

RPTR WARREN

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CONSIDERATION OF DOCUMENTS PROTECTED
UNDER INTERNAL REVENUE CODE SECTION 6103

Wednesday, May 22, 2024

House of Representatives,
Committee on Ways and Means,
Washington, D.C.

The Committee met, pursuant to call, at 10:04 a.m., in Room 100, Longworth House Office Building, Hon. Jason Smith [Chairman of the Committee] presiding.

Chairman Smith. The Committee will come to order.

Mr. Smith, you are recognized for a motion.

Mr. Smith of Nebraska. Mr. Chairman, I ask unanimous consent that if the Committee votes to submit to the House any information, the entire transcript of today's executive session proceedings be made public upon completion of our meeting.

Chairman Smith. Without objection, so ordered.

Mr. Schweikert, you are recognized for a motion.

Mr. Schweikert. Mr. Chairman, given the sensitivities surrounding the confidential taxpayer information, pursuant to House Rule XI(2)(g)(1), I move that the Committee enter into closed executive session for consideration of the materials protected under Internal Revenue Code Section 6103.

Chairman Smith. The question is on entering into closed executive session for consideration of materials protected at Internal Revenue Code Section 6103.

The clerk will call the roll.

The Clerk. Mr. Buchanan?

[No response.]

The Clerk. Mr. Smith of Nebraska?

Mr. Smith of Nebraska. Yes.

The Clerk. Mr. Smith of Nebraska, yes.

Mr. Kelly?

Mr. Kelly. Yes.

The Clerk. Mr. Kelly, yes.

Mr. Schweikert?

Mr. Schweikert. Yes.

The Clerk. Mr. Schweikert, yes.

Mr. LaHood?

Mr. LaHood. Yes.

The Clerk. Mr. LaHood, yes.

Dr. Wenstrup?

[No response.]

The Clerk. Mr. Arrington?

Mr. Arrington. Yes.

The Clerk. Mr. Arrington, yes.

Dr. Ferguson?

Mr. Ferguson. Yes.

The Clerk. Dr. Ferguson, yes.

Mr. Estes?

Mr. Estes. Yes.

The Clerk. Mr. Estes, yes.

Mr. Smucker?

Mr. Smucker. Yes.

The Clerk. Mr. Smucker, yes.

Mr. Hern?

Mr. Hern. Yes.

The Clerk. Mr. Hern, yes.

Mrs. Miller?

Mrs. Miller. Yes.

The Clerk. Mrs. Miller, yes.

Dr. Murphy?

[No response.]

The Clerk. Mr. Kustoff?

Mr. Kustoff. Yes.

The Clerk. Mr. Kustoff, yes.

Mr. Fitzpatrick?

Mr. Fitzpatrick. Yes.

The Clerk. Mr. Fitzpatrick, yes.

Mr. Steube?

Mr. Steube. Yes.

The Clerk. Mr. Steube, yes.

Ms. Tenney?

Ms. Tenney. Yes.

The Clerk. Ms. Tenney, yes.

Mrs. Fischbach?

Mrs. Fischbach. Yes.

The Clerk. Mrs. Fischbach, yes.

Mr. Moore?

[No response.]

The Clerk. Mrs. Steel?

Mrs. Steel. Yes.

The Clerk. Mrs. Steel, yes.

Ms. Van Duyne?

Ms. Van Duyne. Yes.

The Clerk. Ms. Van Duyne, yes.

Mr. Feenstra?

Mr. Feenstra. Yes.

The Clerk. Mr. Feenstra, yes.

Ms. Malliotakis?

Ms. Malliotakis. Yes.

The Clerk. Ms. Malliotakis, yes.

Mr. Carey?

Mr. Carey. Yes.

The Clerk. Mr. Carey, yes.

Mr. Neal?

Mr. Neal. Yes.

The Clerk. Mr. Neal, yes.

Mr. Doggett?

Mr. Doggett. Yes.

The Clerk. Mr. Doggett, yes.

Mr. Thompson?

Mr. Thompson. Yes.

The Clerk. Mr. Thompson, yes.

Mr. Larson?

Mr. Larson. Yes.

The Clerk. Mr. Larson, yes.

Mr. Blumenauer?

[No response.]

The Clerk. Mr. Pascrell?

Mr. Pascrell. Yes.

The Clerk. Mr. Pascrell, yes.

Mr. Davis?

Mr. Davis. Yes.

The Clerk. Mr. Davis, yes.

Ms. Sanchez?

Ms. Sanchez. Aye.

The Clerk. Ms. Sanchez, yes.

Ms. Sewell?

Ms. Sewell. Aye.

The Clerk. Ms. Sewell, yes.

