

Congress of the United States
Washington, DC 20515

April 3, 2024

Matthew Schwartz
Boies Schiller Flexner
55 Hudson Yards
20th Floor
New York, NY 10001

Dear Mr. Schwartz:

The House Committee on Oversight and Accountability (Oversight Committee) is investigating whether sufficient grounds exist to draft articles of impeachment against President Biden for consideration by the full House.¹ Together with the House Committee on the Judiciary (Judiciary Committee) and the House Committee on Ways and Means (collectively, the Committees), the Committees set forth in a September 27, 2023 memorandum the evidence justifying the inquiry and the scope of this impeachment investigation.² On December 13, 2023, the House of Representatives adopted a resolution directing the Committees to continue this investigation.³

The Oversight and Judiciary Committees are subpoenaing certain records in the possession, custody, or control of Devon Archer that are relevant to the impeachment inquiry. These subpoenas are being issued pursuant to our authority as Committee Chairmen under Rule XI, clause 2(m)(1)(B) of the Rules of the House of Representatives, Rule 12(g) of the Oversight Committee's Rules, and Rule IV(a) of the Judiciary Committee's Rules.⁴

During the July 31, 2023 transcribed interview of Mr. Archer, he acknowledged that an entity known as AlixPartners was holding his documents related to our investigation.⁵ You interjected that AlixPartners was "retained through counsel" and that you "have some documents."⁶ On August 25, 2023, the Oversight Committee requested all documents in the custody of Mr. Archer⁷ regarding or involving the following companies and entities:

- a. Seneca Global Advisors,

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 See Impeachment Inquiry Memorandum.

³ See H. Res. 918.

⁴ See also H. Res. 917, 118th Cong. § 2 (2023).

⁵ *Supra*, fn. 3, at 82-84.

⁶ *Id.*

⁷ See Attachment A, Letter from Chairman Comer to Boies Schiller Flexner (Boies Schiller) dated August 25, 2023. The request included any records or documents held by AlixPartners or Boies Schiller on behalf of Mr. Archer.

- b. Rosemont Capital,
- c. Rosemont Seneca Partners,
- d. Rosemont Realty,
- e. RSTP,
- f. Rosemont Seneca Thornton,
- g. Rosemont Seneca Bohai,
- h. BHR Partners,
- i. Thornton Group,
- j. Skaneateles,
- k. Ulysses,
- l. Burisma,
- m. Kazakh National Oil,
- n. KazMunayGas,
- o. Pemex,
- p. Aleman Group,
- q. American Well,
- r. MF TCG Holdings,
- s. Owasco,
- t. Center for International Relations and Sustainable Development (CIRSD), and
- u. China National Offshore Oil Corporation.

The Oversight Committee also requested documents in the custody of Mr. Archer involving the following people:

- a. Joe Biden,
- b. Robert Hunter Biden,
- c. James Biden,
- d. Eric Schwerin,
- e. Jeffrey Cooper,
- f. Rob Walker,
- g. Sebastian Momtazi,
- h. Vuk Jeremic,
- i. Yelena Baturina,
- j. Vadim Pozharskyi,
- k. Mykola Zlochevsky,
- l. Karina Zlochevsky,
- m. Alexander Kwasniewski,
- n. Alex Kotlarsky,
- o. Kenes Rakishev,
- p. Karim Massimov,
- q. Amos Hochstein, and

r. Jonathan Li.⁸

The Oversight Committee requested the documents be produced by September 6, 2023.⁹ On October 28, 2023, you responded by email to the Oversight Committee that “we are working with the vendor to see if the database can be restored and made accessible”¹⁰ To date, neither Mr. Archer nor Boies Schiller has produced any documents in response to the Oversight Committee’s August 25, 2023 request. Since making this request, the Oversight Committee and Judiciary Committee interviewed Jason Galanis on February 23, 2024, where he described how Hunter Biden and his business associates used Vice President Biden in his business dealings in what Mr. Archer referred to as the Biden lift.¹¹ In addition, Mr. Galanis produced documents to the Oversight Committee and Judiciary Committee confirming that your client received relevant email communications related to our investigation of Joe Biden. On March 26, 2024, the Oversight Committee requested an update regarding the document production. The Oversight Committee requested a response due on March 28, 2024; however, no response was received. Accordingly, the Oversight Committee and Judiciary Committee are issuing these subpoenas and attached schedules.

The records sought by these subpoenas will also assist in efforts to craft legislative solutions aimed at deficiencies that have been identified in the current legal framework regarding ethics laws and disclosure of financial interests related to the immediate family members of Vice Presidents and Presidents—deficiencies that may place American national security and interests at risk. These requested records should provide the Committees with unique and particularized information critical to Congress’s investigation of a systemic failure to protect against potential malign foreign interactions with family members of senior elected officials. Specifically, the Committees are concerned that foreign nationals and foreign companies appear to have sought access and influence by engaging in lucrative business relationships with high-profile political figures’ immediate family members.

The Committees are also concerned about the national security implications of a President’s or Vice President’s immediate family members receiving millions of dollars from foreign nationals or companies without any oversight. Current financial disclosure laws and regulations do not require non-dependent family members to provide any information to the public. Meaningful reforms to government ethics and disclosure laws are therefore being explored that will provide necessary transparency into a President’s or Vice President’s immediate family members’ income, assets, and financial relationships with companies. In particular, the Oversight Committee intends to develop legislation that would strengthen reporting requirements related to certain foreign transactions involving senior elected officials’ family members and implement financial disclosure laws that shed light on ownership of opaque

⁸ In addition to these companies and individuals, on February 23, 2024, the Committee interviewed Jason Galanis and confirmed that your client has information relevant to Mr. Galanis, Henry Zhao, and the Burnham entities, which the Committee is further investigating. As a result, the Committee is subpoenaing documents related to Mr. Galanis and Burnham entities.

⁹ *Id.* at 2.

¹⁰ Email Communication from Boies Schiller to the Oversight Committee.

¹¹ Transcribed interview of Jason Galanis by the Oversight and Judiciary Committees on Feb. 23, 2024.

corporate entities. Moreover, to prevent financial transactions from being structured in a way to evade disclosure, the Oversight Committee is examining whether certain reporting requirements, including any new reporting requirements for senior elected officials' family members, should extend for a period of time after a President or Vice President leaves office.

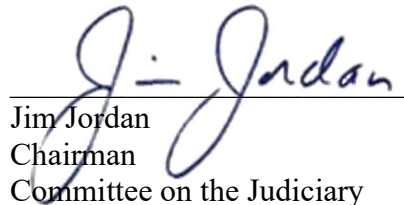
The Oversight Committee aims to draft legislation that provides more transparency to the American people, deters foreign interests from attempting to obtain influence over and access to the highest levels of the federal government by entering into business deals with Presidential or Vice-Presidential family members, discourages such family members from profiting from their relative's public service, and ensures the nation is safe from our foreign adversaries.

In short, the records sought by these subpoenas are critical to both the impeachment inquiry and to further the Oversight Committee's legislative purposes. If you have any questions regarding these subpoenas, please contact the Oversight Committee staff at (202) 225-5074 or Judiciary Committee staff at (202) 225-6906.

Sincerely,



James Comer
Chairman
Committee on Oversight and Accountability



Jim Jordan
Chairman
Committee on the Judiciary

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

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