

AMENDMENT TO THE AMENDMENT IN THE NATURE OF A SUBSTITUTE

OFFERED BY MR. FROST

On page 11, strike Section B and all that follows, and insert the following new subsection and make corresponding changes to the Table of Contents:

“B. Chairman Comer Has Repeatedly Distorted Facts and Cherry-Picked Information to Advance False Narratives About President Biden, Including By Misrepresenting Witness Statements in Closed-Door Interviews

Rather than admit his investigation’s failure to identify any wrongdoing by President Biden, Chairman Comer has repeatedly distorted and cherry-picked the facts to advance false claims against President Biden, Hunter Biden, and others.

In December 2023, Chairman Comer blatantly misrepresented records that simply show Joe Biden making car payments for his son, and Hunter Biden paying his father back, at a time when Joe Biden was a private citizen and Hunter Biden was in and out of rehabilitation for addiction.¹ Reporting from Fox News, Wall Street Journal, Washington Post, CNN, and other outlets also confirmed that Chairman Comer’s false claims do not hold up to scrutiny.²

In November 2023, Chairman Comer selectively released one page of a four-page internal bank email chain to falsely claim that regulators were concerned that Hunter Biden’s financial activities amounted to money laundering.³ The three other pages, which contain later emails, directly contradict the Chairman’s claims and explicitly state the transactions at issue were “reasonable and consistent with the business profile” and that the entity was “transparent.”⁴

These misrepresentations are just the latest examples of the Republican Majority’s troubling pattern of false statements, deception, and convenient exclusion of facts that completely undermine their absurd allegations. Examples include:

¹ Rep. Jamie Raskin (@RepRaskin), X (Dec. 4, 2023) (online at <https://twitter.com/RepRaskin/status/1731777276730036702?s=20>).

² Aaron Rugar (@atrupar), X (Dec. 8, 2023) (online at <https://twitter.com/atrupar/status/1733131433261113512?s=20>); *GOP Sees Skulduggery in Hunter Biden Paying His Father Back for Truck*, Wall Street Journal (Dec. 4, 2023) (online at www.wsj.com/politics/gop-sees-skulduggery-in-hunter-biden-paying-his-father-back-for-truck-5d40741a); *Comer Mischaracterizes Hunter Biden Car Payment Reimbursement to His Dad*, Washington Post (Dec. 4, 2023) (online at www.washingtonpost.com/politics/2023/12/04/comer-mischaracterizes-hunter-biden-car-payment-reimbursement-his-dad/); *House Oversight GOP Release Document Showing Payments Made by Hunter Biden to His Dad; Documents Say They Were for a Car*, CNN (Dec. 5, 2023) (online at www.cnn.com/2023/12/04/politics/oversight-committee-hunter-biden-car-payments/index.html).

³ Oversight Committee Democrats (@OversightDems), X (Nov. 29, 2023) (online at <https://twitter.com/OversightDems/status/1730011731986927930?s=20>) (citing Oversight Committee (@GOPoversight), X (Nov. 29, 2023) (online at <https://twitter.com/GOPoversight/status/1729983592648855652>)).

⁴ *Id.*

- Chairman Comer misrepresented bank records produced to the Committee which showed simple loan repayments on a short-term, interest free loan between Joe Biden and his brother, James, while Joe Biden was a private citizen. Chairman Comer falsely claimed that President Biden “profited”⁵ from his family’s business and is guilty of “bribery”⁶ and “money laundering.”⁷ The Chairman’s false claims were discredited by at least ten different news outlets, including Washington Examiner and CNN.⁸
- Chairman Comer has falsely claimed, “We will release the transcripts. We always do unless they contain classified information.”⁹ However, Comer has released only two of 17 transcripts of witness interviews so far, and he refused Ranking Member Raskin’s request to publicly release all of the transcripts.¹⁰
- Chairman Comer misrepresented Devon Archer’s statements in a closed-door interview with the Committee, and his claims were repeatedly fact-checked.¹¹ The Chairman even falsely claimed that he attended the closed-door interview with Mr. Archer, when he did not.¹²

⁵ *Comer to Newsmax: Bidens Backed Themselves 'Into a Corner'*, NewsMax (Nov. 6, 2023) (online at www.newsmax.com/newsmax-tv/james-comer-joe-biden-loan/2023/11/06/id/1141222/).

