

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.¹ 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.² 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.³ 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.⁴ 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

¹ See H. Res. 918, 118th Cong. (2023).

² See generally attached Criminal Referral.

³ *Id.*

⁴ *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.⁵ 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.⁶ 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.⁷ 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.⁸ A portion of the proceeds has been traced to Joe Biden's bank account.⁹

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.¹⁰ These statements were contradicted

⁵ *Id.*

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

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

⁸ 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.

⁹ See Fourth Bank Memo, *supra* note 8, at 5-10.

¹⁰ 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.¹¹ Mr. Bobulinski also produced text messages that establish the events leading up to and immediately following his meeting with Joe Biden on May 2, 2017.¹²

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.¹³ 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.¹⁴ 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.¹⁵

Thank you for your prompt attention to this matter.

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

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

¹³ Hunter Biden Tr., *supra* note 7, at 105: 24.

¹⁴ 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).

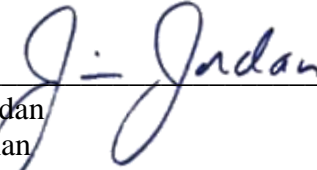
¹⁵ See *United States v. Hunter Biden*, Case no. 1:23-cr-00061-MN, Doc. 47, Order Setting Conditions of Release (Oct. 3, 2023) (“The defendant must not violate federal, state, or local law while on release.”); *United States v. Hunter Biden*, Case no. 2:23-cr-00599-MCS (C.D. Cal.) (Jan. 11, 2024), Doc.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

The Honorable Merrick B. Garland
The Honorable David C. Weiss
June 5, 2024
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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

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A. THE FINANCIAL INVESTIGATION INTO PRESIDENT BIDEN’S INFLUENCE PEDDLING

1. In January 2023, the House Committee on Oversight and Accountability (Oversight Committee) launched an investigation into President Joseph R. Biden Jr.’s involvement in his family’s foreign business dealings and influence peddling. Then, in light of evidence gathered during that investigation, the Oversight Committee, the House Committee on the Judiciary (Judiciary Committee), and the House Committee on Ways and Means (Ways and Means Committee) (collectively, the Committees) in September 2023 began an inquiry into whether sufficient grounds exist to draft articles of impeachment against President Biden for consideration by the full House.¹ On December 13, 2023, the House of Representatives adopted House Resolution 918 directing the Committees to continue the impeachment inquiry.² By approving House Resolution 918, the House also adopted House Resolution 917,³ which affirmed that “[t]he authority provided by clause 2(m) of Rule XI of the Rules of the House of Representatives to the Chairs of the Committees . . . included, from the beginning of the existing House of Representatives impeachment inquiry . . . the authority to issue subpoenas on behalf of such Committees for the purpose of furthering the impeachment inquiry.”⁴ House Resolution 917 also “ratifie[d] and affirm[ed] any subpoenas previously issued . . . by the Chairs of the Committees . . . as part of the impeachment inquiry.”⁵

2. During the Committees’ investigation, the Committees interviewed witnesses who were involved in suspicious financial transactions involving certain Biden family members and

¹ See H. Res. 918, 118th Cong. (2023) (H. Res. 918); Memorandum from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability, Hon. Jim Jordan, Chairman, H. Comm. on the Judiciary, & Hon. Jason Smith, Chairman, H. Comm. on Ways & Means, to H. Comm. on Oversight & Accountability, H. Comm. on the Judiciary, & H. Comm. on Ways & Means. Re: Impeachment Inquiry (Sept. 27, 2023) (Impeachment Inquiry Memorandum).

² H. Res. 918, *supra* note 1.

³ H. Res. 918, *supra* note 1; H. Res. 917, 118th Cong. (2023) (H. Res. 917).

⁴ H. Res. 917, *supra* note 3.

⁵ *Id.*

received significant funds into their personal and corporate bank accounts from foreign sources. The investigation included interviews of Robert Hunter Biden (Hunter Biden), James Biden, Eric Schwerin, Devon Archer, John Robinson Walker (Rob Walker), Tony Bobulinski, and other business associates of the Bidens.⁶

3. Prior to conducting witness interviews, the Oversight Committee identified relevant bank accounts by reviewing Suspicious Activity Reports (SARs) at the U.S. Department of the Treasury (Treasury Department). The Bank Secrecy Act (BSA) requires financial institutions to file reports with the Financial Crimes Enforcement Network (FinCEN) to prevent money laundering and other potential violations of the BSA.⁷ The Oversight Committee provided a list of individuals and entities to the Treasury Department seeking to review any SARs filed by financial institutions with FinCEN regarding those on that list.⁸ In conjunction with identifying pertinent bank account information held at the Treasury Department, the Oversight Committee began issuing targeted subpoenas to banks for specific financial records related to corporate and individual accounts. Once the impeachment inquiry began, the Judiciary Committee also issued bank subpoenas identical to and simultaneous with the Oversight Committee's subsequent rounds of bank subpoenas. The banks have complied with the Oversight and Judiciary Committees' subpoenas and have produced thousands of bank records.

⁶ See Transcript of Hunter Biden, H. Comm. on Oversight & Accountability, Attached as Exhibit 1 (Hunter Biden Tr.); Transcript of James Biden, H. Comm. on Oversight & Accountability, Attached as Exhibit 2 (James Biden Tr.); Transcript of Eric Schwerin, H. Comm. on Oversight & Accountability, Attached as Exhibit 3 (Eric Schwerin Tr.); Transcript of Devon Archer, H. Comm. on Oversight & Accountability, Attached as Exhibit 4 (Devon Archer Tr.); Transcript of Rob Walker, H. Comm. on Oversight & Accountability, Attached as Exhibit 5 (Rob Walker Tr.); Transcript of Tony Bobulinski, H. Comm. on Oversight & Accountability, Attached as Exhibit 6 (Tony Bobulinski Tr.).

⁷ 12 C.F.R. § 21.11(a) ("This section ensures that national banks file a Suspicious Activity Report when they detect a known or suspected violation of Federal law or a suspicious transaction related to a money laundering activity or a violation of the Bank Secrecy Act.")

⁸ See Letter from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability, to Hon. Janet Yellen, Secretary, Dep't of Treasury (Jan. 11, 2023).

The Oversight and Judiciary Committees continue to receive bank records on a rolling basis from financial institutions and have recently issued additional bank subpoenas for more documents.

The charts and financial figures below rely on the subpoenaed bank records, which are a key aspect of this investigation.

4. The subpoenaed bank records revealed that from 2014 to 2023, Hunter Biden, James Biden, their associated companies, and certain other Biden family members received over \$18 million from foreign sources.⁹ Additionally, the bank records established that when Biden business associates and their companies are included, over \$27 million was received from foreign sources during the same time period.¹⁰ The Bidens, their business associates, and their related companies received funds from individuals and entities associated with Russia, Ukraine, Kazakhstan, China, Romania, Panama, and other locations.

5. These figures do not include the approximately \$8 million in loans Hunter Biden and James Biden received from Democratic benefactors such as Kevin Morris, Joey Langston, and John Hynansky.¹¹ The amount of money Hunter Biden, James Biden, and even Joe Biden sourced from foreign and domestic companies and then later described as a “loan,” often without documentation to show the terms of the loan and much of which was never repaid, is alarming.

6. 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

⁹ See *infra* charts at 4-10.

¹⁰ *Id.*

¹¹ See Letter from Kevin Morris’s counsel to General Counsel, H. Comm. on Oversight & Accountability (January 25, 2024), attached as Exhibit 7; see James Biden Tr., *supra* note 6, at 171; 174-175; This is a conservative estimate as there are additional, significant “loans” James Biden received from Americore and Michael Lewitt.

transactions described as loans.¹² Despite much effort, the Committees have not identified legitimate services warranting such lucrative payments.

7. The charts below summarize subpoenaed bank records of foreign payments to certain Biden family members and their entities:¹³

Russia

<u>Date</u>	<u>Originator</u>	<u>Biden Affiliated Entity</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
2/14/2014	Yelena Baturina	Rosemont Seneca Thornton	Rosemont Seneca Bohai	\$ 3,500,000.00
				\$ 3,500,000.00

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¹² See *supra* notes 9-11; see generally Memorandum from Majority Staff, H. Comm. on Oversight & Accountability, to Majority Members, H. Comm. on Oversight & Accountability (Mar. 16, 2023) (First Bank Memo); Memorandum from Majority Staff, H. Comm. on Oversight & Accountability, to Majority Members, H. Comm. on Oversight & Accountability (May 10, 2023) (Second Bank Memo); Memorandum from Majority Staff, H. Comm. on Oversight & Accountability, to Majority Members, H. Comm. on Oversight & Accountability (Aug. 9, 2023) (Third Bank Memo); Memorandum from Majority Staff, H. Comm. on Oversight & Accountability, to Majority Members, H. Comm. on Oversight & Accountability (Nov. 1, 2023) (Fourth Bank Memo).

¹³ Subpoenaed bank records for the following charts are on file with the Committees.

Ukraine

<u>Date</u>	<u>Originator</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
5/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/17/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 60,954.54
7/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
8/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
9/16/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
10/7/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 28,913.89
10/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
11/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
12/16/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
1/6/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 47,249.07
1/15/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
2/17/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
3/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
4/15/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
5/18/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/9/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 3,668.47
6/18/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
7/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
7/28/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 60,554.53
8/19/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
9/17/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
10/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33

<u>Date</u>	<u>Originator</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
1/25/2016	Burisma Holdings Limited	Owasco P.C.	\$ 84,992.33
2/2/2016	Burisma Holdings Limited	Owasco P.C.	\$ 1,659.00
2/12/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,293.33
3/15/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
4/28/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
5/17/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
6/17/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
7/14/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,731.02
7/18/2016	Burisma Holdings Limited	Owasco P.C.	\$ 152.00
8/19/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
9/21/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
10/18/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
11/16/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
12/16/2016	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
1/19/2017	Burisma Holdings Limited	Owasco P.C.	\$ 83,333.33
2/27/2017	Burisma Holdings Limited	Owasco P.C.	\$ 81,595.64
3/20/2017	Burisma Holdings Limited	Owasco P.C.	\$ 82,512.53
4/18/2017	Burisma Holdings Limited	Owasco P.C.	\$ 40,318.62
5/19/2017	Burisma Holdings Limited	Owasco P.C.	\$ 45,680.48
6/19/2017	Burisma Holdings Limited	Owasco P.C.	\$ 40,436.93
8/4/2017	Burisma Holdings Limited	Owasco P.C.	\$ 43,306.83
8/25/2017	Burisma Holdings Limited	Owasco P.C.	\$ 41,002.96
9/21/2017	Burisma Holdings Limited	Owasco P.C.	\$ 41,126.26
10/19/2017	Burisma Holdings Limited	Owasco P.C.	\$ 40,831.24
11/3/2017	Burisma Holdings Limited	Owasco P.C.	\$ 8,749.06
11/20/2017	Burisma Holdings Limited	Owasco P.C.	\$ 41,368.65
12/19/2017	Burisma Holdings Limited	Owasco P.C.	\$ 40,293.09
1/22/2018	Burisma Holdings Limited	Owasco P.C.	\$ 42,002.91
2/22/2018	Burisma Holdings Limited	Owasco P.C.	\$ 42,315.95
3/27/2018	Burisma Holdings Limited	Owasco P.C.	\$ 42,399.91
4/19/2018	Burisma Holdings Limited	Owasco P.C.	\$ 42,420.77
5/18/2018	Burisma Holdings Limited	Owasco P.C.	\$ 40,572.29
6/26/2018	Burisma Holdings Limited	Owasco P.C.	\$ 38,883.24
7/24/2018	Burisma Holdings Limited	Owasco P.C.	\$ 39,911.17
8/17/2018	Burisma Holdings Limited	Owasco P.C.	\$ 39,985.96
9/25/2018	Burisma Holdings Limited	Owasco P.C.	\$ 41,524.38
10/19/2018	Burisma Holdings Limited	Owasco P.C.	\$ 40,547.34
11/3/2018	Burisma Holdings Limited	Owasco P.C.	\$ 40,087.08
12/21/2018	Burisma Holdings Limited	Owasco P.C.	\$ 40,287.82
1/22/2019	Burisma Holdings Limited	Owasco P.C.	\$ 40,144.32
2/26/2019	Burisma Holdings Limited	Owasco P.C.	\$ 39,989.02
3/21/2019	Burisma Holdings Limited	Owasco P.C.	\$ 40,150.56
4/24/2019	Burisma Holdings Limited	Owasco P.C.	\$ 39,923.10
			\$ 3,986,869.53

Kazakhstan

<u>Date</u>	<u>Originator</u>	<u>Biden Affiliated Entity</u>	<u>Ultimate Beneficiary</u>	<u>Amount</u>
4/23/2014	Novatus Holding PTE. LTD.	Rosemont Seneca Bohai	Car Dealership	\$ 142,300.00
				\$ 142,300.00