Ms. DelBene?

Ms. DelBene. Aye.

The Clerk. Ms. DelBene, yes.

Ms. Chu?

Ms. Chu. Aye.

The Clerk. Ms. Chu, yes.

Ms. Moore?

[No response.]

The Clerk. Mr. Kildee?

Mr. Kildee. Aye.

The Clerk. Mr. Kildee, yes.

Mr. Beyer?

Mr. Beyer. Aye.

The Clerk. Mr. Beyer, yes.

Mr. Evans?

[No response.]

The Clerk. Mr. Schneider?

Mr. Schneider. Yes.

The Clerk. Mr. Schneider, yes.

Mr. Panetta?

Mr. Panetta. Yes.

The Clerk. Mr. Panetta, yes.

Mr. Gomez?

[No response.]

The Clerk. Mr. Buchanan?

[No response.]

The Clerk. Dr. Wenstrup?

Mr. Wenstrup. Yes.

The Clerk. Dr. Wenstrup, yes.

Dr. Murphy?

[No response.]

The Clerk. Mr. Moore?

[No response.]

The Clerk. Mr. Blumenauer?

[No response.]

The Clerk. Ms. Moore?

[No response.]

The Clerk. Mr. Evans?

[No response.]

The Clerk. Mr. Gomez?

[No response.]

The Clerk. Chairman Smith?

Chairman Smith. Yes.

The Clerk. Chairman Smith, yes.

Chairman Smith. The clerk will report the vote.

The Clerk. The yeses are 36. The noes are zero.

Chairman Smith. There being 36 yeses and zero noes, the motion is agreed to.

At this point I ask that all members of the public, press, Member office staff, and non-designated Committee staff leave the room so we can enter into closed executive session.

The Committee is now in executive session.

And under House Rule XI, clause (2)(k)(7), evidence taken in executive session may not be released or used in public sessions without authorization of the Committee.

We are in executive session because the matters and materials under discussion contain confidential taxpayer information protected by Section 6103 of the Internal Revenue Code.

Pursuant to Section 6103 (f)(4)(a), as Chairman, I have designated the Members and staff in this room as my

agents for the duration of this executive session.

At this point designated staff will distribute the materials under consideration.

For months, IRS whistleblowers have provided evidence to this Committee that gives us insight into a long-running Biden family influence-peddling scheme.

From whistleblower-provided evidence, we know Hunter Biden and his business associates made millions from selling access to Joe Biden and, quote, "the brand." That is Joe Biden around the world.

We know President Biden's denials of any knowledge or involvement are not true. We know the Department of Justice tried to undermine, stonewall, and block the investigation into the Biden family, including President Biden.

Hunter Biden's deposition is key to understanding the attempts to conceal how the family made millions from selling access. Yet new documents provided by the whistleblowers show that Hunter Biden repeatedly lied to Congress in his February deposition to distance his involvement in what should be considered a clear scheme to enrich the Biden family.

First, Hunter Biden lied about the recipient of a WhatsApp message sent with the apparent intention to threaten a business associate and demand payment.

In the message, Hunter Biden twice mentioned he was

with his father. In the deposition, Hunter Biden sought to dismiss the message, claiming that he was either, quote, "high or drunk" when he sent it, and in that state had sent it to the wrong Zhao, and not actually the one affiliated with the Chinese energy company, CEFC.

Hunter Biden claimed under oath that the recipient, quote, "had no understanding, or even remotely knew what I was even talking about."

However, phone records in front of the committee today show Hunter Biden sent the message to the correct Chinese businessman by the name of Raymond Zhao who not only was affiliated with CEFC, but knew exactly what Hunter Biden was talking about.

For several months, the pair messaged back and forth on the same phone numbers and ultimately an affiliate of CEFC, Raymond Zhao, Zhao's company, sent \$5 million to Hunter Biden and his associates just days after Hunter Biden's threatened message.

These documents made clear that Hunter Biden was using his father's name to shake down a Chinese businessman, and it worked. And when confronted by congressional investigators about it, he lied.

Second, Hunter Biden lied when he claimed he was not the corporate secretary of Rosemont Seneca Bohai, and that the shell company he established with Devon Archer and its

associated bank accounts were not under his control, nor affiliated with him.

The truth is in his own handwriting, and it is in front of our Committee today on an official Rosemont Seneca Bohai document, accepting yet another foreign payment.

Hunter Biden wrote, quote, "I, Robert Hunter Biden, hereby certify that I am the duly elected, qualified, and acting secretary of Rosemont Seneca Bohai, LLC."

The Committee has also obtained evidence that shows Hunter Biden was, in fact, the beneficial owner of the bank account in the name of Rosemont Seneca Bohai.