⁶ *Joe Biden Received \$40K in 'Laundered China Money' from Brother in 2017, Comer Says*, Fox News Channel (Nov. 1, 2023) (online at www.foxnews.com/politics/joe-biden-received-40k-in-laundered-china-money-from-brother-in-2017-comer-says).

⁷ Acyn (@Acyn), X (Nov. 2, 2023) (online at <https://twitter.com/Acyn/status/1720222795701862790?s=20>).

⁸ *Joe Biden May Have Lent James Biden Money to Justify 'Loan' Repayments, Bank Records Show*, Washington Examiner (Nov. 8, 2023) (online at www.washingtonexaminer.com/news/house/bank-records-show-joe-biden-paid-james-biden); *Fact Check: Evidence Supports Democrats' Case that Joe Biden Made a Personal Loan to His Brother*, CNN (Oct. 31, 2023) (online at www.cnn.com/2023/10/31/politics/fact-check-evidence-supports-democrats-case-that-joe-biden-made-a-personal-loan-to-his-brother/index.html).

⁹ *Comer Defends Private Deposition of Hunter Biden, Vows to Release Transcript and Hold Public Hearing*, Fox News Channel (Dec. 1, 2023) (online at www.foxnews.com/politics/comer-defends-private-deposition-hunter-biden-vows-release-transcript-hold-public-hearing).

¹⁰ Oversight Committee Democrats (@OversightDems), X (Nov. 29, 2023) (online at <https://twitter.com/OversightDems/status/1729900528950522250?s=20>): Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability, to Chairman James Comer, Committee on Oversight and Accountability (Jul. 28, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-07-28.JBR%20to%20Comer%20re%20FBI%20SSA%20Transcript.pdf>).

¹¹ Transcript of Devon Archer testimony doesn’t back key claims about Joe and Hunter Biden, Politifact (Jul. 31, 2023) (online at www.politifact.com/article/2023/aug/04/transcript-of-devon-archer-testimony-doesnt-back-k/); *Republicans Oversell Archer’s Testimony About Hunter and Joe Biden*, FactCheck.org (Aug. 14, 2023) (online at www.factcheck.org/2023/08/republicans-oversell-archers-testimony-about-hunter-and-joe-biden/).

¹² James Comer Skipped His Panel’s Big Biden Probe Interview with Devon Archer, Daily Beast (Aug. 2, 2023) (online at www.thedailybeast.com/james-comer-skipped-his-panels-big-biden-probe-interview-with-devon-archer).

- Chairman Comer denied that his own Committee interviewed Eric Schwerin, Hunter Biden’s former business associate and then-Vice President Biden’s financial adviser, despite Mr. Schwerin’s attorney’s confirmation.¹³ Mr. Schwerin, who had access to then-Vice President Biden’s bank records from 2009 to 2017, stated that he was not aware of any involvement by Joe Biden in the financial conduct of his relatives’ businesses, much less any transactions into or out of the then-Vice President Biden’s bank account related to business conducted by any Biden family member.
- Chairman Comer characterized a fugitive from justice—who was charged with multiple felonies, including operating as an unregistered foreign agent advancing the interests of the People’s Republic of China—as a “very credible witness.”¹⁴
- House Judiciary Chairman Jim Jordan has repeatedly stated that the “key” allegation in Republicans’ investigation is the already-debunked Ukraine-Burisma falsity, a conspiracy theory long-peddled by former President Trump, Rudy Giuliani, and U.S.-sanctioned Russian agents.¹⁵ This wild and nonsensical theory has been repeatedly and thoroughly debunked, including in the congressional testimony of State Department officials who served in the Trump Administration.¹⁶ Chairman Comer has also dishonestly and repeatedly suggested that then-Vice President Biden had the prosecutor of Ukraine fired as part of a bribery scheme.¹⁷

¹³ *House Republicans Downplay Meeting with Key Biden Aide*, Huffington Post (Sept. 19, 2023) (online at www.huffpost.com/entry/eric-schwerin-oversight-committee-joe-biden_n_65098430e4b0d98f39e80e1d).

¹⁴ Letter from Ranking Member Jamie Raskin and Rep. Dan Goldman, Committee on Oversight and Accountability, to Chairman James Comer, Committee on Oversight and Accountability (July 11, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-07-11.JBR%20Goldman%20to%20Comer%20re%20Luft.pdf>); Rep. James Comer (@RepJamesComer), X (July 7, 2023) (online at <https://twitter.com/RepJamesComer/status/1677414170411560962?s=20>).