China

<u>Date</u>	<u>Originator</u>	<u>Intermediary</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
12/30/2014	Bohai Harvest RST	Rosemont Seneca Bohai	Hunter Biden	\$ 23,157.63
12/30/2014	Bohai Harvest RST	Rosemont Seneca Bohai	Hunter Biden	\$ 7,456.04
2/9/2015	Bohai Harvest RST	Rosemont Seneca Bohai	Hunter Biden	\$ 1,225.87
8/21/2015	Gemini Investments Ltd.	Rosemont Property MGT LLC	Rosemont Seneca Bohai	\$ 188,616.56
11/5/2015	Bank of China Bohai Harvest RST	Rosemont Seneca Bohai	Hunter Biden	\$ 875.00
2/2/2016	Harves Investment Group		Rosemont Seneca Advisors	\$ 20,000.00
2/22/2016	Hualien Media		Skaneateles LLC	\$ 233,382.00
2/23/2016	Harves Investment Group		Rosemont Seneca Advisors	\$ 20,000.00
3/9/2016	Harves Investment Group		Rosemont Seneca Advisors	\$ 20,000.00
4/1/2016	Harves Investment Group		Rosemont Seneca Advisors	\$ 25,000.00
7/7/2016	Harves Investment Group		Rosemont Seneca Advisors	\$ 25,000.00
9/1/2016	Wei Wei	Eric Schwerin	Rosemont Seneca Partners	\$ 25,000.00
9/1/2016	Wei Wei	Eric Schwerin	Rosemont Seneca Partners	\$ 25,000.00
11/1/2016	Harves Investment Group		Rosemont Seneca Advisors	\$ 35,000.00
11/29/2016	Bohai Harvest RST		Rosemont Seneca Advisors	\$ 2,000.00
12/20/2016	Bohai Harvest RST		Rosemont Seneca Advisors	\$ 1,000.00
1/2/2017	Bohai Harvest RST		Rosemont Seneca Advisors	\$ 3,000.00
3/6/2017	State Energy HK Limited	Robinson Walker, LLC	"Biden"	\$ 5,000.00
3/13/2017	State Energy HK Limited	Robinson Walker, LLC	"Biden"	\$ 25,000.00
3/20/2017	State Energy HK Limited	Robinson Walker, LLC	Hallie Biden	\$ 25,000.00
3/27/2017	State Energy HK Limited	Robinson Walker, LLC	Owasco P.C.	\$ 50,000.00
3/29/2017	State Energy HK Limited	Robinson Walker, LLC	First Clearing, LLC	\$ 100,000.00
3/31/2017	State Energy HK Limited	Robinson Walker, LLC	Owasco P.C.	\$ 50,000.00
3/31/2017	State Energy HK Limited	Robinson Walker, LLC	Owasco P.C.	\$ 100,000.00
4/3/2017	State Energy HK Limited	Robinson Walker, LLC	JBBSR INC	\$ 50,000.00
4/3/2017	State Energy HK Limited	Robinson Walker, LLC	JBBSR INC	\$ 50,000.00
4/14/2017	State Energy HK Limited	Robinson Walker, LLC	RSTP II, LLC	\$ 10,962.00
4/18/2017	State Energy HK Limited	Robinson Walker, LLC	Owasco P.C.	\$ 300,000.00
4/20/2017	State Energy HK Limited	Robinson Walker, LLC	JBBSR INC	\$ 120,000.00
4/21/2017	State Energy HK Limited	Robinson Walker, LLC	"Biden"	\$ 25,000.00
4/24/2017	State Energy HK Limited	Robinson Walker, LLC	JBBSR INC	\$ 125,000.00
5/17/2017	State Energy HK Limited	Robinson Walker, LLC	"Biden"	\$ 15,000.00
5/18/2017	State Energy HK Limited	Robinson Walker, LLC	JBBSR INC	\$ 15,000.00

<u>Date</u>	<u>Originator</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
8/4/2017	CEFC Infrastructure Investment	Owasco P.C.	\$ 100,000.00
8/8/2017	Hudson West III	Owasco P.C.	\$ 400,000.00
8/17/2017	Bank of China Bohai Harvest RST	Skaneateles LLC	\$ 11,442.26
8/31/2017	Hudson West III	Owasco P.C.	\$ 165,000.00
9/25/2017	Hudson West III	Owasco P.C.	\$ 220,386.87
9/27/2017	Hudson West III	Owasco P.C.	\$ 165,000.00
9/27/2017	Hudson West III	Owasco P.C.	\$ 165,000.00
11/1/2017	Hudson West III	Owasco P.C.	\$ 165,000.00
12/1/2017	Hong Kong (BHR) Jonathan Li	Skaneateles LLC	\$ 119,975.00
12/4/2017	Hudson West III	Owasco P.C.	\$ 165,000.00
12/4/2017	Wang Xin (BHR)	Skaneateles LLC	\$ 37,975.00
1/2/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
1/10/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
1/17/2018	Hudson West III	Lion Hall Group	\$ 17,992.99
2/5/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
2/6/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
2/28/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
3/15/2018	Hudson West III	Owasco P.C.	\$ 157,494.19
3/16/2018	Hudson West III	Owasco P.C.	\$ 157,494.19
3/22/2018	Patrick Ho	Owasco LLC	\$ 1,000,000.00
4/3/2018	Hudson West III	Lion Hall Group	\$ 33,941.11
4/4/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
5/23/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
6/1/2018	Hudson West III	Lion Hall Group	\$ 7,612.41
6/1/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
7/2/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
7/25/2018	Hudson West III	Owasco P.C.	\$ 50,000.00
8/1/2018	Hudson West III	Lion Hall Group	\$ 4,762.41
8/1/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
9/4/2018	Hudson West III	Owasco P.C.	\$ 165,000.00
9/14/2018	Hudson West III	Owasco P.C.	\$ 10,000.00
9/18/2018	Hudson West III	Lion Hall Group	\$ 8,324.82
9/20/2018	Hudson West III	Owasco P.C.	\$ 25,000.00
9/25/2018	Hudson West III	Owasco P.C.	\$ 295,000.00
10/5/2018	Hudson West III	Lion Hall Group	\$ 4,112.41
7/26/2019	Wang Xin (BHR)	Robert H. Biden	\$ 10,000.00
8/2/2019	Jonathan Li (BHR)	Robert H. Biden	\$ 250,000.00
			\$ 7,283,188.76

Romania

<u>Date</u>	<u>Originator</u>	<u>Intermediary</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
11/9/2015	Bladon Enterprises Limited	Robinson Walker, LLC	Robert Biden	\$ 59,900.00
12/7/2015	Bladon Enterprises Limited	Robinson Walker, LLC	Robert Biden	\$ 59,725.00
12/23/2015	Bladon Enterprises Limited	Robinson Walker, LLC	Robert Biden	\$ 60,091.24
2/12/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 60,220.28
2/24/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 61,126.24
3/24/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 61,816.05
5/23/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 123,830.80
7/11/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 116,860.93
8/15/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 53,419.74
8/31/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Robert Biden	\$ 20,000.00
9/22/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 32,092.81
9/29/2016	Bladon Enterprises Limited	Robinson Walker, LLC	"Biden"	\$ 20,000.00
10/11/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 41,638.12
11/15/2016	Bladon Enterprises Limited	Robinson Walker, LLC	Robert Biden	\$ 122,179.00
2/2/2017	Bladon Enterprises Limited	Robinson Walker, LLC	"Biden"	\$ 20,000.00
2/10/2017	Bladon Enterprises Limited	Robinson Walker, LLC	"Biden"	\$ 20,000.00
2/13/2017	Bladon Enterprises Limited	Robinson Walker, LLC	Hallie Biden	\$ 10,000.00
2/16/2017	Bladon Enterprises Limited	Robinson Walker, LLC	"Biden"	\$ 20,000.00
2/27/2017	Bladon Enterprises Limited	Robinson Walker, LLC	Robert Biden	\$ 14,000.00
6/2/2017	Bladon Enterprises Limited	Robinson Walker, LLC	Owasco P.C.	\$ 61,726.87
				\$1,038,627.08

Panama

<u>Date</u>	<u>Originator</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
12/27/2016	Stanhope Worldwide Services	James Biden	\$ 50,000.00
1/26/2017	Stanhope Worldwide Services	James Biden	\$ 50,000.00
2/2/2017	Stanhope Worldwide Services	James Biden	\$ 50,000.00
3/20/2017	Stanhope Worldwide Services	James Biden	\$ 50,000.00
11/30/2022	Briest Trading International Company	James Biden	\$ 200,000.00
12/31/2022	Briest Trading International Company	James Biden	\$ 290,000.00
2/28/2023	Briest Trading International Company	James Biden	\$ 200,000.00
7/31/2023	Briest Trading International Company	James Biden	\$ 150,000.00
			\$ 1,040,000.00

Other Global Investments¹⁴

<u>Date</u>	<u>Originator</u>	<u>Biden Affiliated Entity</u>	<u>Amount</u>
3/3/2015	ePlata	Minor Biden Child	\$ 50,000.00
3/30/2015	ePlata	Minor Biden Child	\$ 20,000.00
4/15/2015	ePlata	Minor Biden Child	\$ 20,000.00
9/10/2015	Mbloom BDC Advisors	Rosemont Seneca Bohai	\$ 275,000.00
9/21/2017	Eudora	Skaneateles LLC	\$ 666,572.16
			\$ 1,031,572.16

8. The Oversight Committee’s investigation revealed a pattern in which Hunter Biden would use a business associate’s corporate bank account (an intermediary account) to receive millions of dollars in foreign funds. For instance, Hunter Biden used Devon Archer’s limited liability company (LLC), Rosemont Seneca Bohai, LLC (Rosemont Seneca Bohai), and Rob Walker’s LLC, Robinson Walker, LLC, to receive money from foreign companies and individuals.¹⁵ Devon Archer and Rob Walker were business associates of Hunter Biden. After the business associates’ LLCs received the foreign wires, the business associates would transfer Hunter Biden, his companies, and other Biden family members significant payments.¹⁶

9. Based upon a review of the bank records, the Committees sought to interview witnesses who were involved in particular financial transactions and could explain why Hunter Biden used his business associates’ corporate bank accounts to receive millions of dollars from foreign parties, despite having his companies in Delaware and Washington, D.C.¹⁷ In April 2024, after the interviews of these business associates, Devon Archer’s counsel produced millions of documents to the Committees, and the Ways and Means Committee publicly released

¹⁴ These entities either engaged in international activities or obtained international investments.

¹⁵ See First Bank Memo; Second Bank Memo; Third Bank Memo; see also *supra* note 9.

¹⁶ See Second Bank Memo, *supra* note 12, at 31-32.

¹⁷ See *id.* at 7 (listing some of Hunter Biden’s limited liability companies during this time).

lawful disclosures from IRS whistleblowers. Prior to receiving these documents, on February 21, 2024, James Biden appeared before the Committees for a transcribed interview. One week later, on February 28, 2024, the Committees deposed Hunter Biden who testified under oath. Based upon a review of recently obtained evidence, the Committees can demonstrate that Hunter Biden and James Biden made false and misleading statements during their interviews. The basis and evidence supporting this criminal referral are laid out in detail below.

B. MAKING FALSE STATEMENTS TO CONGRESS IS A FEDERAL CRIME

10. It is a federal crime to make false statements to Committee staff and Members of Congress during a Congressional investigation so long as that investigation is “conducted pursuant to the authority of any committee, subcommittee, commission or office of the Congress, consistent with applicable rules of the House or Senate.”¹⁸ The Committees set forth overwhelming evidence below establishing that Hunter Biden and James Biden made false statements to the Committees during a Congressional investigation, in violation of 18 U.S.C. § 1001(a).

11. In order to establish a violation of 18 U.S.C. § 1001, the Department of Justice (DOJ) must prove the following elements of the crime beyond a reasonable doubt:

- (1) the defendant made the statement charged;
- (2) the statement was false, fictitious, or fraudulent;
- (3) the statement was material;
- (4) the defendant acted knowingly and willfully; and
- (5) the false statement pertained to a matter within the jurisdiction of the legislative branch of the government of the United States.¹⁹

¹⁸ See 18 U.S.C. § 1001(c)(2).

¹⁹ See *United States v. Bowser*, 318 F. Supp. 3d 154, 171 (D.D.C. July 17, 2018) (setting forth the elements of the statute).

12. DOJ has prosecuted witnesses for making false statements to congressional committees. For instance, in 2019, DOJ Special Counsel Robert Mueller prosecuted Roger Stone for obstruction of a proceeding and making false statements to the United States House of Representatives Permanent Select Committee on Intelligence.²⁰ Prior to trial, DOJ filed its proposed jury instructions describing the purpose of the statute and addressed the importance of protecting the authorized functions of Congressional committees from “deceptive practices.”²¹ DOJ submitted the following to the Court:

The purpose of § 1001 is to protect the authorized functions of the various governmental departments from any type of misleading or deceptive practice and from the adverse consequences that might result from such deceptive practices.

To establish a violation of § 1001, it is necessary for the government to prove certain essential elements . . . beyond a reasonable doubt. However, I want to point out now that it is not necessary for the government to prove that the House committee was, in fact, misled as a result of the defendant’s actions. It does not matter whether the House committee was in fact misled, or even whether it knew of the misleading or deceptive act, should you find that the act occurred. These circumstances would not excuse or justify a concealment undertaken, or a false, fictitious or fraudulent statement made, or a false writing or document submitted, willfully and knowingly about a matter within the jurisdiction of the government of the United States.²²

13. DOJ must follow the same reasoning and rationale when evaluating this criminal referral. As discussed below, Hunter Biden’s responses to questions from the Committees about his involvement with and knowledge of Rosemont Seneca Bohai and its bank account (Rosemont Seneca Bohai Bank Account),²³ as well as communications with officials working for CEFC China were false and warrant criminal prosecution. Furthermore, James Biden told the Committee that Joe Biden did not attend a meeting with Hunter Biden and his business associate,

²⁰ See *United States v. Roger Stone, Jr.*, 1:19-cr-00018-ABJ (D.D.C. Jan. 24, 2019), Doc. 1.

