

# Congress of the United States

Washington, DC 20515

June 5, 2024

The Honorable Merrick B. Garland  
Attorney General  
Department of Justice  
950 Pennsylvania Avenue, NW  
Washington, D.C. 20530

The Honorable David C. Weiss  
Special Counsel & United States Attorney  
United States Attorney's Office  
District of Delaware  
1313 N Market Street  
PO Box 2046  
Wilmington, DE 19801

Dear Attorney General Garland and Special Counsel Weiss:

The House Committee on Oversight and Accountability, the House Committee on the Judiciary, and the House Committee on Ways and Means (the Committees) are investigating whether sufficient grounds exist to draft articles of impeachment against President Biden for consideration by the full House.<sup>1</sup> Specifically, the Committees are investigating the President's role in and knowledge of his family's international influence peddling schemes that have generated over \$18 million for Biden family members and their related companies, and over \$27 million when including the payments to their business associates, who often were used to transfer funds to Biden family members.<sup>2</sup> This figure does not include an additional \$8 million in loans—most of which has not been repaid—to Robert Hunter Biden (Hunter Biden) and James Brian Biden (James Biden), the President's son and brother, respectively.<sup>3</sup> In total, since 2014, the Committees have accounted for over \$35 million received by Biden family members, their companies, and business associates, which includes financial transactions described as loans.<sup>4</sup> Despite much effort, the Committees have not identified legitimate services warranting such lucrative payments. The amount of money the Biden family has received from concerning companies and individuals is alarming.

In furtherance of the impeachment inquiry, the Oversight Committee and the Judiciary Committee have interviewed multiple witnesses regarding President Biden's knowledge of and involvement in his family's business dealings, including Biden family associates and Biden family members themselves, namely Hunter Biden and James Biden. On February 21, 2024, the

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<sup>1</sup> See H. Res. 918, 118<sup>th</sup> Cong. (2023).

<sup>2</sup> See generally attached Criminal Referral.

<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

Oversight Committee and the Judiciary Committee conducted a transcribed interview with James Biden, who was accompanied by counsel. On February 28, 2024, the Oversight Committee and the Judiciary Committee conducted a deposition with Hunter Biden, who testified under oath and also was accompanied by counsel.

The Committees attach to this letter a referral for criminal charges against Hunter Biden and James Biden, under 18 U.S.C. § 1001 (false statements), and, additionally, for Hunter Biden under 18 U.S.C. § 1621 (perjury). As the attached referral shows, Hunter Biden and James Biden made provably false statements to the Oversight Committee and the Judiciary Committee about key aspects of the impeachment inquiry, in what appears to be a conscious effort to hinder the investigation's focus on President Joe Biden.

Specifically, Hunter Biden falsely distanced himself from a corporate entity—Rosemont Seneca Bohai, LLC—and its bank account (Rosemont Seneca Bohai Bank Account) that was the recipient of millions of dollars from foreign individuals and foreign entities who met with then-Vice President Biden before and after transmitting money to the Rosemont Seneca Bohai Bank Account that then transferred funds to Hunter Biden.<sup>5</sup> Hunter Biden made additional false statements as to whether he held positions at Rosemont Seneca Bohai, LLC. After deposing Hunter Biden, the Committees obtained documents showing Hunter Biden represented that he was the corporate secretary.<sup>6</sup> Additionally, Hunter Biden during his testimony relayed an entirely fictitious account about threatening text messages he sent to his Chinese business partner while invoking his father's presence with him as he wrote the messages. Hunter Biden told the Oversight Committee and the Judiciary Committee he had transmitted this threat to an unrelated individual with the same surname.<sup>7</sup> However, documents released by the Committee on Ways and Means demonstrate conclusively that Hunter Biden made this threat to the intended individual, and bank records prove Hunter Biden's Chinese business partners wired millions of dollars to him after his threat.<sup>8</sup> A portion of the proceeds has been traced to Joe Biden's bank account.<sup>9</sup>

With respect to James Biden, he stated unequivocally during his transcribed interview that Joe Biden did not meet with Mr. Tony Bobulinski, a business associate of James and Hunter Biden, in 2017 while pursuing a deal with a Chinese entity, CEFC China Energy. Specifically, James Biden stated he did not attend a meeting with Joe Biden, Hunter Biden, and Tony Bobulinski on May 2, 2017 at the Beverly Hilton Hotel.<sup>10</sup> These statements were contradicted

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<sup>5</sup> *Id.*

<sup>6</sup> See Statement of Joseph Ziegler dated March 12, 2024, Affidavit 9 at ¶ 7.

<sup>7</sup> Transcript of Hunter Biden, H. Comm. on Oversight & Accountability & H. Comm. on the Judiciary at 105-107:1-3 (Hunter Biden Tr.).