Third, Hunter Biden lied during his deposition when he said he never helped individuals obtain U.S. visas.

The whistleblowers have provided an email to the committee between Devon Archer, Hunter Biden, and Ukrainian associates in which Archer stated, quote, "Hunter is checking with Miguel Aleman to see if he can provide cover to Kola on the visa," Kola being the CEO of Burisma, Mykola Zlochevsky, and whose, the email also indicates, U.S. visa was revoked as there was concern about his foreign travel.

These documents also confirm again that the IRS whistleblowers have been telling the truth all along and include another example of the Department of Justice putting up roadblocks in this investigation.

For example, included in the materials before us are

documents showing that previously released summaries from investigators, prior exhibits 300 and 301, were accurate.

In 2021, Assistant U.S. District Attorney Lesley Wolf told investigators they could not pursue Hollywood lawyer Kevin Morris as a witness based on information she received from the CIA. Investigators were never provided the same information that AUSA Wolf received and additional context regarding Hunter Biden's involvement with CFC.

The evidence under consideration today confirms once again that the IRS whistleblowers are the only witnesses in this investigation who can be trusted to tell the truth. Congress cannot allow our oversight responsibilities to be undermined by lies told by anyone including the President's son.

Hunter Biden, despite what he may believe, he is not above the law. Everyone present today knows that lying to Congress is a serious offense. We are here today to consider this evidence to ensure equal application of the law and to protect the integrity of this and future congressional investigations.

I hope all my colleagues will vote to release these documents that show, yet again, the IRS whistleblowers are telling the truth and Hunter Biden is not.

Without objection, I will enter the publicly available transcript of Hunter Biden's February 28, 2024, deposition

transcript into the record.

Without objection, so ordered.

[Committee insert located at end of transcript]

Thank you.

And I now recognize the Ranking Member Neal for his opening statement.

[The information follows at the end of the transcript:]

Mr. Neal. Mr. Chairman, let me start off by sending our well wishes to our own Dr. Murphy, praying that his surgery is a success, and that he's back on this dais in no time. In the meantime, we will be keeping him in our prayers, and in our thoughts, along with his family. He is a part of the Ways and Means family.

I want to wish Sean Clerget today a happy anniversary. It is his fifth year, I believe.

And, Sean, I want to tell you. It is likely the last thing we are going to agree on this morning.

To the topic at hand, you know how I feel about this and for details to emerge from the press last night demeans this Committee. It is the most serious matter that our Committee is entrusted with, and it is another stain on this work.

Republicans have embraced a sham impeachment inquiry. It ought to be over, and everyone knows it, including many Members of the Republican Conference.

Conservative pundits and allies alike have agreed that this inquiry is at a "dead end," that it is "falling flat," which has unveiled "zero evidence of high crimes and misdemeanors."

After months of wasting time and thousands of taxpayer dollars, Republicans have convened yet another executive session. There is no legislative purpose to any of this. No dots have been connected, nothing new has been unveiled, and the Committee still hasn't been transformed into a law enforcement entity.

You haven't succeeded in even embarrassing the President. And, by the way, nobody at home is talking about impeaching Joe Biden.

This endeavor has showed just how far the Majority will go in pursuit of political gain by weaponizing the power of this Committee. As Jerry Seinfeld would have said, it is all about nothing.

We are in the fourth executive session, and we anticipate it will be the final. The Majority has already lost the plot line, and the Committee's involvement should come to an end.

The incoming affidavits from the whistleblowers state that the documents that were provided to the Committee "as requested by staff [of the] relevant U.S. Committees." Let me point out, for the record, my staff certainly did not

request these documents. For the life of me, we cannot understand the purpose that the Majority was imagining and why we would come again to this moment.

Their obsession with one private citizen who has never held public office is wrong. And it is not within the long-standing tradition and norms of this, the most prestigious, Committee in Congress. The Committee has wasted countless hours on a fishing expedition, going absolutely nowhere fast.

The Majority has reached a dead end. It is time to recognize that. Our colleagues on the other side of the aisle, I hope, recognize this morning's effort make no sense and we should get back to the work that we were elected to do.

With that, let me yield back the balance of our time.

Chairman Smith. The Committee will now proceed to consideration of the documents before you, which include three affidavits from Joseph Ziegler, with attachments, and one affidavit from Gary Shapley with an attachment.

The materials have been available for member review in the Committee office since 10:00 a.m. on May 20, and members have been designated since May 16.

I will now turn to Sean Clerget, Chief Oversight Counsel, to provide a brief description of the materials for consideration.

I would ask that members hold their questions until after his presentation.