²¹ See Proposed Jury Instructions, *United States v. Roger Stone, Jr.*, 1:19-cr-00018-ABJ (D.D.C. Sept. 6, 2019), Doc. No. 199-2.

²² *Id.* at 11.

²³ Financial records show there are multiple Rosemont Seneca Bohai bank account numbers at the same financial institution where Rosemont Seneca Bohai banked. The Committees will refer to those account numbers collectively as the Rosemont Seneca Bohai Bank Account.

Tony Bobulinski, at the Beverly Hilton Hotel on May 2, 2017, a false statement that also merits prosecution.

14. Additionally, the Committees deposed Hunter Biden under oath pursuant to a subpoena.²⁴ Under 18 U.S.C. § 1621, a witness commits perjury if after taking “an oath” the witness “willfully and contrary to such oath states . . . any material matter which he does not believe to be true”²⁵ As such, the Committees are also referring Hunter Biden to DOJ for perjury in violation of 18 U.S.C. § 1621.

C. THE COMMITTEES WARNED HUNTER BIDEN AND JAMES BIDEN THAT MAKING FALSE STATEMENTS TO CONGRESS WAS A CRIME

15. On February 28, 2024, Hunter Biden testified under oath before the Committees during a deposition in Washington, D.C.²⁶ Counsel accompanied Hunter Biden during the deposition. Prior to testifying, Committee counsel warned Hunter Biden that he was “required to answer questions from Congress truthfully”²⁷ and that if he knowingly made false statements during the deposition, he could be criminally prosecuted.²⁸ Hunter Biden acknowledged he had to tell the truth and raised no reasons why he could not be truthful.²⁹ Hunter Biden also swore under the penalty of perjury to tell the truth during his testimony.³⁰ The deposition transcript establishes Hunter Biden knew he was required to tell the truth to Congress and that knowingly making false statements constituted a crime.

16. Indeed, prior to testifying before the Committees, Hunter Biden, an attorney, was already a criminal defendant in a federal prosecution for making false statements to purchase a

²⁴ Hunter Biden Tr., *supra* note 6, at 16: 4-8.

²⁵ See 18 U.S.C. § 1621.

²⁶ See Hunter Biden Tr., *supra* note 6.

²⁷ *Id.* at 10: 5-7.

²⁸ *Id.* at 10: 5-19.

²⁹ *Id.* at 10: 5-22.

³⁰ *Id.* at 16: 4-8.

firearm.³¹ On September 14, 2023, DOJ indicted Hunter Biden in the U.S. District Court for the District of Delaware with three felony counts.³² Two of the federal charges revolved around Hunter Biden’s alleged false statement when buying a firearm.³³ On December 7, 2023, DOJ charged Hunter Biden with other federal crimes alleging dishonest acts and omissions covering various tax offenses in the U.S. District Court for the Central District of California.³⁴ According to the Justice Manual, DOJ should consider Hunter Biden’s prior alleged criminal activity when evaluating whether to charge him for the false statements described below.³⁵ 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 supervised release.³⁶ As set forth below, Hunter Biden’s false statements to the Committees are also a potential violation of the conditions of his supervised release.

17. On February 21, 2024, James Biden participated in a voluntary transcribed interview with the Committees.³⁷ James Biden was accompanied by counsel during the transcribed interview.³⁸ The Committees also warned James Biden that he was “required to answer questions from Congress truthfully.”³⁹ James Biden responded he understood that

³¹ See *United States v. Robert Hunter Biden*, 1:23-cr-00061-MN (D. Del. Sept. 14, 2023), Doc. 40.

³² See *id.*, Counts I and II.

³³ See *id.*

³⁴ See *United States v. Robert Hunter Biden*, 2:23-cr-00599-MCS (C.D. Cal. Dec. 7, 2023), Doc. 1.

³⁵ 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).

³⁶ See Order Setting Conditions of Release, *United States v. Hunter Biden*, 1:23-cr-00061-MN, Doc. 47 (D. Del. Oct. 3, 2023) (“The defendant must not violate federal, state, or local law while on release.”); *United States v. Hunter Biden*, 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.”).

³⁷ James Biden Tr., *supra* note 6.

³⁸ *Id.* at 6: 19-25.

³⁹ *Id.* at 7: 15-18.

knowingly providing false testimony could subject him to criminal prosecution.⁴⁰ James Biden provided no reason why he could not be truthful during the interview.⁴¹

18. Based upon the Committees warnings to Hunter Biden and James Biden, they knew making false statements to Congress was a crime.

D. HUNTER BIDEN MADE FALSE STATEMENTS ABOUT ROSEMONT SENECA BOHAI

19. According to DOJ, Rosemont Seneca Bohai “was a Delaware limited liability company, established on February 13, 2014, with its principal place of business in New York, New York.”⁴² Further, “[o]n September 23, 2014, a law firm in Florida . . . acting as registered agent for Rosemont [Seneca Bohai], filed with the Florida Secretary of State an application for authorization for Rosemont [Seneca Bohai] to transact business in Florida.”⁴³ According to bank records subpoenaed by the Oversight Committee, Devon Archer opened a bank account for Rosemont Seneca Bohai (Rosemont Seneca Bohai Bank Account), and the bank records listed Sebastian Momtazi as a managing member or general partner.⁴⁴ Rosemont Seneca Bohai also had a credit card (Rosemont Seneca Bohai Credit Card) through a different financial institution.⁴⁵ The Oversight Committee subpoenaed financial records for the Rosemont Seneca Bohai Bank Account and Rosemont Seneca Bohai Credit Card.

20. The subpoenaed bank records for the Rosemont Seneca Bohai Bank Account and Rosemont Seneca Bohai Credit Card did not list Hunter Biden as a client or contact. However, despite not being named on the Rosemont Seneca Bohai Bank Account or Rosemont Seneca

⁴⁰ *Id.* at 7: 22-25.

⁴¹ *Id.* at 8: 6-8.

⁴² Complaint, *United States of America v. Jason Galanis*, 1:16-cr-00371-RA Doc. 1 (S.D.N.Y. May 9, 2016), at 8-9.

⁴³ *Id.* at 9.

⁴⁴ Financial Institution 1, Records on file with the Oversight Committee.

⁴⁵ Financial Institution 2, Records on file with the Oversight Committee.

Bohai Credit Card, bank records established that foreign companies wired millions of dollars into the Rosemont Seneca Bohai Bank Account intended for Hunter Biden, and that payments were made on Hunter Biden's behalf using the Rosemont Seneca Bohai Credit Card.⁴⁶

21. Because Joe Biden met with and talked to some of the foreign nationals responsible for wiring money into the Rosemont Seneca Bohai Bank Account while he was Vice President,⁴⁷ the Committees were concerned that Hunter Biden used this account to hide his involvement in particular financial transactions. Similarly, the Rosemont Seneca Bohai Credit Card was used to make significant purchases on behalf of Hunter Biden, but he was not listed on the account. It is material to the Committees' investigation to understand why Hunter Biden received foreign payments into the Rosemont Seneca Bohai Bank Account and benefited from the Rosemont Seneca Bohai Credit Card when he had his own companies and credit cards.

22. The Committees questioned Hunter Biden about Rosemont Seneca Bohai and the Rosemont Seneca Bohai Bank Account. During the deposition, Hunter Biden testified that the Rosemont Seneca Bohai Bank Account was "not for my benefit, and not in – I had no control or understanding of."⁴⁸ Hunter Biden testified to the following:

Q: Well, Rosemont Seneca Bohai, let's just go through the name real quickly, the Rosemont deals with Devon, correct?

A: Well –

Q: Pertains to Devon?

A: -- originally Devon's firm was Rosemont Capital. Originally my firm was Seneca Global Advisors. I changed the name of my firm to Rosemont Seneca Partners, which is not Rosemont Seneca Thornton, and it's not Rosemont Seneca Bohai. **If**

⁴⁶ See Second Bank Memo, *supra* note 12, at 16-17; see Third Bank Memo, *supra* note 12, at 15-16; See *infra* Charts 34-39.

⁴⁷ See Devon Archer Tr., *supra* note 6, at 45-47; 63-66.

⁴⁸ Hunter Biden Tr., *supra* note 6, at 25: 10-14.

Devon set up accounts on his own under those names, they were not at my behest, not for my benefit, and not in – I had no control or understanding of.⁴⁹

23. Upon further questioning, Hunter Biden continued to disassociate himself from the Rosemont Seneca Bohai Bank Account and stated it was not under his control or “affiliated with” him:

Q: And then I want to also discuss a second portion of – another 10 percent that was purchased out of the Rosemont Seneca Bohai account to purchase another 10 percent equity into BHR Partners. Were you aware that, in December of 2014, that there was another 10 percent purchase out of the Rosemont Seneca Bohai account for 10 percent of BHR Partners?

A: No, not directly aware, no. Again, I would like to state for the – **for everybody here is that neither of these accounts were under my control nor affiliated with me. Any of this is outside of my knowledge.**⁵⁰

24. The Committees continued questioning Hunter Biden regarding foreign payments into the Rosemont Seneca Bohai Bank Account and asked:

Q: . . .

Did you receive payments from other foreign sources into the Rosemont Seneca Bohai account?

A: Again, you say “foreign sources.” The people that I did business with that were from other countries other than the United States, the answer is, yes; I have received – but not – **I don’t know whether they went into Rosemont Seneca Bohai or that they went into Rosemont Seneca Thornton. I had no control. I have no authority over those accounts, and I have no view inside of it. There was no transparency to me that I know of.**⁵¹

25. During the deposition, Hunter Biden made false statements about his involvement with the Rosemont Seneca Bohai Account, including:

- a. Hunter Biden did not know if foreign payments were made into the Rosemont Seneca Bohai Bank Account;

⁴⁹ *Id.* at 25: 6-14 (emphasis added).

⁵⁰ *Id.* at 24: 23-25; 25: 1-5 (emphasis added).

⁵¹ *Id.* at 26: 12-25 (emphasis added).

- b. The Rosemont Seneca Bohai Bank Account was not for his benefit;
- c. He had no understanding of or affiliation with the Rosemont Seneca Bohai Bank Account; and
- d. Hunter Biden had no control or authority over the Rosemont Seneca Bohai Bank Account.

26. As shown below, Hunter Biden directed wires into the Rosemont Seneca Bohai Bank Account, received over \$2 million in foreign proceeds into this account, understood the purpose of the account, and exerted control and authority over the account.

Hunter Biden directed foreign payments to the Rosemont Seneca Bohai Bank Account

27. On May 22, 2024, the Ways and Means Committee lawfully disclosed documents from IRS whistleblowers Supervisory Special Agent (SSA) Gary Shapley and Special Agent (SA) Joseph Ziegler.⁵² These documents were submitted to the Ways and Means Committee after the Hunter Biden deposition.⁵³ In particular, SA Ziegler provided the Committee with a document obtained during the investigation of Hunter Biden via an electronic search warrant.⁵⁴ The document shows a string of emails among Hunter Biden, Devon Archer, Sebastian Momtazi (an employee of Devon Archer), and Vadym Pozharskyi, the corporate secretary for the Ukrainian energy company Burisma.

28. The emails show that in 2014, after Hunter Biden became a board member of Burisma, Vadym Pozharskyi, requested a letter setting forth information regarding the bank account where Hunter Biden wanted to receive his monthly payments.⁵⁵ Hunter Biden asked Sebastian Momtazi, Devon Archer's assistant, to edit the banking letter for Burisma for Hunter

⁵² See Ways and Means Committee Releases Evidence Showing Hunter Biden Lied Under Oath During Recent Congressional Testimony, May 22, 2024.

⁵³ See Statement of Joseph Ziegler dated March 12, 2024, Affidavits 8 and 9.

⁵⁴ See Statement of Joseph Ziegler dated March 12, 2024, Affidavit 9, at ¶ 6.

⁵⁵ Emails from Vadym Pozharskyi to Sebastian Momtazi, Hunter Biden & Devon Archer (May 14, 2014) (Ways & Means Exhibit 901).

Biden to sign and return to Burisma.⁵⁶ Mr. Momtazi appears to have finalized the letter from Hunter Biden that was attached to the email, which directed the Burisma payments to the Rosemont Seneca Bohai Bank Account and referred to Hunter Biden as a “beneficial owner” of the account.⁵⁷ The Burisma payments were then wired to the Rosemont Seneca Bohai Bank Account on the same day.⁵⁸

29. Specifically, on May 15, 2014, Hunter Biden wrote an email to Vadym Pozharskyi, copying Sebastian Momtazi and Devon Archer, with the subject line “Re: Monthly Fees invoices[.]”⁵⁹ Hunter Biden wrote:

Seb-

Can you pls edit doc for my signature and ill sign and return.

