

**Congress of the United States**  
Washington, DC 20515

February 20, 2024

The Honorable Merrick B. Garland  
Attorney General  
U.S. Department of Justice  
950 Pennsylvania Avenue, N.W.  
Washington, DC 20530

Dear Attorney General Garland:

The House Committee on Oversight and Accountability (Oversight Committee) and the House Committee on the Judiciary (Judiciary Committee, and with the Oversight Committee, the Committees) are investigating whether sufficient grounds exist to draft articles of impeachment against President Biden for consideration by the full House.<sup>1</sup> Along with the House Ways and Means Committee Chairman Jason Smith, we set forth in a September 27, 2023, memorandum the evidence justifying the inquiry and the scope of this impeachment investigation.<sup>2</sup> On December 13, 2023, the House of Representatives directed the Committees to continue this investigation.<sup>3</sup> As part of the ongoing impeachment inquiry, the Committees have determined that there is a particular need to obtain certain materials the Department of Justice (DOJ) obtained during its investigation of Chi Ping “Patrick” Ho—a close business associate of Hunter Biden.

On December 5, 2018, Mr. Ho was convicted in the U.S. District Court for the Southern District of New York of Foreign Corrupt Practices Act violations, money laundering, and conspiracy for paying millions of dollars in bribes to top government officials in Chad and Uganda to secure oil rights for CEFC China Energy (CEFC).<sup>4</sup> At the time, Mr. Ho was the head of a U.S.-based non-governmental organization funded by CEFC.<sup>5</sup> On March 25, 2019, the federal court sentenced Mr. Ho to three years in prison and fined him \$400,000.<sup>6</sup> On June 8,

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<sup>1</sup> See H.R. Res. 918, 118th Cong. (2023); 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].

<sup>2</sup> Impeachment Inquiry Memorandum, *supra* note 1.

<sup>3</sup> See H.R. Res. 918, 118th Cong. (2023).

<sup>4</sup> Press Release, U.S. Dep’t of Just., Patrick Ho, Former Head Of Organization Backed By Chinese Energy Conglomerate, Convicted Of International Bribery, Money Laundering Offenses (Dec. 5, 2018).

<sup>5</sup> *Id.* See also Miranda Devine, Opinion, *Hunter Biden used FBI mole named ‘One-Eye’ to tip him off to China probes: tipster*, N.Y. POST (Mar. 22, 2023) (describing Ho’s organization as “a front organization for . . . CEFC”).

<sup>6</sup> Press Release, U.S. Dep’t of Just., Patrick Ho, Former Head Of Organization Backed By Chinese Energy Conglomerate, Sentenced To 3 Years In Prison For International Bribery And Money Laundering Offenses (Mar. 25, 2019).

2020, Mr. Ho was released from prison and deported to Hong Kong.<sup>7</sup> The last activity in Mr. Ho's case appears to have occurred on June 28, 2021, when the U.S. Supreme Court declined Mr. Ho's request to hear his appeal.<sup>8</sup>

Information obtained by the Committees indicate that prosecutors sought to keep the Biden name out of Mr. Ho's trial. First, as the Oversight Committee previously noted, prosecutors in Mr. Ho's case seemingly redacted Hunter Biden's name from evidence used at trial.<sup>9</sup> During Mr. Ho's trial, former president of the United Nations General Assembly Vuk Jeremic testified that following his term as president, he worked as a consultant for CEFC, which involved "opening doors" for CEFC by "introducing company executives to the business or political leadership of various countries."<sup>10</sup> As part of this work, in December 2015, Mr. Jeremic "attempted to introduce Chairman Ye and CEFC to Hunter Biden and his associates."<sup>11</sup> During the trial, a prosecutor requested that the judge redact from an email between Ho and Jeremic that DOJ intended to introduce into evidence the name of "an individual that Mr. Jeremic was willing to bring to a dinner with the chairman Mr. Ye."<sup>12</sup> Specifically, the prosecutor argued that not redacting the name of that individual "could introduce a political dimension to this case that [prosecutors] don't think is worth dealing with."<sup>13</sup> The judge sustained the redaction.<sup>14</sup> Other communications and documents obtained by the Committees strongly suggest that the individual in question was Hunter Biden.<sup>15</sup>

