. Those [records show that Joe Biden did not profit](#) from his family members’ business dealings.

- According to a Washington Post [fact check](#): “No evidence has emerged that any of these funds can be traced to Joe Biden himself.”
- CNN [reiterated](#): “The phrase ‘Biden family’ is doing a lot of work [...] because none of these records confirm any direct payments to Joe Biden or show that he was directly involved in Hunter Biden’s business arrangements.”
- FactCheck.org [confirmed](#): “There is currently no proof that Joe Biden was involved in the business deals of his son, Hunter, or that the president ever benefited from those deals or ever used his position as vice president to assist the companies on his son’s behalf.”

### **On Claims that President Biden “Profited” from His Family’s Business Through Loan Repayment Checks**

Contrary to false allegations that bank records produced to the Committee prove President Biden is guilty of “[bribery](#)” and “[money laundering](#),” these bank records continue to show the President was not involved in and did not profit from his family members’ business dealings, which [have long](#) been [public record](#).

- These [bank records show](#) that in 2017 and 2018, while Joe Biden was not in office and was earning significant income from [book deals and speaking engagements](#), he provided [two short-term loans to his brother](#), James, who repaid each loan within two months.
- This evidence has been affirmed by many fact checkers and independents news outlets, including [The Washington Examiner](#), [Daily Mail](#), [FactCheck.org](#), [CNN Fact Check](#), [USA Today](#), [PolitiFact](#), [The Messenger](#), [Washington Post](#), [Wall Street Journal](#), [Politico](#), and [New York Times](#).

### **On Claims that Then-Vice President Biden Was Involved in a Burisma-Ukraine Bribery Scheme**

Republicans leading the impeachment effort have recently called the debunked Burisma conspiracy theory—long peddled by [Russian agents](#) sanctioned by [Trump’s own Treasury Department](#)—“[the best](#)

[example](#)” of corruption and “[the most ‘compelling evidence’ against the president.](#)” However, this conspiracy theory has been [debunked](#) by [years](#) of investigations and independent [reporting](#):

- It was [debunked](#) by the former president of Ukraine, Petro Poroshenko, live on Fox News.
- It was debunked by the [testimony of witnesses](#) in Trump’s first impeachment.
  - The Trump Administration’s Special Representative for Ukraine Negotiations Kurt Volker [told](#) House investigators that “Rudy Giuliani’s desire for the Ukrainian Government to investigate Burisma” was based on a theory that “had been debunked” and had “no evidence to support it.”
  - Gordon Sondland, President Trump’s Ambassador to the European Union, also [told](#) House investigators in 2019 that “the effort by Giuliani to investigate Burisma” was “improper” and likely “illegal.”
- It was debunked by the [witnesses interviewed](#) as part of Senate Republicans’ [investigation in 2020](#).
- It was debunked by [Mykola Zlochevsky](#), the owner of Burisma who allegedly partook in the bribery scheme, as evidenced by a [document](#) the Committee has had in its possession since 2019.
- It was debunked by former key Giuliani associate Lev Parnas in his [10-page letter to Chairman Comer](#), which Parnas offered to [reaffirm under oath](#) before the Committee, yet Republicans [twice voted against](#) issuing subpoenas to Lev Parnas or Rudy Giuliani.
- It was debunked by Devon Archer, who, in addressing years-old, second-hand bribery allegations in an unverified 2020 FBI Form FD-1023 tipsheet, explicitly stated that he would [disagree](#) with anyone concluding from the 1023 form that Joe Biden was bribed by Zlochevsky, dismissing the allegations as the kind of brag, exaggeration, and “[fibs](#)” that are common among Ukrainian businessmen.
- The confidential human source who originally reported the information to the FBI in 2020 himself [noted](#) it was not unusual for Ukrainian business executives “[to brag or show-off](#)” and that he could not offer any opinion as to the “[veracity](#)” of the bribery allegations he was relaying.
- It was debunked by a [House Freedom Caucus Member](#), and even [Fox News’s](#) own internal research unit, known as the “Brain Room” determined these attacks to be “[disinformation](#).”

### ***On Claims of Political Interference in Investigation of Hunter Biden***

The allegation that there was political interference in the Department of Justice and Special Counsel David Weiss’s investigation of Hunter Biden rely on one person’s mischaracterization of one statement in one meeting. Every other witness involved in the Delaware investigation has disputed the allegation and made clear there was no political interference in Mr. Weiss’s investigation.

- A former FBI Supervisory Special Agent assigned to the Hunter Biden investigation established that [he was not aware of any political interference](#) in the investigation by Trump-appointed Special Counsel David Weiss, or anyone else in the Delaware U.S. attorney’s office.
- Attorney General Garland, along with Special Counsel Weiss [have](#) repeatedly [stated](#) to Congress that Mr. Weiss has been able to carry out this ongoing investigation with full authority and without political interference from President Biden, his White House, or the Attorney General.
- U.S. Attorney for Central California [E. Martin Estrada](#) and U.S. Attorney for the District of Columbia [Matthew Graves](#) both confirmed to the Judiciary Committee that Special Counsel Weiss had full authority to pursue charges against Hunter Biden in their respective jurisdictions.

- Four current supervisory FBI and IRS agents with personal knowledge of the investigation called by Republican chairs of three House Committees [confirmed](#) there was no political interference in the federal tax investigation of Hunter Biden.

The truth is that this investigation has collected an enormous volume of materials, and the Biden-Harris Administration, banks, and private citizens have all gone to great lengths to accommodate congressional requests. This extensive body of evidence shows no wrongdoing by President Biden, much less an impeachable offense, and time and again, has proven the core allegations against the President to be false. Rather than accept these facts, Republicans have resorted to cherry-picking and distorting facts in order to justify continuing this sham investigation aimed at satisfying the demands for retribution of President Trump who was twice indicted and now faces 91 felony counts.

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