RHB

30. Attached to the email was a document from Rosemont Seneca Partners. Hunter Biden was the president of Rosemont Seneca Partners.⁶⁰ The document—a letter—was dated May 14, 2014 and stated, “Please let this letter act as confirmation that Hunter Biden is the beneficial owner of Rosemont Seneca Partners, and of the bank account in the name of Rosemont Seneca Bohai, LLC.”⁶¹ Furthermore, the document stated that Hunter Biden “requests the company Burisma to pay his monthly fees (salary) to the Rosemont Seneca Bohai, LLC bank account[.]” the details of which (such as the account number) were provided in the letter.⁶²

⁵⁶ Email from Hunter Biden to Vadym Pozharskyi, Sebastian Momtazi & Devon Archer (May 15, 2014, 11:51 AM) (Ways & Means Exhibit 901); Joseph Ziegler Affidavit 9, *supra* note 54.

⁵⁷ See Letter from Hunter Biden (May 14, 2014) (Ways & Means Exhibit 901) (Notes 55-57 attached as Exhibit 8).

⁵⁸ See *infra* at ¶ 31.

⁵⁹ See Exhibit 8.

⁶⁰ See Hunter Biden Tr., *supra* note 6, at 23:14-16.

⁶¹ See Exhibit 8.

⁶² *Id.*

Hunter Biden further asked to have “reasonable expenses” paid to the Rosemont Seneca Bohai Bank Account.⁶³

Exhibit 901

From: Sebastian Montazi <[REDACTED]>
To: Hunter Biden
CC: Devon Archer
Sent: 5/15/2014 1:17:09 PM
Subject: RE: Monthly Fees invoices
Attachments: Hunter burisma fees expenses.docx

Here you go.

NB wires received today--

S

From: Hunter Biden [REDACTED]
Sent: Thursday, May 15, 2014 11:51 AM
To: Vadim Pozharskyi
Cc: Sebastian Montazi; Devon Archer
Subject: Re: Monthly Fees invoices

Seb-
Can you pls edit doc for my signature and ill sign and return.

RHB
[REDACTED]

On May 15, 2014, at 3:41 AM, Vadim Pozharskyi <[REDACTED]> wrote:

Dear Sebastian, please find the example of the letter that I asked for attached.

Thank you, vadyim

2014-05-14 13:04 GMT+03:00 Vadim Pozharskyi <[REDACTED]>:
Dear Sebastian, as we earlier spoke on 15th we plan to make our monthly fees to the directors.
Could you please send me invoices today for Hunter and Devon.
Thanks, look forward

Vadyim

Отправлено с iPad

<Archer Burisma fees and expenses.pdf>

⁶³ *Id.*

ROSEMONT SENECA 
PARTNERS

14th May 2014

To whom it may concern:

Please let this letter act as confirmation that Hunter Biden is the beneficial owner of Rosemont Seneca Partners, and of the bank account in the name of Rosemont Seneca Bohai, LLC.

Mr. Biden has executed the Service Agreement with Burisma Holdings Limited dated 18th April, 2014, and according to sub-clause 5.1 of the Agreement serves Burisma Holdings Limited as Member of the Board of Directors; and he has the will and requests the company Burisma to pay his monthly fees (salary) to the Rosemont Seneca Bohai, LLC bank account detailed here:

Bank Name: Citibank, NY
ABA: 
Account Name: Morgan Stanley Smith Barney LLC
Account #: 1172
FFC Account Name: Rosemont Seneca Bohai LLC
FFC Account #: 18483

Furthermore, pursuant to sub-clause 8.1 of the Agreement Burisma Holdings shall cover all his reasonable expenses, and in this respect and I kindly request that these be paid to the same bank account.

Thank you

Kind regards,

R. Hunter Biden

31. The Oversight Committee subpoenaed the Rosemont Seneca Bohai Bank Account. The subpoenaed bank records show that on the same day Hunter Biden sent the email described above—May 15, 2014—Burisma wired him \$83,333.33 into the Rosemont Seneca Bohai Bank Account.⁶⁴ Burisma then continued to make Hunter Biden’s monthly payments into the Rosemont Seneca Bohai Bank Account until approximately October 2015.⁶⁵ This evidence proves Hunter Biden directed foreign payments into the Rosemont Seneca Bohai Bank Account, he knowingly benefited from the bank account, and he exerted control and authority over it.

32. The Committees believe that Hunter Biden lied about the Rosemont Seneca Bohai Bank Account for several reasons. First, Hunter Biden has previously responded to federal inquiries related to Rosemont Seneca Bohai and was seeking to avoid any connection to the company. In 2016, Devon Archer and others were arrested on federal charges filed in the U.S. District Court for the Southern District of New York for their role in an alleged tribal bond fraud scheme.⁶⁶ The United States Securities and Exchange Commission (SEC) filed fraud charges in a parallel investigation.⁶⁷ As part of their investigations, federal authorities investigated Rosemont Seneca Bohai and its financial transactions, including Hunter Biden’s involvement with Rosemont Seneca Bohai.

33. After Hunter Biden’s deposition, on April 19, 2024, Devon Archer’s counsel produced over 3 million documents to the Oversight and Judiciary Committees’ subpoenas

⁶⁴ Financial Institution 1, Record on file with the Oversight Committee.

⁶⁵ *Id.*

⁶⁶ See DOJ Press Release, *Seven Defendants Charged in Manhattan Federal Court with Defrauding a Native American Tribe and Investors of Over \$60 Million* (May 11, 2016), available at <https://www.justice.gov/usao-sdny/pr/seven-defendants-charged-manhattan-federal-court-defrauding-native-american-tribe-and>.

⁶⁷ See SEC Litigation Release No. 23535 (May 11, 2016), available at <https://www.sec.gov/litigation/litreleases/lr-23535>.

(Archer Documents).⁶⁸ Despite prior requests, these documents were not disclosed until after Hunter Biden's testimony, and the Committees' concerns with the delay in producing the documents are discussed in more detail below. The Archer Documents provide insight as to why Hunter Biden misled the Committees about his knowledge and involvement with Rosemont Seneca Bohai and the Rosemont Seneca Bohai Bank Account.

34. The Archer Documents reveal that on March 16, 2016, the SEC subpoenaed Hunter Biden for a production of materials regarding his involvement with Rosemont Seneca Bohai (and other companies involved in the tribal bond scheme).⁶⁹ An image of the SEC's letter and subpoena directed to Hunter Biden and his attorneys is provided below:

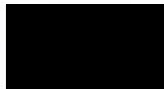
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⁶⁸ The Oversight Committee first requested certain documents in the custody of Mr. Archer, including Rosemont Seneca Bohai materials, on August 25, 2023.

⁶⁹ See Letter and Subpoena from U.S. Sec. and Exch. Comm'n Counsel to Hunter Biden (Mar. 16, 2016), attached as Exhibit 9.



UNITED STATES
SECURITIES AND EXCHANGE COMMISSION
NEW YORK REGIONAL OFFICE
BROOKFIELD PLACE, 200 VESEY STREET, SUITE 400
NEW YORK, NEW YORK 10281-1022



March 16, 2016

Via UPS

Robert Hunter Biden



Washington, DC [REDACTED]

Re: In the Matter of Hughes Capital Management (NY) [REDACTED]

Dear Mr. Biden:

The staff of the United States Securities and Exchange Commission (the "Commission") is conducting a non-public investigation in the matter identified above. The enclosed subpoena has been issued to you pursuant to a formal order entered by the United States Securities and Exchange Commission ("Commission"). The subpoena requires you to produce documents specified in the subpoena attachment to the Commission by **Wednesday, March 30, 2016**.

Unless otherwise indicated, the subpoena requires the production of original materials. For your convenience and at your expense, however, you may for now satisfy this requirement by producing complete, clear and legible copies of the documents specified. If you do produce copies, you must maintain the originals in a safe and secure manner and make the originals available to the staff on request. I will notify you if and when they are required.

Please produce all documents in an electronic format consistent with the enclosed SEC Data Delivery Standards. All electronic documents responsive to the document subpoena, including all metadata, should be produced in their native software format. For smaller electronic productions under 10MB in size, the materials may be emailed to the following email address: [REDACTED]@sec.gov. Passwords for documents, files, compressed archives, and encrypted media should be provided separately either via email addressed to [REDACTED]@sec.gov, or in a separate cover letter mailed separately from the data. If you have any questions concerning the production of documents in an electronic format, please contact me as soon as possible and, in any event, before producing

Robert Hunter Biden
March 16, 2016

documents.

This inquiry is non-public and should not be construed as an indication by the Commission or its staff that any violation of law has occurred, nor as a reflection upon any person, entity, or security. Information provided is subject to the Commission's routine uses. A description of those uses is contained in the enclosed copy of SEC Form 1662, which also contains other important information. Please review SEC Form 1662 prior to providing any information responsive to this subpoena.

Please note that, in any matter in which enforcement action is ultimately deemed to be warranted, the Division of Enforcement will not recommend any settlement to the Commission unless the party wishing to settle certifies, under penalty of perjury, that all documents responsive to Commission subpoenas and formal and informal document requests in this matter have been produced.

Please send all documents to [REDACTED] U.S. Securities & Exchange Commission, [REDACTED] Washington, DC [REDACTED] along with a copy of the subpoena.

If you have any questions concerning this matter, you may call me at [REDACTED] or [REDACTED] at [REDACTED]

Very truly yours,

[REDACTED]

Counsel

Enclosures:

SEC Form 1662
Subpoena with Attachment
SEC Data Delivery Standards



SUBPOENA

UNITED STATES OF AMERICA
SECURITIES AND EXCHANGE COMMISSION

In the Matter of Hughes Capital Management (NY- [REDACTED])

To: **Robert Hunter Biden**
[REDACTED]
Washington, DC [REDACTED]

YOU MUST PRODUCE everything specified in the Attachment to this subpoena to officers of the Securities and Exchange Commission at the place, date and time specified below:

[REDACTED] U.S. Securities and Exchange Commission, [REDACTED]
[REDACTED] Washington, DC [REDACTED] on **Wednesday, March 30, 2016** at 10:00
a.m.

FEDERAL LAW REQUIRES YOU TO COMPLY WITH THIS SUBPOENA.

Failure to comply may subject you to a fine and/or imprisonment.

By: [REDACTED]
[REDACTED]
Counsel
Division of Enforcement
[REDACTED]

Date: March 16, 2016

I am an officer of the Securities and Exchange Commission authorized to issue subpoenas in this matter. The Securities and Exchange Commission has issued a formal order authorizing this investigation under Section 20(a) of the Securities Act of 1933 and Section 21(a) of the Securities Exchange Act of 1934.

35. In the Subpoena Attachment, the SEC sought “[a]ll Documents, including Communications, concerning Rosemont Seneca Bohai, LLC (“RSB”), including but not limited to:

- a. All Documents concerning payments that you made to or received from RSB;
- b. Documents sufficient to identify any ownership interest that you have in RSB;
- c. Documents sufficient to identify any positions that you hold with respect to RSB;
- d. All Documents concerning RSB’s purchase of a \$15 million bond issued by the Wakpamni Lake Community Corporation in October 2014; and
- e. All Documents concerning RSB’s purchase of shares of Valor Group Limited in April 2015.”⁷⁰

36. On April 20, 2016, Hunter Biden’s counsel responded to the SEC and appears to have produced approximately 1,700 pages of documents.⁷¹ Hunter Biden’s counsel’s response to the SEC invoked Vice President Joe Biden and stated:

As a threshold matter, we request that you treat this matter with the highest degree of confidentiality, consistent with Commission policy and applicable law. The confidential nature of this investigation is very important to our client and it would be unfair, not just to our client, **but also to his father, the Vice President of the United States, if his involvement in an SEC investigation and parallel criminal probe were to become the subject of any media attention.**⁷²

37. An image of Hunter Biden’s counsel’s response to the SEC is provided below:

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⁷⁰ See Exhibit 9.

⁷¹ Letter from Hunter Biden’s Counsel to U.S. Sec. and Exch. Comm’n Counsel (April 20, 2016), attached as Exhibit 10.

⁷² *Id.*

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Confidential Treatment Requested Pursuant to 17 C.F.R. § 200.83

April 20, 2016

VIA EMAIL

[REDACTED]

U.S. Securities and Exchange Commission
New York Regional Office

[REDACTED]

New York, NY [REDACTED]

Re: Hughes Capital Management (NY) [REDACTED]

Dear Ms. [REDACTED]

On behalf of our client, R. Hunter Biden, enclosed please find documents Bates-stamped RHB0000001-RHB00001749, which are responsive to your subpoena issued in the above-captioned investigation.

As a threshold matter, we request that you treat this matter with the highest degree of confidentiality, consistent with Commission policy and applicable law. The confidential nature of this investigation is very important to our client and it would be unfair, not just to our client, but also to his father, the Vice President of the United States, if his involvement in an SEC investigation and parallel criminal probe were to become the subject of any media attention.

Please be advised that notwithstanding the subpoena's definition of Rosemont Seneca Bohai LLC ("RSB") as including its "affiliates," "officers," "directors," and "employees," Mr. Biden's production of communications "concerning" RSB is limited to emails that he sent or received, or on which he was copied, given the fact that the subpoena was issued to him personally. The production does not include all communications with Devon Archer, the purported sole member of RSB.

Please also be advised that we are continuing to review two potentially privileged documents. In the near future, we anticipate either producing these documents or withholding them subject to a privilege log.

In response to Instructions Nos. 14 and 15, at Mr. Biden's instruction, Joan Mayer and Eric Schwerin of Rosemont Seneca Advisors, LLC ("RSA"), searched RSA's offices for hard copy documents, and searched Mr. Biden's RSA email account, using search terms derived from the portion

[REDACTED]

[REDACTED] Counsel

Page 2
April 20, 2016

of the subpoena describing what documents should be produced. These documents were reviewed for responsiveness and privilege by Mr. Biden's outside counsel. Original documents are maintained at RSA's offices located at [REDACTED] Washington, DC [REDACTED]. Mr. Biden believes he has met his obligations under the subpoena.