In the years immediately preceding Mr. Ho's trial and during his trial, Hunter Biden was closely connected to both Mr. Ho and CEFC.<sup>16</sup> Mr. Biden's business relationship with CEFC is lengthy and well-documented, and resulted in Mr. Biden receiving millions of dollars without providing an identifiable product or service.<sup>17</sup> Additionally, Mr. Ho paid Hunter Biden \$1 million to serve as his legal counsel, though it is not clear what work Mr. Biden actually performed—especially since Mr. Biden is not a licensed attorney in New York—aside from

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<sup>7</sup> *Hong Kong businessman ends prison sentence in bribery scheme*, ASSOCIATED PRESS NEWS (June 9, 2020).

<sup>8</sup> *United States v. Ho*, 984 F.3d 191 (2d Cir. 2020), *cert. denied*, 141 S. Ct. 2862 (2021).

<sup>9</sup> Letter from Rep. James Comer, Chairman, H. Comm. on Oversight & Accountability, to Vuk Jeremic (Feb. 21, 2023).

<sup>10</sup> Transcript of Record at 90, 95, *United States v. Ho*, No. 1:17-cr-00779-LAP (S.D.N.Y. Nov. 27, 2018), ECF No. 204.

<sup>11</sup> Letter from Rep. James Comer, Chairman, H. Comm. on Oversight & Accountability, to Vuk Jeremic (Feb. 21, 2023).

<sup>12</sup> Transcript of Record at 125, *United States v. Ho*, No. 1:17-cr-00779-LAP (S.D.N.Y. Nov. 27, 2018), ECF No. 204.

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* at 132.

<sup>15</sup> See Letter from Rep. James Comer, Chairman, H. Comm. on Oversight & Accountability, to Vuk Jeremic (Feb. 21, 2023).

<sup>16</sup> See generally Memorandum from Majority Staff, H. Comm. on Oversight & Accountability, to Majority Members, H. Comm. on Oversight & Accountability, at 19-30 (May 10, 2023); Memorandum from the Heritage Foundation Oversight Project, to the Public (Sept. 13, 2023).

<sup>17</sup> See generally Memorandum from Majority Staff, H. Comm. on Oversight & Accountability, to Majority Members, H. Comm. on Oversight & Accountability, at 19-30 (May 10, 2023); MAJORITY STAFF OF S. COMM. ON FIN. & S. COMM. ON HOMELAND SEC. & GOVERNMENTAL AFFS., 116TH CONG., HUNTER BIDEN, BURISMA, AND CORRUPTION: THE IMPACT ON U.S. GOVERNMENT POLICY AND RELATED CONCERNS, at 71-84 (2020).

hiring another law firm to represent Mr. Ho.<sup>18</sup> Mr. Biden reportedly agreed to represent Mr. Ho after CEFC Chairman Ye Jianming expressed “concern that U.S. law-enforcement agencies were investigating one of his associates, Patrick Ho.”<sup>19</sup> Additionally, Mr. Ho’s criminal activity was conducted as part of China’s Belt and Road Initiative.<sup>20</sup> An alleged infrastructure development program, the Belt and Road Initiative has “the ultimate goal of advancing Chinese global dominance,”<sup>21</sup> and represents a major threat to America’s national security.<sup>22</sup> Concerningly, despite this threat, evidence suggests that CEFC was paying Mr. Biden and James Biden for “use of the Biden name to promote China’s Belt and Road Initiative around the world[.]”<sup>23</sup>

Of particular relevance to the Committees is the fact that President Biden was at least aware of, if not directly involved in, his family’s influence peddling.<sup>24</sup> Most notably, the Oversight Committee obtained bank records showing that President Biden received a \$40,000 check from his sister-in-law Sara Biden purportedly for a “loan repayment.”<sup>25</sup> This payment was funded by a Chinese company closely affiliated with CEFC as part of a joint business venture between the Biden family and CEFC.<sup>26</sup>

Further, the Committees have obtained numerous communications and documents contradicting the White House’s claim that Mr. Biden’s foreign business entanglements “don’t involve the president.”<sup>27</sup> For instance, on May 13, 2017, James Gilliar, one of Mr. Biden’s business associates, emailed Mr. Biden and two other business associates, Tony Bobulinski and Rob Walker, about an equity split in a joint business venture with CEFC, which would include

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<sup>18</sup> Paul Sperry, *Feds’ Foreign-Corruption Double Standard: They Protected Bidens Even as They Bore Down on Trumpworld*, REAL CLEAR INVESTIGATIONS (Mar. 15, 2023).