<sup>8</sup> See Memorandum (Nov. 1, 2023), H. Comm. on Oversight & Accountability. From Maj. Comm. staff to Comm. Members. Re: Fourth Bank Records Memorandum from the Oversight Committee's Investigation into the Biden Family's Influence Peddling and Business Schemes, at 5 (Fourth Bank Memo); Production to H. Comm. on Ways & Means, Exhibit 801, at 533-549.

<sup>9</sup> See Fourth Bank Memo, *supra* note 8, at 5-10.

<sup>10</sup> Transcript of James Biden, H. Comm. on Oversight & Accountability & H. Comm. on the Judiciary, at 100: 11-15.

not only by Mr. Bobulinski, but Hunter Biden.<sup>11</sup> Mr. Bobulinski also produced text messages that establish the events leading up to and immediately following his meeting with Joe Biden on May 2, 2017.<sup>12</sup>

Hunter Biden and James Biden made materially false statements to the Oversight Committee and the Judiciary Committee, as demonstrated by the evidence presented in the attached referral. The nature of these false statements is not lost on the Committees: every instance implicates Joe Biden's knowledge of and role in his family's influence peddling. Hunter Biden denying his affiliation with the Rosemont Seneca Bohai Bank Account obfuscates the account to which foreign individuals who met with Joe Biden transmitted funds. Similarly, Hunter Biden creating from whole cloth a fiction in which he transmitted a threat to the wrong individual appears to be an attempt to hide the fact that invoking Joe Biden succeeded in coercing his Chinese partners to send him money. It also calls into doubt Hunter Biden's other testimony about that event, such as his contention that his father was not, in fact, sitting next to him when he transmitted the message.<sup>13</sup> James Biden's denial that Joe Biden's meeting with James Biden, Hunter Biden, and Hunter Biden's business associate for a Chinese transaction, Tony Bobulinski, took place—despite evidence being placed in front of him and being given multiple opportunities to amend his response—appears to be a clumsy attempt to protect Joe Biden from the reality that Joe Biden has indeed met with his family's business associates.

Hunter Biden and James Biden provided false testimony to the Oversight Committee and the Judiciary Committee, in what appears to be a conscious, calculated effort to insulate Joe Biden from the duly authorized impeachment inquiry. The Committees recommend that both Hunter Biden and James Biden be charged under 18 U.S.C. § 1001 (false statements), and, additionally, that Hunter Biden be charged under 18 U.S.C. § 1621 (perjury). The Department of Justice should consider Hunter Biden's prior alleged criminal activity when evaluating whether to charge him for the false statements described in the attached.<sup>14</sup> Because Hunter Biden was federally indicted in two different jurisdictions at the time of his Congressional deposition, he was also subject to two federal court orders stating that he could not commit any crimes while on federal supervised release.<sup>15</sup>

Thank you for your prompt attention to this matter.

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<sup>11</sup> Hunter Biden Tr., *supra* note 7, at 141: 12-25; 142: 1-3.

<sup>12</sup> See generally Transcript of Tony Bobulinski, H. Comm. on Oversight & Accountability & H. Comm. on the Judiciary.

<sup>13</sup> Hunter Biden Tr., *supra* note 7, at 105: 24.

<sup>14</sup> See DOJ Manual, 9-27.230, Initiating and Declining Charges—Substantial Federal Interest, The Person's Criminal History (“If a person is known to have a prior conviction **or is reasonably believed to have engaged in criminal activity at an earlier time, this should be considered in determining whether to commence or recommend federal prosecution.**”) (emphasis added).

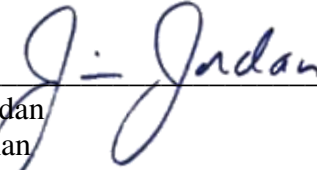
<sup>15</sup> See *United States v. Hunter Biden*, Case no. 1:23-cr-00061-MN, Doc. 47, Order Setting Conditions of Release (Oct. 3, 2023) (“The defendant must not violate federal, state, or local law while on release.”); *United States v. Hunter Biden*, Case no. 2:23-cr-00599-MCS (C.D. Cal.) (Jan. 11, 2024), Doc. 14, at 5 (stating, “I will not commit a federal, state, or local crime during the period of release.”).

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Sincerely,



James Comer  
Chairman  
Committee on Oversight and Accountability



Jim Jordan  
Chairman  
Committee on the Judiciary



Jason Smith  
Chairman  
Committee on Ways and Means

cc: The Honorable Jamie Raskin, Ranking Member  
Committee on Oversight and Accountability

The Honorable Jerrold L. Nadler, Ranking Member  
Committee on the Judiciary

The Honorable Richard E. Neal, Ranking Member  
Committee on Ways and Means