All letters and documents produced to the staff are being provided to the SEC solely for its use in its investigation. In accordance with 17 C.F.R. § 200.83 pertaining to the Freedom of Information Act ("FOIA"), we hereby request confidential treatment of such material to the extent allowed by law. We further request that these materials be kept in a non-public file and that access to it by any third party inconsistent with the SEC's routine uses be denied. Moreover, we request that any materials provided be returned to the undersigned when the investigation is completed.

We understand that upon receipt of any FOIA requests, if the SEC determines that there is no ground to withhold the information, the SEC will seek substantiation from the firm (through undersigned counsel) to afford continued confidential treatment and for withholding the information.

If you need any additional information, please call me at [REDACTED]

Sincerely,

[REDACTED]
[REDACTED]

Enclosures: (as stated above)

cc: FOIA Office
AUSA [REDACTED] Esq.

[REDACTED]

38. Hunter Biden’s counsel claimed that Joan Mayer and Eric Schwerin performed searches at Rosemont Seneca Advisors for responsive documents.⁷³ The letter referenced a “parallel criminal probe” and copied a federal prosecutor who worked at the U.S. Attorney’s Office for the Southern District of New York.⁷⁴ Notably, the letter was sent to the SEC and copied DOJ while Joe Biden was Vice President, but the Committees are aware of no special counsel being appointed by either agency to handle this investigation.

39. Given the government’s prior subpoena and federal investigation involving Hunter Biden’s connections to Rosemont Seneca Bohai, Hunter Biden distanced himself from the company during the Committees’ deposition by denying any involvement, knowledge, or understanding of the Rosemont Seneca Bohai Bank Account. The most recent IRS whistleblower disclosures show that he directed his Burisma payments into the Rosemont Seneca Bohai Bank Account.

40. In addition to the federal investigation of Rosemont Seneca Bohai, the Committees believe Hunter Biden lied about his involvement with the company to protect Joe Biden—the target of the Committees’ impeachment inquiry. Some of the foreign transactions in the Rosemont Seneca Bohai Bank Account raise red flags because those payments were made around the same time Joe Biden met with the relevant foreign business associates, and there is no compelling evidence showing Hunter Biden provided legitimate services for such large sums of money. For instance, neither Devon Archer nor Hunter Biden could explain why on April 22, 2014, Novatus Holding Pte., Ltd., a company associated with Kenes Rakishev who was from Kazakhstan, deposited \$142,300 in the Rosemont Seneca Bahai Bank Account to purchase a

⁷³ *Id.*

⁷⁴ *Id.*

sports car in the United States for Hunter Biden.⁷⁵ According to Devon Archer and subpoenaed bank records, this payment occurred soon after Vice President Biden met with Kenes Rakishev at Café Milano in Washington, D.C.⁷⁶ This payment appears to have been made as part of the Bidens' influence peddling, and Hunter Biden received additional money into this account from other foreign sources. Indeed, the Committees can prove that Hunter Biden received \$2 million into the Rosemont Seneca Bohai Bank Account from foreign sources.

Hunter Biden benefited financially from the Rosemont Seneca Bohai Bank Account

41. Hunter Biden's claim that the Rosemont Seneca Bohai Bank Account was not for his benefit is completely false. On July 31, 2023, the Oversight Committee conducted a transcribed interview of Devon Archer—the named client for the Rosemont Seneca Bohai Bank Account and Rosemont Seneca Bohai Credit Card.⁷⁷ Devon Archer told the Oversight Committee that Hunter Biden received foreign payments through the Rosemont Seneca Bohai Bank Account and held equity in Rosemont Seneca Bohai.⁷⁸

42. According to Mr. Archer, the Rosemont Seneca Bohai Bank Account was opened to hold the equity of a Chinese investment fund, BHR, where Jonathan Li was the CEO.⁷⁹ In 2013, Vice President Joe Biden met with Jonathan Li during a foreign trip to China where Hunter Biden accompanied his father on Air Force Two.⁸⁰ In addition to holding equity for BHR, Mr. Archer confirmed that the Rosemont Seneca Bohai Bank Account received Hunter Biden's payments from Burisma (and other foreign companies) and that the money was then disbursed to Hunter Biden or reinvested into other companies.⁸¹ Devon Archer explained that “we were

⁷⁵ Devon Archer Tr., *supra* note 6, at 65-66; Hunter Biden Tr., *supra* note 6, at 39-40.

⁷⁶ Devon Archer Tr., *supra* note 6 at 46: 1-23; 57: 11-19; 61-64.

⁷⁷ *Id.* at 1.

⁷⁸ *Id.* at 64; 24: 3-5.

⁷⁹ *Id.* at 14; 15: 1-9; 68.

⁸⁰ *See Beautiful Things*, A Memoir, Hunter Biden (2021), at 122-123.

⁸¹ Devon Archer Tr., *supra* note 6, at 15: 11-13; 24.

running it [Rosemont Seneca Bohai] as a business, so it was – it was to Rosemont Seneca Bohai for – there were other investments that were made. There were, you know, investments on behalf of the business. So, you know, as the business was capitalized, we did other things with it.”⁸²

43. Subpoenaed bank records corroborated Devon Archer’s testimony and prove that Hunter Biden significantly benefited from the Rosemont Seneca Bohai Bank Account and Rosemont Seneca Bohai Credit Card Account. Devon Archer informed the Oversight Committee that when the bank records for Rosemont Seneca Bohai Bank Account show two Burisma payments in the same month for the same amount (\$83,333.33), one of the payments was for Devon Archer and the other was for Hunter Biden.⁸³

44. An image from the subpoenaed bank records showing an example of two simultaneous \$83,333.33 payments on the same day into the Rosemont Seneca Bohai Bank Account is shown below:

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⁸² *Id.* at 24: 7-10.

⁸³ *Id.* at 24: 3-5.

Account Detail		Active Assets Account	ROSEMONT SENECA BOHAI, LLC C/O DEVON ARCHER				
ACTIVITY							
CASH FLOW ACTIVITY BY DATE							
Transaction Date	Settlement Date	Activity Type	Description	Comments	Quantity	Price	Credits/(Debits)
7/8	7/8	Automated Payment		AUTOMATIC BILL PAYMENT			\$(1,338.48)
7/10	7/10	Funds Transferred	WIRED FUNDS SENT	BENE: ROSEMONT SELECT OPPORTUN ACCT: XXXXXX			(83,500.00)
7/11	7/11	Funds Transferred	WIRED FUNDS SENT	BENE: XXXXXX ACCT: XXXXXX			(6,000.00)
7/11	7/11	Funds Transferred	WIRED FUNDS SENT	BENE: ROBERT BIDEN ACCT: XXXXXX			(5,000.00)
7/11	7/11	Funds Transferred	WIRED FUNDS SENT	BENE: XXXXXX ACCT: XXXXXX			(4,500.00)
7/14	7/14	Funds Transferred	WIRED FUNDS SENT	BENE: XXXXXX ACCT: XXXXXX			(17,710.36)
7/15	7/15	Funds Received	WIRED FUNDS RECEIVED	AS PRIVATBANK BURISMA HOLDINGS LIMITED			83,333.33
7/15	7/15	Funds Received	WIRED FUNDS RECEIVED	AS PRIVATBANK BURISMA HOLDINGS LIMITED			83,333.33
7/18	7/18	Funds Transferred	WIRED FUNDS SENT	BENE: ROBERT BIDEN ACCT: XXXXXX			(20,000.00)
7/21	7/21	Automated Payment	AMEX EPayment ACH PMT	AUTOMATIC BILL PAYMENT			(49,481.26)
7/23	7/23	Funds Received		ACCT CNFRM			0.27
7/23	7/23	Funds Received		ACCT CNFRM			0.14
7/23	7/23	Automated Payment		AUTOMATIC BILL PAYMENT			(0.41)
7/24	7/24	Automated Payment		AUTOMATIC BILL PAYMENT			(5,588.74)
7/29	7/29	Funds Transferred	WIRED FUNDS SENT	BENE: ROBERT BIDEN ACCT: XXXXXX			(20,000.00)
7/30	7/30	Interest Income					6.05
7/30	7/30	Interest Income	(Period 06/28-07/30)				2.22
NET CREDITS/(DEBITS)							\$(46,443.91)

45. Between April 2014 and October 2015, Hunter Biden and Devon Archer collectively received over \$3.3 million from Burisma Holdings Ltd. into the Rosemont Seneca Bohai Bank Account.⁸⁴

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⁸⁴ This is not the total amount of money Hunter Biden received from Burisma as he also received wires from Burisma into another corporate account, Owasco, P.C.

DATE	ORIGINATOR	BIDEN AFFILIATED ENTITY	AMOUNT
4/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
4/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 29,424.82
5/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
5/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/17/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/17/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 60,954.54
7/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
7/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
8/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
8/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
9/16/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
9/16/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
10/7/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 28,913.89
10/7/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 2,543.38
10/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
10/15/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
11/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
11/18/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
12/16/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
12/16/2014	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
1/6/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 47,249.07
1/15/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
1/15/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
2/17/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
2/17/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
3/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
3/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
4/15/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
4/15/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
5/18/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
5/18/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/9/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 3,668.47
6/18/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
6/18/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
7/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
7/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
7/28/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 60,554.53
8/19/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33

8/19/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
9/17/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
9/17/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
10/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
10/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 83,333.33
10/16/2015	Burisma Holdings Limited	Rosemont Seneca Bohai	\$ 4,737.58
			\$ 3,321,379.49

46. Approximately half of the monthly wires from Burisma in the chart above were designated for Hunter Biden, totaling approximately \$1.7 million in payments from April 2014 to October 2015.⁸⁵ After October 2015, Hunter Biden began receiving his Burisma payments into his professional corporation bank account, Owasco, P.C., which was around the time federal agencies began investigating Devon Archer.⁸⁶ Burisma paid Hunter Biden approximately \$2.3 million into the Owasco, P.C. bank account, bringing Hunter Biden's total amount of Burisma payments calculated by the Committees to approximately \$4 million.⁸⁷ IRS whistleblower testimony reported Hunter Biden and Devon Archer earned a combined \$6.5 million from Burisma, and this finding is consistent with the Committee's investigation.⁸⁸

47. In addition to using foreign payments as equity for investments, Hunter Biden received wires into his personal and corporate accounts from the Rosemont Seneca Bohai Bank Account.⁸⁹ Hunter Biden received approximately \$1 million dollars in payments to his personal and corporate bank accounts from Rosemont Seneca Bohai Bank Account while Joe Biden was a public official, including the following transactions:⁹⁰

⁸⁵ Records on file with the Oversight Committee.

⁸⁶ See Eric Schwerin Tr., *supra* note 6, at 31: 1-5.

⁸⁷ Records on file with the Oversight Committee.

⁸⁸ See Transcript of Special Agent Joseph Ziegler, Internal Revenue Service, H. Comm. on Ways and Means, at 99.

⁸⁹ See Chart 36-38.

⁹⁰ Records on file with the Oversight Committee.

DATE	COMPANY ACCOUNT	BENEFICIARY	AMOUNT
6/5/2014	RSB Bank Account	Robert Biden	\$15,000
6/13/2014	RSB Bank Account	Robert Biden	\$10,000
6/23/2014	RSB Bank Account	Robert Biden	\$25,000
7/11/2014	RSB Bank Account	Robert Biden	\$5,000
7/18/2014	RSB Bank Account	Robert Biden	\$20,000
7/29/2014	RSB Bank Account	Robert Biden	\$20,000
8/6/2014	RSB Bank Account	Robert Biden	\$15,000
8/13/2014	RSB Bank Account	Robert Biden	\$20,000
8/25/2014	RSB Bank Account	Robert Biden	\$20,000
9/4/2014	RSB Bank Account	Robert Biden	\$20,000
9/12/2014	RSB Bank Account	Robert Biden	\$15,000
10/7/2014	RSB Bank Account	Robert Biden	\$20,000
10/10/2014	RSB Bank Account	Robert Biden	\$20,000
10/22/2014	RSB Bank Account	Robert Biden	\$10,000
10/27/2014	RSB Bank Account	Robert Biden	\$20,000
11/10/2014	RSB Bank Account	Robert Biden	\$20,000
11/25/2014	RSB Bank Account	Robert Biden	\$25,000
12/10/2014	RSB Bank Account	RSTP Capital	\$100,000
12/19/2014	RSB Bank Account	Robert Biden	\$15,000
1/8/2015	RSB Bank Account	Robert Biden	\$10,000
1/21/2015	RSB Bank Account	RSTP Capital	\$25,000