<sup>19</sup> Adam Entous, *Will Hunter Biden Jeopardize His Father’s Campaign?*, NEW YORKER (July 1, 2019).

<sup>20</sup> James T. Areddy, *Bribery Trial Spotlights China’s ‘Belt and Road’*, WALL ST. J. (Nov. 23, 2018) (“Hundreds of pages of court filings paint a detailed, sometimes negative picture of Belt-and-Road deal making by Dr. Ho and the Shanghai company, CEFC China Energy Co. Ltd.”).

<sup>21</sup> John R. Bolton, Remarks by National Security Advisor Ambassador John R. Bolton on the Trump Administration’s New Africa Strategy, The White House (Dec. 13, 2018).

<sup>22</sup> See, e.g., Lt. Col. Daniel Lindley, *Assessing China’s Motives: How the Belt and Road Initiative Threatens US Interests*, 5 J. INDO-PAC. AFFS. 72, 72 (2022) (“[S]hould the Belt and Road Initiative achieve its planned vision, it is on the trajectory to challenge the national interests of the United States and its European and Indo-Pacific allies and partners.”); JENNIFER HILLMAN & DAVID SACKS, CHINA’S BELT AND ROAD: IMPLICATIONS FOR THE UNITED STATES, COUNCIL ON FOREIGN RELS., at 2 (2021) (“The Belt and Road Initiative . . . poses a significant challenge to U.S. economic, political, climate change, security, and global health interests.”); *China’s Belt and Road Initiative: Hearing Before the Subcomm. on Int’l Trade, Customs, & Glob. Competitiveness of the S. Comm. on Fin.*, 116th Cong., at 2 (2019) (statement of Chairman John Cornyn) (“But most concerning are the direct national security threats posed by Belt and Road.”); Interview by Rich Lowry with Michael R. Pompeo, Sec’y of State, U.S. Dep’t of State (Mar. 28, 2019) (stating that the U.S. is “working diligently to make sure everyone in the world understands th[e] threat” posed by China’s Belt and Road Initiative).

<sup>23</sup> Samuel Chamberlain & Miranda Devine, *‘Missing’ Biden corruption witness Dr. Gal Luft hit with federal charges*, N.Y. POST (last updated July 11, 2023).

<sup>24</sup> See Impeachment Inquiry Memo at 1.

<sup>25</sup> Memorandum from Majority Staff, H. Comm. on Oversight & Accountability, to Majority Members, H. Comm. on Oversight & Accountability, at 9 (Nov. 1, 2023).

<sup>26</sup> *Id.*

<sup>27</sup> David Cohen, *Biden ‘confident’ his son didn’t break the law, White House chief of staff says*, POLITICO (Apr. 3, 2022) (quoting then-White House chief of staff Ron Klain).

“10 held by H for the big guy?”<sup>28</sup> Bobulinski has publicly confirmed “the big guy” referred to President Biden.<sup>29</sup> On July 30, 2017, Hunter Biden messaged a CEFC associate, “I am sitting here with my father and we would like to understand why the commitment made has not been fulfilled. . . . [I]f I get a call or text from anyone involved in this other than [CEFC executives] 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.”<sup>30</sup> When the CEFC associate responded that he received the message, Hunter Biden reiterated that he was “sitting here waiting for the call with [his] father.”<sup>31</sup> On August 3, 2017, Hunter Biden told a CEFC associate that “[t]he Biden’s [*sic*] are the best I know at doing exactly what the Chairman wants from this partnership[.]”<sup>32</sup>

