

**AMENDMENT TO THE AMENDMENT IN THE NATURE OF A  
SUBSTITUTE TO THE COMMITTEE REPORT FOR THE RESOLUTION  
RECOMMENDING THAT THE HOUSE OF REPRESENTATIVES FIND  
ROBERT HUNTER BIDEN IN CONTEMPT OF CONGRESS FOR  
REFUSAL TO COMPLY WITH A SUBPOENA DULY ISSUED BY THE  
COMMITTEE ON THE JUDICIARY**

Offered by Mr. Ivey of Maryland.

**On page 7, STRIKE the sentence beginning “Willfully ignoring the Committee’s subpoena” and replace with:**

Chairman Comer repeatedly invited Robert Hunter Biden to testify before the Committee on Oversight. On September 13, 2023, Chairman Comer invited Hunter Biden to testify publicly, stating “Hunter Biden is more than welcome to come in front of the committee...he's invited today. We will drop everything.”<sup>1</sup> On October 31, 2023, Chairman Comer again invited Mr. Biden to testify in public, saying “We're in the downhill phase of this investigation now because we have so many documents, and we can bring these people in for depositions or committee hearings, whichever they choose.”<sup>2</sup> Yet again on November 8, 2023, Chairman Comer, along with Chairman Jordan, replied to Mr. Biden’s attorney, stating “Given your client's willingness to address this investigation publicly up to this point, we would expect him to be willing to testify before Congress.”<sup>3</sup>

In a November 28, 2023 letter from his attorney, Hunter Biden accepted Chairman Comer’s invitation to offer sworn public testimony. However, Chairman Comer ultimately changed the terms of this offer and demanded that Mr. Biden testify behind closed doors. Mr. Biden expressed significant concern with the risk that providing closed-door testimony would result in “selective leaks, manipulated transcripts, doctored exhibits, or one-sided press statements” that would unfairly represent the content of his testimony.

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<sup>1</sup> *Wake Up America on NEWSMAX at 1:25:00* (September 13, 2023).

<sup>2</sup> *The Benny Johnson Show at 50:29*, (October 31, 2023).

<sup>3</sup> Oversight and Judiciary Committees Letter from Chairmen James Comer and Jim Jordan to Abbe D. Lowell, Esq., at 6 (November 8, 2023).

Mr. Biden's concerns are well-founded. In the 118<sup>th</sup> Congress, the Judiciary Committee has conducted 90 transcribed interviews and/or depositions. To date, Chairman Jordan has publicly released only one transcript. While Committee Republicans claim that they cannot publicly release transcripts while an investigation is ongoing, in fact, the sole transcript released by this Committee did concern an investigation that remains ongoing. In addition, in multiple instances, Committee Republicans have provided transcripts to select journalists, including to John Solomon, who has been named as President Trump's representative before the National Archives. This selected release of material supports Mr. Biden's concern that his testimony may be inaccurately manipulated or selectively leaked if he testifies behind closed doors.

In addition, Judiciary Committee Republicans have videotaped the vast majority of transcribed interviews and depositions taken in this Congress. They have declined to make these videos available to either the Ranking Member or to the witnesses themselves and refused to commit to making any video of Mr. Biden's deposition so available, raising further concerns about the possible release of manipulated or inaccurate video exhibits.