1/22/2015	RSB Bank Account	Robert Biden	\$15,000
1/30/2015	RSB Bank Account	Robert Biden	\$15,000
2/6/2015	RSB Bank Account	Robert Biden	\$15,000
2/23/2015	RSB Bank Account	Robert Biden	\$15,000
3/2/2015	RSB Bank Account	Robert Biden	\$10,000
4/6/2015	RSB Bank Account	Robert Biden	\$20,000
5/13/2015	RSB Bank Account	Robert Biden	\$15,000
5/18/2015	RSB Bank Account	Owasco PC	\$5,000
6/8/2015	RSB Bank Account	Robert Biden	\$15,000
6/15/2015	RSB Bank Account	First Clearing LLC	\$3,668.47
6/23/2015	RSB Bank Account	Robert Biden	\$15,000
7/9/2015	RSB Bank Account	Robert Biden	\$20,000
7/17/2015	RSB Bank Account	Robert Biden	\$19,000
7/24/2015	RSB Bank Account	Robert Biden	\$97,979
7/30/2015	RSB Bank Account	Robert Biden	\$14,000
8/3/2015	RSB Bank Account	Owasco PC	\$5,000
8/13/2015	RSB Bank Account	Robert Biden	\$19,000
8/26/2015	RSB Bank Account	MFTCG Holdings LLC Biden	\$150,000
8/31/2015	RSB Bank Account	Robert Biden	\$14,000
9/1/2015	RSB Bank Account	Owasco, P.C.	\$5,000
9/3/2015	RSB Bank Account	Robert Biden	\$5,000
9/16/2015	RSB Bank Account	Robert Biden	\$19,000
9/30/2015	RSB Bank Account	Robert Biden	\$19,000

10/5/2015	RSB Bank Account	Robert Biden	\$15,000
10/19/2015	RSB Bank Account	Robert Biden	<u>\$6,333.40</u>
			\$1,001,980.87

48. Subpoenaed bank records revealed that Hunter Biden’s then-minor child also received a wire from Rosemont Seneca Bohai for \$97,979 on July 24, 2015.⁹¹

Wire Transaction Details									
For Period Between: 1/1/2014 and 12/31/2017									
Wire System Transaction ID: [REDACTED]					Fed IMAD Transaction ID: [REDACTED]				
Create Date and Time in GMTS	Processed Date	Interbank Transfer Amount	Channel	Payment Owner Code	Wire Status	Wire Direction	Fed Message Function	Originating Account Number	Beneficiary Account Number
07/24/2015 07/24 GMTS	07/24/2015	\$97,979.00 USD	INCOMING	DSS	Completed	Incoming Fedwire	Customer Transfer Plus	[REDACTED]	[REDACTED]
International Indicator	Originating Bank Country Code	Receiving Bank Country Code	Exchange Rate	Instructed Transfer Amount	Suspicious Payment Indicator				
N			0	\$97,979.00 USD	N				
Wire Party Details:									
Wire Party Role	Creditor	Credit Party	Debit Party	Debtor	Debtor Agent	Instructed Agent	Instructing Agent	Previous Instructing Agent	
Party Name	[REDACTED]	[REDACTED]	[REDACTED]	RSB, LLC		[REDACTED]	[REDACTED]	[REDACTED]	

49. Hunter Biden also benefited from the Rosemont Seneca Bohai Credit Card Account. Subpoenaed documents from a credit card company show purchases for Hunter Biden’s expenses, including his travel, totaling approximately \$40,878 from the corporate credit card. The purchases for Hunter Biden are provided below:

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⁹¹ Financial Institution 3, Record on file with the Oversight Committee.

DATE	COMPANY ACCOUNT	BENEFICIARY	AMOUNT
5/21/2014	RSB Credit Card	Hunter Biden	\$100
5/21/2014	RSB Credit Card	Hunter Biden	\$7,392.50
5/23/2014	RSB Credit Card	Hunter Biden	\$7,267.50
5/25/2014	RSB Credit Card	Hunter Biden	\$6,255.00
6/8/2014	RSB Credit Card	Hunter Biden	\$6,901.20
1/22/2015	RSB Credit Card	Hunter Biden	\$1,832.50
3/2/2015	RSB Credit Card	Hunter Biden	\$100.00
3/2/2015	RSB Credit Card	Hunter Biden	\$9,142.10
3/3/2015	RSB Credit Card	Hunter Biden	\$946.70
3/10/2015	RSB Credit Card	Hunter Biden	<u>\$941.20</u>
			\$40,878.70

50. There is no conceivable reason for the Rosemont Seneca Bohai Credit Card to pay approximately \$40,000 in expenses for Hunter Biden, in less than one year, if he had no affiliation with the company, knowledge of its bank accounts, or position with Rosemont Seneca Bohai. Hunter Biden's claim of ignorance about these accounts is absurd given the amount of money he received from Rosemont Seneca Bohai.

51. The evidence overwhelmingly demonstrates that Hunter Biden benefited from the Rosemont Seneca Bohai Bank Account, exerted a level of control and authority over the account, and knew foreign payments were made into the account on his behalf. Indeed, he directed that Burisma send his monthly fees to the account. As discussed below, evidence also shows Hunter Biden represented to others that he held a position with Rosemont Seneca Bohai.

Hunter Biden falsely testified about his position with Rosemont Seneca Bohai

52. During Hunter Biden’s deposition, Committee Democrats asked Hunter Biden, “[s]o it seems to me that Devon Archer’s testimony and your testimony are the same: You had no position with Rosemont Seneca Bohai. Is that correct?”⁹² Hunter Biden responded, “That is correct.”⁹³ However, the Committees received documents after Hunter Biden’s deposition showing he and his business associates, including Eric Schwerin, represented to investors that Hunter Biden did hold a position with Rosemont Seneca Bohai.

53. Subpoenaed bank records show that on April 22, 2014, the Rosemont Seneca Bohai Bank Account received a \$142,300 payment from Novatus Holding Pte., Ltd., a Singaporean company associated with Kenes Rakishev, who was a Kazakhstani oligarch.⁹⁴ On the following day, that exact amount was wired from the Rosemont Seneca Bohai Bank Account to a domestic car dealership for Hunter Biden’s sports car in the amount of \$142,300.⁹⁵ This wire was sent after Vice President Joe Biden met with Kenes Rakishev and Hunter Biden at a dinner at Café Milano in Washington, D.C.⁹⁶ An image of the wire transaction is below:

[REMAINDER OF PAGE INTENTIONALLY BLANK]

⁹² Hunter Biden Tr., *supra* note 6, at 61: 19-23.

⁹³ *Id.* at 61: 19-24.

⁹⁴ Records on file with the Oversight Committee.

⁹⁵ Records on file with the Oversight Committee.

⁹⁶ Devon Archer Tr., *supra* note 6 at 46: 1-23; 57: 11-19; 61-64.

CLIENT STATEMENT | For the Period April 1-30, 2014 Page 6 of 8

Active Assets Account [REDACTED] ROSEMONT SENECA BOHAI, LLC
C/O DEVON ARCHER

Account Detail

ACTIVITY

CASH FLOW ACTIVITY BY DATE

Transaction Date	Settlement Date	Activity Type	Description	Comments	Quantity	Price	Credits/(Debits)
4/9	4/9	Funds Transferred	WIRED FUNDS SENT	BENE: [REDACTED] ACCT: XXXX [REDACTED]			\$(1,200,000.00)
4/14	4/14	Online Transfer	FUNDS TRANSFERRED	CONFIRMATION # [REDACTED] TO [REDACTED]			(150,000.00)
4/15	4/15	Funds Received	WIRED FUNDS RECEIVED	AS PRIVATBANK BURISMA HOLDINGS LIMITED			83,333.33
4/15	4/15	Funds Received	WIRED FUNDS RECEIVED	AS PRIVATBANK BURISMA HOLDINGS LIMITED			29,424.82
4/19	4/22	Check	HAMPTON WATERCRAFT & MARINE	Check # [REDACTED]			(30,000.00)
4/22	4/22	Funds Received	WIRED FUNDS RECEIVED	NOVATUS HOLDING PTE. LTD.			142,300.00
4/23	4/23	Automated Payment	AMEX EPayment ACH PMT	AUTOMATIC BILL PAYMENT			(17,731.09)
4/23	4/23	Funds Transferred	WIRED FUNDS SENT	BENE: SCHNEIDER NELSON MOTOR C ACCT: XXXXXXXX [REDACTED]			(142,300.00)
4/29	4/29	Interest Income	[REDACTED] I.A.				24.78
4/29	4/29	Interest Income	[REDACTED] NA				4.30
NET CREDITS/(DEBITS)							\$(1,284,943.86)

54. The Oversight Committee questioned Devon Archer as to why Novatus Holding, Pte. Ltd.—a foreign company—wired the exact same amount to Rosemont Seneca Bohai to purchase Hunter Biden’s sports car. Mr. Archer did not know the details regarding the financial transaction and stated, “I wasn’t, like, doing this banking. Hunter was a corporate secretary of RSB. We had a handshake 50-50 ownership. And he conducted, you know, banking business with the COO.”⁹⁷ Mr. Archer’s counsel interjected with the following:

Counsel: Yeah. Let’s just clean that up.

A: Okay.

Counsel: I think you said it a second ago, that Hunter Biden was the corporate secretary of RSB. Do you know that to be true, or are you recalling a document you have been shown after the fact?

⁹⁷ Devon Archer Tr., *supra* note 6, at 64: 22-24.

A: I was shown a document after the fact.

Counsel : And you hadn't seen that document before?

A: I had not seen that document before.

Counsel : To your independent knowledge, did Hunter Biden ever have any official position with RSB?

A: Just – no. Just equity.⁹⁸

55. Devon Archer's counsel did not submit the document he referenced into the record.⁹⁹ After Devon Archer's interview, on August 25, 2023, the Oversight Committee requested certain documents in the custody of Mr. Archer and specifically asked for materials involving Rosemont Seneca Bohai (hereinafter August 2023 Request).¹⁰⁰ Mr. Archer's counsel did not produce the documents pursuant to the Oversight Committee's request.

56. On February 28, 2024, when the Committees interviewed Hunter Biden, Devon Archer's counsel still had not produced documents responsive to the Oversight Committee's August 2023 Request. The Committees asked Hunter Biden why the \$142,300 was wired to Rosemont Seneca Bohai and if he was corporate secretary of Rosemont Seneca Bohai. Hunter Biden responded with the following:

Q: He [Devon Archer] also said that you were the corporate secretary of Rosemont Seneca Bohai. Is that incorrect?

A: The corporate secretary?

Q: Yes, sir.

A: **I didn't even know that there was such a thing.**¹⁰¹

⁹⁸ *Id.* at 66: 20-25; 67: 1-5.

⁹⁹ After Devon Archer said Hunter Biden was the corporate secretary of Rosemont Seneca Bohai and his attorney interjected, Devon Archer told the Committee that Hunter Biden "had no position with RSB[.]" *Id.* at 67: 9-10.

¹⁰⁰ Letter from Hon. James Comer, Chairman, Comm. on Oversight & Accountability, to Devon Archer's Counsel (Aug. 25, 2023).

¹⁰¹ Hunter Biden Tr., *supra* note 6, at 27: 6-25.

57. Similar to Devon Archer’s counsel, Hunter Biden’s counsel then interjected and raised a question about “the document” indicating Hunter Biden was the corporate secretary, despite the Committees not referencing a document in the questioning:

Counsel: Do you have the document that indicates that company [Rosemont Seneca Bohai] as having a company so that there would be a secretary? Do you have that too?

Q: We provided you the Rosemont Seneca Bohai bank accounts, so –

A: No, I’m saying –

Q: – in advance we provided these to you.

A: – is there a registration that says –

Q: I’m not going to answer questions, sir. We provided the documents to you. In addition –

Counsel: I will state for the record that there’s no document that you sent out of the hundred and – 200-plus documents and thousands of pages that indicates what you just said.

A: Yes.

Q: I referred to Devon Archer making the statement. I didn’t refer to a document from a bank record.¹⁰²

58. After the Hunter Biden interview, the Committees were concerned Hunter Biden’s counsel was aware of documents regarding Hunter Biden’s position with Rosemont Seneca Bohai that were unavailable to the Committees. The Committees’ concerns were well-founded.

59. On May 22, 2024, the Ways and Means Committee lawfully disclosed documents from IRS whistleblower SA Joseph Ziegler.¹⁰³ These documents were submitted to the Ways and Means Committee after the Hunter Biden deposition. SA Ziegler provided an email to the Ways and Means Committee that the investigation team obtained via an electronic search warrant.¹⁰⁴

¹⁰² *Id.* at 27: 11-25.

¹⁰³ *See supra* footnotes 53-54.

¹⁰⁴ *See* Statement of Joseph Ziegler dated March 12, 2024, Affidavit 9, at ¶ 7.

60. The email shows that on April 29, 2014, Katie Dodge, an employee of Hunter Biden, emailed an employee of Grand Prix Motors (a car dealership) and attached a signed document from Hunter Biden to the dealership.¹⁰⁵ The title of the document is “CORPORATE RESOLUTION” and shows that Robert Hunter Biden certified he was the Secretary of Rosemont Seneca Bohai LLC.¹⁰⁶ The document stated, “Robert Hunter Biden is hereby authorized and empowered to enter into a contractual obligation with Grand Prix Motors”¹⁰⁷ In addition, the document provided, “I have hereunto set my hand as Secretary of this corporation and affixed the corporate seal of this corporation this 29th day of April, 2014.”¹⁰⁸ Hunter Biden signed the document as the “Secretary of Corporation[.]”¹⁰⁹

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¹⁰⁵ Ways & Means Exhibit 902 document, attached as Exhibit 11.

¹⁰⁶ See Exhibit 11. A portion of this document was handwritten.