¹⁵ *House GOP Eyeing Bribery, Abuse of Power for Impeachment Articles Against Biden Based on Debunked Ukraine Conspiracy Theories*, CNN (Dec. 4, 2023) (online at <https://www.cnn.com/2023/12/04/politics/house-gop-biden-impeachment-inquiry/index.html>); *Trump’s Most Effective Inoculation Effort Centered on Russian Influence*, Washington Post (Nov. 14, 2023) (online at www.washingtonpost.com/politics/2023/11/14/trump-russia-giuliani-biden-ukraine/).

¹⁶ Minority Staff Memorandum to Interested Parties, *Fact Sheet: Mountain of Evidence Shows No Wrongdoing by President Biden*, Committee on Oversight and Accountability (Dec. 1, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/20231201%20Oversight%20Democrats%20Staff%20Memo%20on%20Impeachment%20Inquiry.pdf>).

¹⁷ Fox and Friends, Fox News (Mar. 31, 2023) (online at <https://video.snapstream.net/Play/8cJmJQ9KSgTul2622JTEza?accessToken=cr1lk3ctb7qf0>); Jesse Watters Primetime, Fox News (July 3, 2023) (online at www.foxnews.com/video/6330534582112); *My Fellow Republicans: One Disgraceful Impeachment Doesn’t Deserve Another*, Washington Post (Sept. 15, 2023) (online at www.washingtonpost.com/opinions/2023/09/15/congressman-ken-buck-biden-impeachment/); *Debunking 4 Viral Rumors About the Bidens and Ukraine*, New York Times (Oct. 29, 2019) (online at www.nytimes.com/2019/10/29/business/media/fact-check-biden-ukraine-burisma-china-hunter.html); Minority Staff Memorandum to Democratic Members, *Chairman Comer and Senator Grassley’s Decision to Publicly Release FBI Form FD-1023*, Committee on Oversight and Accountability, (July 24, 2023) (online at

- Chairman Comer claimed that the National Archives and Records Administration (NARA) failed to turn over records to the Committee when NARA was actively cooperating with the Committee’s request.¹⁸ NARA has released more than 62,000 pages of records to the Committee, in addition to the more than 20,000 pages of emails related to Hunter Biden that are publicly available.
- Chairman Comer incorrectly asserted that suspicious activity reports, which he routinely mischaracterized as “bank violations,” implicate President Biden in wrongdoing, when they do not.¹⁹

Ranking Member Raskin has sent Chairman Comer more than 12 letters registering his objection to the Chairman’s continued distortion of key facts in this investigation, including false statements about the process, misleading descriptions of witness testimony, and completely deceptive statements to the American people about the findings of his probe.²⁰ Chairman Comer neither replied to any of these letters nor corrected any of his prior false statements.

https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-07-24.Dem%20Memo%20re%20Comer%20Grassley%20Letter%20FD-1023_.pdf).

¹⁸ *Rep. Comer to Newsmax: Impeachment Inquiry Vote Possible Mid-Sept.*, NewsMax (Sept. 7, 2023) (online at www.newsmax.com/Politics/newsmax-tv-biden-impeachment-inquiry/2023/09/07/id/1133671/); Committee on Oversight and Accountability Democrats (@OversightDems), X (Sept. 8, 2023) (online at <https://x.com/OversightDems/status/1700178556175692271?s=20>).

¹⁹ The Faulkner Focus, Fox News (Apr. 21, 2023) (online at www.foxnews.com/video/6325510578112); Chairman James Comer (@RepJamesComer), X (Apr. 16, 2023) (online at <https://twitter.com/jamescomer/status/1647645180260958211?s=46>); Minority Staff Memorandum to Democratic Members, Committee on Oversight and Accountability, Chairman Comer’s Misuse and Distortion of Confidential Bank Information (May 10, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023.05.10%20Memo%20to%20Members%20re%20Misuse%20and%20Distortion%20of%20Confidential%20Bank%20Information%20FINAL.pdf>); Comer Releases Biden Family Probe Update Without Showing Link to President, Politico (May 10, 2023) (online at www.politico.com/news/2023/05/10/james-comer-biden-probe-00096067).

²⁰ Letter from Ranking Member Jamie Raskin, Committee on Oversight and Accountability, to Chairman James Comer, Committee on Oversight and Accountability (Oct. 30, 2023) (online at <https://oversightdemocrats.house.gov/sites/democrats.oversight.house.gov/files/2023-10-30.JBR%20to%20Comer%20re%20Biden.pdf>).