

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

MINORITY (202) 225-5051

<https://oversight.house.gov>

June 12, 2023

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

Dear Mr. Schwartz:

Attached to this letter is a subpoena that requires Mr. Devon Archer's participation in a deposition with the House Committee on Oversight and Accountability. This subpoena has been issued pursuant to my authority as the Chairman of the Committee, pursuant to both Rule XI.2(m)(1)(B) of the Rules of the House of Representatives and Rule 12(g) of the Committee's rules. The Committee is investigating foreign nationals' attempts to target and coerce high-ranking U.S. officials' family members by providing money or other benefits in exchange for certain actions. The Committee is considering legislative solutions to this problem. The Committee has identified Mr. Archer as possessing information relevant to its investigation and seeks your client's testimony regarding these and other related topics.

Both information that the Committee has reviewed and public reporting indicates that Mr. Archer played a significant role in the Biden family's business deals abroad, including but not limited to China, Russia, and Ukraine.¹ Additionally, while undertaking these ventures with the Biden family, your client met with then-Vice President Biden on multiple occasions, including in the White House.² Mr. Archer's testimony is critical to the Committee's investigation. Mr. Archer was Hunter Biden's business partner in a number of transactions involving foreign nationals and foreign companies. Mr. Archer is associated with corporate entities that the Committee has identified³ and the Biden family's role in each of them. Furthermore, he has significant information regarding the purpose of these companies and knowledge of relevant documents related to the Committee's investigation.

As part of its investigation, the Committee seeks to craft legislative solutions aimed at deficiencies it has identified in the current legal framework regarding ethics laws and the 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.

¹ See, e.g., Adam Entous et al., *Hunter Biden's Tangled Tale Comes Front and Center*, N.Y. Times (Jan. 11, 2023), <https://www.nytimes.com/2023/01/11/us/politics/hunter-biden-investigations.html>.

² Jon Levine, *Joe Biden met with Hunter Biden business partner at the White House*, N.Y. Post (Apr. 23, 2022), <https://nypost.com/2022/04/23/joe-biden-met-with-hunter-biden-business-partner-at-the-white-house/>.

³ Memorandum: Second Bank Records Memorandum from the Oversight Committee's Investigation into the Biden Family's Influence Peddling and Business Schemes. H. Comm. on Oversight & Accountability staff memorandum (May 10, 2023), sec. D.

Specifically, the Committee is concerned that foreign nationals appear to have sought access and influence by engaging in lucrative business relationships with high-profile political figures' immediate family members.⁴

The Committee is investigating the national security implications of a Vice President's or President's (and candidates for such offices) immediate family members receiving millions of dollars from foreign nationals, foreign companies, or foreign governments without any oversight. Current financial disclosure laws and regulations do not require non-dependent family members of senior elected officials to provide any information to the public. The Committee is seeking meaningful reforms to government ethics and disclosure laws that will provide necessary transparency into a Vice President's or President's immediate family members' income, assets, and financial relationships.

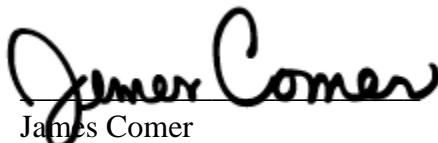
The Committee also intends to craft legislation that would strengthen reporting requirements related to certain foreign transactions involving senior elected officials' family members and that would implement robust financial disclosure requirements that shed light on ownership of opaque corporate entities. Moreover, in order to prevent financial transactions from being structured in a way to evade oversight, the 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 Committee aims to draft legislation that delivers 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 and 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. This deposition is critical in achieving these legislative goals.

As Chairman of the Committee, I urge you to cooperate speedily and in good faith with the Committee's subpoena.

If you have any questions regarding this subpoena, please coordinate with Committee staff at (202) 225-5074.

Sincerely,



James Comer
Chairman
Committee on Oversight and Accountability

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

⁴ *Id.* at sec. G.

SUBPOENA

BY AUTHORITY OF THE HOUSE OF REPRESENTATIVES OF THE CONGRESS OF THE UNITED STATES OF AMERICA

To Devon Archer

You are hereby commanded to be and appear before the
Committee on Oversight and Accountability

of the House of Representatives of the United States at the place, date, and time specified below.

to produce the things identified on the attached schedule touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of production: _____

Date: _____

Time: _____

to testify at a deposition touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: 2157 Rayburn House Office Building, Washington, D.C. 20515

Date: June 16, 2023

Time: 9:30am

to testify at a hearing touching matters of inquiry committed to said committee or subcommittee; and you are not to depart without leave of said committee or subcommittee.

Place of testimony: _____

Date: _____

Time: _____

To any authorized staff member or the U.S. Marshals Service

to serve and make return.

Witness my hand and the seal of the House of Representatives of the United States, at

the city of Washington, D.C. this 12th day of June, 2023.

Attest:


Clerk



Chairman or Authorized Member