¹⁰⁷ *Id.*

¹⁰⁸ *Id.*

¹⁰⁹ *Id.*

¹⁰⁹ *Id.*

CORPORATE RESOLUTION

I, Robert Hunter Biden, hereby certify that I am the duly elected, qualified and acting Secretary of Rosemont Seneca Bohai LLC, a Corporation organized and existing under the Laws of the State of DE, and that at a meeting of the Board of Directors of said corporation, held on the 29th day of April, 2014, at which a quorum was present, the following Resolution was duly introduced and adopted:

RESOLVED, that Robert Hunter Biden is hereby authorized and empowered to enter into a contractual obligation with Grand Prix Motors, which will be or has been assigned to Porsche Financial Services, Inc. or an assignee designated by Porsche Financial Services, Inc., in the form presented to the Board of Directors.

IN WITNESS WHEREOF, I have hereunto set my hand as Secretary of this corporation and affixed the corporate seal of this corporation this 29th day of April, 2014.



(Seal)


Signature of Secretary of Corporation

61. According to this document, Hunter Biden certified that he was the Corporate Secretary of Rosemont Seneca Bohai as of April 29, 2014. This document contradicts Hunter Biden's testimony that he "didn't even know that there was such a thing" as a corporate secretary and that he had no position with Rosemont Seneca Bohai.¹¹⁰ It appears Hunter Biden not only knew of the corporate secretary position but that he held that title at Rosemont Seneca Bohai.

62. In reality, Hunter Biden received over \$1 million from Rosemont Seneca Bohai, was a 50-50 equity owner in the company,¹¹¹ directed foreign payments from Burisma into its bank account, and certified he was the corporate secretary of the company. Hunter Biden's statements during his deposition were false beyond a reasonable doubt and should be prosecuted accordingly. Hunter Biden knew his statements were false because this was a corporate position he held at a company through which he received millions of dollars. His answer to the Committees' questions regarding his position did not indicate he could not remember whether he had a position; rather, he affirmatively denied ever knowing about the position of corporate secretary despite documents showing otherwise. Furthermore, Hunter Biden easily recalled other positions he held with companies that pre-dated the 2014 to 2015 timeframe.¹¹² Despite providing an extensive professional background to the Committees, he omitted any involvement with Rosemont Seneca Bohai and serving on the board of Burisma.¹¹³ And as discussed above, Hunter Biden had a motive to conceal his involvement with Rosemont Seneca Bohai.

63. Rosemont Seneca Bohai and the Rosemont Seneca Bohai Bank Account are material to this Congressional investigation. This company and its bank accounts were

¹¹⁰ Hunter Biden Tr., *supra* note 6, at 27: 6-25.

¹¹¹ See Devon Archer Tr., *supra* note 6, at 64:22-24 ("That's why I clarified the point, like, I wasn't, like, doing this banking. Hunter was a corporate secretary of RSB. We had handshake 50-50 ownership. And he conducted, you know, banking business with the COO."); 65:15-17 (Q: "And Rosemont Seneca Bohai, like you just said, was a 50-50 handshake between you and Hunter Biden, right?" A: Correct.)

¹¹² Hunter Biden Tr., *supra* note 6, at 16:19-25;17:1-25.

¹¹³ *Id.*

purposely used to receive suspicious wires from foreign companies and individuals who met with Vice President Biden. Indeed, the Rosemont Seneca Bohai Bank Account was specifically referenced in the Committees' Impeachment Inquiry Memorandum.¹¹⁴ The scoping memorandum discussed how, "Money wired by Burisma to the Rosemont Seneca Bohai account was often later transferred to Hunter Biden directly and his professional corporation, Owasco, P.C., in small increments."¹¹⁵ Additionally, the Impeachment Inquiry Memorandum expressed concerns as to why money from Russia and Kazakhstan was sent to the Rosemont Seneca Bohai bank account.¹¹⁶ The Oversight Committee subpoenaed its financial accounts and credit card account and questioned witnesses about financial transactions involving Rosemont Seneca Bohai. This company and its bank accounts undoubtedly played a central role in the influence peddling operation that the Committees are investigating and are relevant to whether Joe Biden abused his federal office to enrich his family.

64. Additionally, because of Hunter Biden's false testimony, certain avenues of questioning were curtailed during his deposition. If Hunter Biden would have answered questions regarding Rosemont Seneca Bohai truthfully, the Committees' line of questioning would have been different and additional evidence would have been elicited. For instance, if Hunter Biden told the truth that he held a position at Rosemont Seneca Bohai and directed money into the bank account, the Committees would have further inquired as to why the Burisma money was not sent to Owasco, P.C.; when and why he stepped down as the corporate secretary of the company; why he selected that company to accept money from Kenes Rakishev; and why Yelena Baturina's money was funneled into that bank account from Rosemont Seneca Thornton.

¹¹⁴ Impeachment Inquiry Memorandum, *supra* note 1, at 7.

¹¹⁵ *Id.*

¹¹⁶ *Id.* at 11-12.

Instead, Hunter Biden’s false testimony impeded the investigation and required the Committees to take additional investigative steps and hold another hearing to correct his false statements.

E. HUNTER BIDEN FALSELY TESTIFIED ABOUT HIS COMMUNICATION WITH CHINESE BUSINESS PARTNERS

65. On March 1, 2017—less than two months after Vice President Joe Biden left public office—State Energy HK Ltd. (State Energy HK), a company associated with Ye Jianming, the Chairman of the Chinese energy company CEFC, wired \$3 million to Robinson Walker, LLC.¹¹⁷ Rob Walker, a business associate of Hunter Biden, owned Robinson Walker, LLC. On January 26, 2024, the Committees interviewed Rob Walker.¹¹⁸ During the interview, Mr. Walker stated that he, Hunter Biden, and James Gilliar, began performing work for CEFC “probably in the 2015-2016 timeframe[.]”¹¹⁹ According to Rob Walker, the \$3 million payment from State Energy HK was payment for services that Hunter Biden, James Gilliar, and Rob Walker provided prior to being paid by the Chinese company in March 2017.¹²⁰

66. A document produced by Rob Walker corroborated that he, James Gilliar, and Hunter Biden were engaged in business dealings with CEFC while Vice President Joe Biden was in office.¹²¹ Although Rob Walker could not state the exact timing of the meeting,¹²² he confirmed that Joe Biden, after leaving public office, met with Ye Jianming.¹²³ Financial records show that on March 1, 2017, State Energy HK wired the \$3 million to Robinson Walker, LLC.¹²⁴

¹¹⁷ See First Bank Memo, *supra* note 12.

¹¹⁸ See Rob Walker Tr., *supra* note 6.

¹¹⁹ *Id.* at 22: 5-8.

¹²⁰ *Id.* at 80: 6-21.

¹²¹ Document attached as Exhibit 12.

¹²² Rob Walker Tr., *supra* note 6, at 42-43 (Q: Did this meeting occur before or after your company received a \$3 million payment from State Energy HK? A: I don’t know for sure. I believe—I believe—I don’t know.”)

¹²³ *Id.* at 41: 14-16.

¹²⁴ See First Bank Memo, *supra* note 12.

67. The next day, Rob Walker wired one-third of the amount, \$1,065,000, to James Gilliar's company, European Energy and Infrastructure Group (EEIG), in Abu Dhabi.¹²⁵ Rob Walker retained approximately one-third of the money for himself.¹²⁶ Rob Walker did not immediately send one-third to Hunter Biden or his companies. Instead, from March 6, 2017 to May 18, 2017, Hunter Biden, James Biden, Hallie Biden, and their companies received 16 separate payments to personal and corporate accounts totaling \$1,065,692.¹²⁷ Hunter Biden instructed Rob Walker to make incremental payments to various bank accounts over a period of months.¹²⁸ These transactions reduced the size of the wires and concealed the source of the money: State Energy HK, a Chinese company associated with CEFC. Despite receiving millions of dollars from the company, Rob Walker could not confirm whether the company that paid them was state owned by China or not.¹²⁹

68. The chart below shows the complicated financial transactions after Robinson Walker, LLC received the \$3 million wire from the Chinese company, State Energy HK, and then sent 16 subsequent wire transfers to Hunter Biden, his companies, James Biden's company (JBBSR, INC), and Hallie Biden:¹³⁰

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¹²⁵ See Second Bank Memo, *supra* note 12, at 31-32.

¹²⁶ *Id.*

¹²⁷ *Id.*

¹²⁸ Rob Walker Tr., *supra* note 6, at 83: 2-5.

¹²⁹ *Id.* at 78: 17-19.

¹³⁰ Records on file with the Oversight Committee.

Date	Originating Account	Beneficiary Account	Amount
3/6/2017	Robinson Walker, LLC	“Biden”	\$5,000
3/13/2017	Robinson Walker, LLC	“Biden”	\$25,000
3/20/2017	Robinson Walker, LLC	Hallie Biden	\$25,000
3/27/2017	Robinson Walker, LLC	Owasco P.C.	\$50,000
3/29/2017	Robinson Walker, LLC	First Clearing, LLC	\$100,000
3/31/2017	Robinson Walker, LLC	Owasco P.C.	\$50,000
3/31/2017	Robinson Walker, LLC	Owasco P.C.	\$100,000
4/3/2017	Robinson Walker, LLC	JBBSR INC	\$50,000
4/3/2017	Robinson Walker, LLC	JBBSR INC	\$50,000
4/14/2017	Robinson Walker, LLC	RSTP II, LLC	\$10,692
4/18/2017	Robinson Walker, LLC	Owasco P.C.	\$300,000
4/20/2017	Robinson Walker, LLC	JBBSR INC	\$120,000
4/21/2017	Robinson Walker, LLC	“Biden”	\$25,000
4/24/2017	Robinson Walker, LLC	JBBSR INC	\$125,000
5/17/2017	Robinson Walker, LLC	“Biden”	\$15,000
5/18/2017	Robinson Walker, LLC	JBBSR INC	\$15,000
Total			\$1,065,692

69. After receiving the \$3 million payment from State Energy HK, Hunter Biden, James Biden, Rob Walker, James Gilliar, and Tony Bobulinski formed a joint venture with CEFC known as SinoHawk Holdings.¹³¹ However, Hunter Biden and James Biden then sought to circumvent their business partners and create Hudson West III, LLC (Hudson West III), a different joint venture between Hunter Biden’s company, Owasco, P.C. and Hudson West V, LLC, a company owned by a CEFC official, Gongwen Dong.¹³²

70. As of July 2017, CEFC had not funded the joint venture with Hunter Biden, so Hunter Biden leveraged Joe Biden to obtain the money from his Chinese business partners. The

¹³¹ Tony Bobulinski Tr., *supra* note 6, at 14: 23-25.

¹³² *Id.* at 15: 5-10 (“ . . . Hunter [Biden] demanded CEFC circumvent SinoHawk Holdings. The Biden family violated their fiduciary duties to SinoHawk and Oneida as they enriched themselves at the CEFC trough.”).

IRS whistleblowers provided Apple iCloud backup messages related to Hunter Biden.¹³³ The chart showed an exchange between Hunter Biden and a person named “Zhao,” where Hunter Biden told Zhao on July 30, 2017, “I am sitting here with my father and we would like to understand why the commitment made has not been fulfilled.”¹³⁴ Hunter Biden continued, “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.”¹³⁵

71. On July 31, 2017, Zhao responded to Hunter Biden, “CEFC is willing to cooperate with the family.”¹³⁶ The Oversight Committee subpoenaed bank records related to CEFC and Hunter Biden’s businesses. The bank records establish that on August 8, 2017—within approximately a week of the WhatsApp message above—Northern International Capital, a Chinese company, wired \$5 million to Hudson West III.¹³⁷ An image of the that wire is below:

CREDITS		
Date	Description	Additions
08-08	Wire Transfer-IN NORTHERN INTERNATIONAL CAPITAL	5,000,000.00

72. On the same day, Hunter Biden transferred \$400,000 to his professional corporation, Owasco, P.C.¹³⁸ Through a series of financial transactions, the Oversight Committee traced \$40,000 of the proceeds to Joe Biden’s bank account.¹³⁹ These

¹³³ See H. Comm. on Ways and Means, Release of IRS Whistleblower Disclosure, Exhibit 300, at 4 (Sept. 27, 2023).

¹³⁴ *Id.*

¹³⁵ *Id.*

¹³⁶ *Id.*

¹³⁷ Records on file with the Oversight Committee

¹³⁸ See Fourth Bank Memo, *supra* note 12, at 4-9.

¹³⁹ *Id.*

communications and the identities of the individuals with whom Hunter Biden communicated about these financial transactions were material to the Congressional investigation because they directly implicate Joe Biden in his family’s foreign entanglements.

73. During Hunter Biden’s testimony, there were two different individuals referenced with the last name “Zhao.” Henry Zhao was “the principal for Harvest[.]”¹⁴⁰ Harvest was a Chinese investment fund with ties to the BHR fund and was unrelated to CEFC.¹⁴¹ Raymond Zhao, on the other hand, worked for CEFC, the Chinese energy conglomerate that used Northern International Capital to wire \$5 million to Hudson West III on August 8, 2017.¹⁴² Hunter Biden confirmed during his testimony that the \$5 million deposit into Hudson West III was for the “capitalization” of his joint venture with Ye Jianming, the Chairman of CEFC.¹⁴³

74. Because the threatening WhatsApp chats concern business deals with CEFC, the Committees understood that “Zhao” in the message was Raymond Zhao. After Hunter Biden sent the messages referencing his father, Joe Biden, and his family to Raymond Zhao, Northern International Capital, a company associated with CEFC, wired the \$5 million to Hudson West III.¹⁴⁴

75. The Committees asked Hunter Biden about the Zhao WhatsApp messages:

Q: Do you have any recollection of sending these?