As such, the Committees are requesting that you provide us with (1) the unredacted email between Vuk Jeremic and Patrick Ho regarding “an individual that Mr. Jeremic was willing to bring to a dinner with the chairman Mr. Ye,”<sup>33</sup> and (2) the contents of Patrick Ho’s seized iPad.<sup>34</sup>

As discussed above, this material is directly relevant to the House’s impeachment inquiry. Congress’s authority to access information is broadest during an impeachment investigation,<sup>35</sup> a fact that even Presidents and other Executive Branch officials have traditionally recognized.<sup>36</sup> Indeed, conducting an impeachment inquiry based on anything less than all pertinent evidence would be an affront to the Constitution and irreparably damage public faith in the impeachment process.<sup>37</sup>

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<sup>28</sup> E-mail from James Gilliar to Tony Bobulinski et al. (May 13, 2017, 5:48 AM).

<sup>29</sup> Michael Goodwin, Opinion, *Hunter biz partner confirms email, details Joe Biden’s push to make millions from China*: Goodwin, N.Y. POST (Oct. 22, 2020).

<sup>30</sup> Transcribed Interview of Gary Shapley, Supervisory Special Agent, Internal Revenue Serv., Ex. 11 (May 26, 2023).

<sup>31</sup> *Id.*

<sup>32</sup> *Id.*

<sup>33</sup> Transcript of Record at 125, *United States v. Ho*, No. 1:17-cr-00779-LAP (S.D.N.Y. Nov. 27, 2018), ECF No. 204.

<sup>34</sup> See Letter from Rep. James Comer, Chairman, H. Comm. on Oversight & Accountability, to Vuk Jeremic (Feb. 21, 2023) (explaining that “DOJ likely possess additional evidence related to CEFC and Hunter Biden given the seizure of Patrick Ho’s iPad and email account(s) in November 2017.”).

<sup>35</sup> TODD GARVEY, CONG. RSCH. SERV., LSB11083, IMPEACHMENT INVESTIGATIONS, PART II: ACCESS, at 1 (2023) (“[T]here is reason to believe that invocation of the impeachment power could improve the committees’ legal claims of access to certain types of evidence relevant to the allegations of misconduct against President Biden.”). See also *In re Application of Comm. on Judiciary*, 414 F. Supp. 3d 129, 176 (D.D.C. 2019) (“[D]enying [the House Judiciary Committee] evidence relevant to an impeachment inquiry could pose constitutional problems.”), *aff’d*, 951 F.3d 589 (D.C. Cir. 2020), *vacated and remanded sub nom. on other grounds DOJ v. House Comm. on the Judiciary*, 142 S. Ct. 46 (2021); *In re Request for Access to Grand Jury Materials*, 833 F.2d 1438, 1445 (11th Cir. 1987) (concluding that “limit[ing] the investigatory power of the House in impeachment proceedings . . . would clearly violate separation of powers principles.”).

<sup>36</sup> See TODD GARVEY, CONG. RSCH. SERV., LSB11083, IMPEACHMENT INVESTIGATIONS, PART II: ACCESS, at 2 (2023) (“As a historical matter, all three branches have suggested that the House possesses a robust right of access to information when it is investigating for impeachment purposes.”); Jonathan David Schaub, *The Executive’s Privilege*, 70 DUKE L.J. 1, 87 (2020) (“[P]residents and others have recognized throughout the history of the country that their ability to withhold information from Congress disappears in the context of impeachment.”).

<sup>37</sup> See *In re Application of Comm. on Judiciary* at 176 (“In authorizing disclosure of grand jury material for use in impeachment investigations of judges and of a President, courts have found this interest in conducting a full and fair

The Honorable Merrick B. Garland

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Accordingly, please provide the requested material as soon as possible, but no later than 5:00 p.m. on March 5, 2024. Thank you for your prompt attention to this matter.

Sincerely,



Jim Jordan  
Chairman  
Committee on the Judiciary



James Comer  
Chairman  
Committee on Oversight and Accountability

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

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

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impeachment inquiry to be sufficiently particularized. . . . Impeachment based on anything less than all relevant evidence would compromise the public's faith in the process.”).