A: No, but I’ve seen this and –

Counsel: Is there a question?

Q: Yes. Does he have a recollection of sending the message?

¹⁴⁰ Hunter Biden Tr., *supra* note 6, at 20: 15-16.

¹⁴¹ *Id.* at 20:8-16.

¹⁴² Tony Bobulinski Tr., *supra* note 6, at 35: 25; 36: 1-6.

¹⁴³ Hunter Biden Tr., *supra* note 6, at 54:25; 55:1-7.

¹⁴⁴ Records on file with the Oversight Committee.

A: And I do not, but I do know this. I have now seen it, which it's been presented. I would say two things about this message.

Mr. Nadler: Can you speak up?

A: I would say two things about this message. The first thing is this. **Is that the Zhao that this is sent to is not the Zhao that was connected to CEFC.**

Q: Okay.

A: Which I think is the best indication of how out of my mind I was at this moment in time.

Again, I don't – my addiction is not an excuse, but I can tell you this: I am more embarrassed of this text message, if it actually did come from me, than any text message I've ever sent.

The fact of the matter is, is that there's no other text message that you have in which I say anything remotely to this. And I was out of my mind.

I can also tell you this: My father was not sitting next to me. My father had no awareness. My father had no awareness of the business that I was doing. My father never benefited from any of the business that I was doing.

And so, I take full responsibility for being an absolute ass and idiot when I sent this message, if I did send this message.

Q: Okay

Q: When you say it wasn't Zhao from CEFC, who –

Mr. Nadler: Would you speak up, please?

Q: Which Zhao are you referring to if it wasn't from CEFC?

A: **The number that I believe it went to was to Henry Zhao.** Zhao is a very common—it's not a surname—surname in China. I mean, obviously, very common surname.

And I, like an idiot, directed it towards Henry Zhao who had no involvement, who had no understanding or even remotely knew what the hell I was even Goddamn talking about.

Excuse my language.

Q: And he seems to –

A: No, no, no, no, no, the Zhao—it's a different—you're conflating now.

Q: Okay.

A: And this [sic] why this report from the IRS is absolutely wrong. They're two different messages.

The Zhao that calls me is not related to the message that was sent. I speak to him the next day. They're two completely different sets of messages. One goes a number because, I made the Goddamn—excuse my language again—because I made like an idiot, and I was drunk and probably high, **sent a—this ridiculous message to a Zhao, to a Henry Zhao.**

But then the next day, I speak to a Raymond Zhao, who has never received the message that Henry Zhao got. And so that's why this report is very misleading in many ways.¹⁴⁵

76. Hunter Biden's counsel also lodged the following unfounded accusation against the IRS whistleblowers, "The IRS agents—[interjection by witness omitted]—took two different times and two different messages and conflated them. That's what he's explaining."¹⁴⁶

77. The documents released by the Ways and Means Committee show Hunter Biden had a continuous conversation using WhatsApp with the same person referenced as Zhao. There is no indication in the phone records that Hunter Biden sent the WhatsApp messages to Henry Zhao of Harvest. The Committees know that the "Zhao" referenced in the WhatsApp messages is Raymond Zhao based on the context of the communications. Indeed, the records show Raymond Zhao responded in the WhatsApp conversation referencing CEFC and stating, "CEFC is willing to cooperate with the family. He thinks now the priority is to solve the problem mentioned last night."¹⁴⁷ Henry Zhao does not work for CEFC and would not have any reason to speak on CEFC's behalf. In short, the evidence released by the Ways and Means Committee completely refutes Hunter Biden's testimony.

¹⁴⁵ Hunter Biden Tr., *supra* note 6, at 105-107 (emphasis added).

¹⁴⁶ *Id.* at 107: 4-8.

¹⁴⁷ *See* Ways and Means, Exhibit 801, at 533-549, attached as Exhibit 13.

78. Hunter Biden falsely testified that his threatening message was sent to Henry Zhao of Harvest, not Raymond Zhao of CEFC. This is relevant because CEFC wired the \$5 million soon after Hunter Biden leveraged his father and made the threat in his message. The evidence shows that he knowingly made this false statement because he fabricated the story out of whole cloth. Indeed, it strains credulity to think that he could not remember sending the threatening message, but at the same time recall that he “like an idiot” sent this message to a different Zhao. Rather, Hunter Biden concocted the fictitious story that he sent the message to Henry Zhao, instead of a CEFC official, to undercut that the \$5 million payment was sent by CEFC in response to Hunter Biden’s threats invoking Joe Biden. Based upon the newly disclosed evidence, the Committees can demonstrate that Hunter Biden made false statements that he was communicating with Henry Zhao, not Raymond Zhao in the threatening WhatsApp message.

F. JAMES BIDEN FALSELY TESTIFIED HE WAS NOT PRESENT DURING A MEETING WITH JOE BIDEN, HUNTER BIDEN, AND TONY BOBULINSKI

79. On May 2, 2017, Joe Biden, James Biden, Hunter Biden, and Tony Bobulinski met at the Beverly Hilton Hotel. During his interview, James Biden denied the meeting occurred despite Hunter Biden’s and Tony Bobulinski’s testimony that it did take place. Text messages provided to the Oversight Committee also corroborate that Joe Biden attended the meeting at the Beverly Hilton Hotel.

80. This meeting was material to the Congressional investigation because Joe Biden has publicly denied discussing business with Hunter Biden and James Biden.¹⁴⁸ Furthermore, Joe Biden has claimed he never met with any of Hunter Biden’s business associates.¹⁴⁹ This

¹⁴⁸ See Oversight Committee’s website, *Joe Biden Lied at Least 16 Times about his Family’s Business Schemes*, (Aug. 24, 23).

¹⁴⁹ *Id.*

meeting proved Joe Biden made misleading statements regarding his knowledge of and involvement in his family's foreign business endeavors.

81. The Committees asked James Biden about the meeting, and he denied being present:

Q: When you were at the [Beverly Hilton H]otel, do you recall having a meeting with Hunter Biden and Tony Bobulinski and Joe Biden?

A: Absolutely not.

Q: It's your testimony here today that meeting never took place?

A: Yes, sir.

Counsel: That he was present for.

A: That I was present for.¹⁵⁰

82. The Committee sought to clarify if James Biden could not remember the meeting or was denying the meeting occurred. James Biden's counsel clarified "You asked him if he had a meeting with Bobulinski and Hunter. He said no to that, a meeting."¹⁵¹

83. In complete contrast to James Biden's testimony, Hunter Biden testified Tony Bobulinski met with Joe Biden at the lobby bar in the Beverly Hilton Hotel in the presence of James Biden. Hunter Biden stated:

Q: And did Mr. Bobulinski meet with your father during that trip?

A: He met with him in the lobby of the hotel of the – I believe it was the – the –

Q: Beverly Hilton?

A: Beverly Hilton. My dad's flight arrived I think at 11 a.m. We –

Counsel: 11 p.m.

¹⁵⁰ James Biden Tr., *supra* note 6, at 100: 11-17.

¹⁵¹ *Id.* at 101: 10-11.

A: Excuse me, 11 p.m. We were in the lobby bar with Mr. Bobulinski having coffee.

Q: And your uncle as well?

A: What?

Q: Was your uncle there too?

A: My uncle and myself. I think my uncle was also staying at that hotel. And so yeah. I know that, if you go further, it says – but I think that the reality is that he didn't – anyway, my dad went and shook hands with Tony.

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.¹⁵²

84. On February 13, 2024, Tony Bobulinski testified under oath before the Committees. Mr. Bobulinski also testified in great detail regarding the meeting at the Beverly Hilton Hotel. He stated:

Q: And can you tell the committee about that meeting and how that developed, the meeting with Joe Biden?

A: . . .
So I show up at the Beverly Hilton early. And, obviously, next to Davos, the Milken Conference is probably the largest, you know, private conference of billionaires and successful people in all kinds of walks of life that show up for that conference every year. So the Beverly Hilton's busy.

But we go into the bar there – I forget its name—and it's sort of cleared out. The only people in that bar—I think there was literally one individual—or two individuals, Steve Wynn and it appeared to be a woman that was working for him. And they had cleared out the bar. And Hunter, Jim, and I were sitting in the back, sort of behind a column for privacy and –

Q: When you say Jim – because there's James Gilliar –

A: Yeah, yeah.

Q: --and there's James Biden. Which is it?

A: Yeah, yeah. So James Biden went by Jim Biden.¹⁵³

¹⁵² Hunter Biden Tr., *supra* note 6, at 141: 12-25; 142: 1-3.

¹⁵³ Tony Bobulinski Tr., *supra* note 6, at 47-48.

85. Tony Bobulinski continued, “So it was Jim Biden, Hunter Biden, and myself sitting there, and his dad was running a little bit late. And so what I thought was sort of slightly odd at the time is Hunter and Jim started coaching me about the meeting.”¹⁵⁴ Mr. Bobulinski stated that the meeting occurred for “45 minutes to an hour.”¹⁵⁵ He also explained how prior to meeting Joe Biden, Hunter Biden and James Biden “coached” him not to go into a lot of detail.¹⁵⁶

86. Later that night, at 11:40pm, Tony Bobulinski texted James Biden, “Great to meet u and spend some time together, please thank Joe for his time, was great to talk thx Tony b[.]”¹⁵⁷

87. The Oversight Committee received evidence from Tony Bobulinski that included text messages between Mr. Bobulinski and other business associates, including James Biden. The text messages corroborate Hunter Biden’s and Mr. Bobulinski’s testimony that there was a meeting on May 2, 2017 with Joe Biden, Hunter Biden, James Biden, and Tony Bobulinski. In one message, on May 2, 2017, Hunter Biden texted Tony Bobulinski at 3:56pm, “Dad not in now until 11 – lets me I and Jim meet at 10 at Beverly Hilton where he’s staying[.]”¹⁵⁸

88. During the interview, the Committees showed James Biden a text message from James Biden to Tony Bobulinski stating, “I’ll get back to you 15 min! Let’s meet at same place as last night! Jim[.]”¹⁵⁹ The Committees again asked James Biden whether Joe Biden was at the meeting:

Q: And then the first text, which appears to be from you, says, “I’ll get back to you 15 min! Let’s meet at same place as last night! Jim.”

¹⁵⁴ *Id.* at 61: 1-4.

¹⁵⁵ *Id.* at 50: 22-24.

¹⁵⁶ *Id.* at 49:14-15.

¹⁵⁷ See Text from Tony Bobulinski to James Biden (May 2, 2017, 11:40 PM), attached as Exhibit 14.

¹⁵⁸ See Text from Hunter Biden to Tony Bobulinski (May 2, 2017, 3:56 PM), attached as Exhibit 15.

¹⁵⁹ See Text from James Biden to Tony Bobulinski (May 3, 2017, 7:36 AM), attached as Exhibit 16.

Do you remember what you're referring to when you say that?

A: It could have been the bar. I don't know.

Q: Well, did you go to the Beverly Hotel bar the night before the Milken Conference?

A: I don't recall.

Q: Do you recall whether you were at the bar with Hunter Biden, Tony Bobulinski, and Joe Biden?

A: That I know did not happen.

Q: Who were you at the bar with?

A: I could have been there just with Tony Bobulinski. I could have been there with Hunter as well. But my brother was never there.¹⁶⁰

89. The Committees provided another opportunity for James Biden to correct himself

with additional questioning about whether Tony Bobulinski ever met with Joe Biden:

Q: But it's your testimony here today that Tony Bobulinski never met Joe Biden in your presence? Is that correct?

A: That's correct.

Q: And it's your testimony here today that Tony Bobulinski, you're not aware of him meeting with Joe Biden while you were not in the room.

A: Correct. He never, to my knowledge, met with my brother.¹⁶¹

90. Given the testimony from Hunter Biden and Tony Bobulinski and the text messages, the evidence shows that a meeting occurred on May 2, 2017 at the Beverly Hilton Hotel and that Joe Biden, Hunter Biden, Tony Bobulinski, and James Biden were present for the meeting. James Biden knowingly made a false statement to the Committees because he completely denied any meeting between Joe Biden and Tony Bobulinski occurred, despite the

¹⁶⁰ James Biden Tr. *supra* note 6, at 103: 3-15.

¹⁶¹ *Id.* at 134: 24-25; 135: 1-4.

Committees requesting clarification if he could not remember and showing him text messages that disproved his testimony. James Biden lied about this meeting for at least two reasons. First, Joe Biden has denied publicly that his family received money from China and that he ever met with his family's business associates. If James Biden admitted that Tony Bobulinski, a business associate who was leading a Chinese business deal, met with his Joe Biden and Hunter Biden, then Joe Biden's lies would be exposed because of his testimony. Second, the Oversight Committee has traced money from James and Sara Biden's bank accounts to Joe Biden that was funded by a CEFC related company, and Jim Biden therefore wanted to distance Joe Biden from any involvement in his family's Chinese-related business ventures.¹⁶²

91. The Committees gave James Biden several opportunities to correct his claim that Joe Biden did not attend the meeting, but the evidence proves his statements regarding this meeting were knowingly false.

92. For these reasons, the Committees make this referral to the Department of Justice for further action.

¹⁶² See generally Fourth Bank Memo, *supra* note 12.