Mr. Clerget, you are recognized.

Mr. Clerget. Chairman Smith, Ranking Member Neal, members of the Committee, the documents Chairman Smith is presenting today contain information related to Internal Revenue Code 26 U.S.C. Section 6103.

Section 6103 makes tax returns and return information confidential, subject to specific authorizations or exceptions in the statute.

The statute anticipates and allows for whistleblowers to come forward and share information with Congress under Section 6103(f)(5) if the whistleblower "has or had" access to return or return information, and believes such return or return information may relate to possible misconduct, maladministration, or taxpayer abuse.

Specifically, the statute permits a person with access to returns or return information to disclose such information to the Committee on Ways and Means or any person designated by the Chairman to receive such information.

Our taxpayer privacy laws also allow a process by which this Committee can receive information, consider it, and submit it to the House of Representatives, thereby putting it into the public domain consistent with House rule XXI, clause (2)(k)(7).

That process has been used several times in the Committee's history, including five times in the past 5 years. Those include executive sessions in 2019, late 2022, and three times in 2023.

As you recall, this process began when counsel for Gary Shapley sent the chairs and ranking members of several committees a letter on April 19, 2023. That letter outlined at a high level the nature of information Mr. Shapley wished to share with the Committee.

Majority and minority Committee staff received an attorney proffer from Mr. Shapley's legal counsel, and then scheduled a voluntary interview with Mr. Shapley.

Mr. Shapley was removed from the case on May 15, 2023, along with the rest of the IRS team. After that removal, Special Agent Joseph Ziegler came forward to share information with the Committee.

On May 26, 2023, and June 1, 2023, Committee staff conducted voluntary transcribed interviews of Mr. Shapley and Mr. Ziegler. Each interview lasted for approximately 7 hours and included information protected by Section 6103.

The Committee held three executive sessions in 2023 related to this matter.

On June 22, 2023, the Committee voted to submit the interview transcripts, other documents and the transcript of the proceeding to the full House.

On September 27, 2023, the Committee voted to submit additional documents provided by Mr. Ziegler and Mr. Shapley to the full House, along with the transcript of the proceedings.

On December 5, 2023, the Committee voted to submit additional materials provided by Mr. Ziegler to the full House, along with the transcript of the proceedings.

On March 12, 2024, Mr. Ziegler provided additional materials to the Committee after reviewing the publicly released transcript of Hunter Biden's February 28, 2024, deposition.

In the document before you titled affidavit 8, Mr. Ziegler writes, quote, "The following exhibits are in response to admissions and claims against Gary Shapley and I made by RHB and his counsel during RHB's most recent congressional testimony on February 28, 2024," end quote.

RHB here is Robert Hunter Biden.

A similar statement appears in Mr. Ziegler's affidavit 9.

Additionally, on May 14, 2024, Mr. Ziegler and Mr. Shapley each provided the Committee with additional materials. All of these materials were provided to majority and minority staff at the same time.

Chairman Smith is presenting selected materials for the Committee's consideration from Mr. Ziegler's and

Mr. Shapley's disclosures. Those documents include affidavit 8 from Mr. Ziegler with attachments. The attachments include the original WhatsApp and WeChat message files, many of which support the summary document previously released by the Committee as exhibit 300.

Affidavit 9 from Mr. Ziegler with attachments, affidavit 9 was accompanied by 16 documents that include emails, their attachments, a calendar invitation, and an IRS memorandum of interview.

There is an affidavit 10 from Mr. Ziegler and an affidavit from Mr. Shapley with a single attachment. The single attachment is an email chain regarding Mr. Shapley's effort to obtain a briefing related to Mr. Kevin Morris that he never received.

Some of the documents produced to the Committee contained redactions when the Committee received them. The Committee's majority and minority staff reviewed the materials, and minority staff had the opportunity to propose additional redactions or suggest additions to the materials for consideration.

The Committee made minimal additional redactions to the materials including phone numbers, email addresses, and account numbers.

That concludes my overview. Thank you, and I am happy to take your questions.

Chairman Smith. Thank you.

Are there any technical questions for Mr. Clerget?

Mr. Panetta.

Mr. Panetta. Thank you. Thank you, Mr. Chairman.

First and foremost, obviously, I echo the comments of the Ranking Member.

Sean, I don't necessarily want to talk about the evidence. I want to talk about kind of the process and literally kind of, like, how we got here, because I firmly believe that there are many Members, to be frank, on both sides of this dais that feel that this whole issue is really beneath this Committee. This is not why we joined the Ways and Means Committee.

And so, I just kind of want to know, why is this here, to be frank. And so, let's kind of drill down on that.

Obviously in paragraph 3 of affidavit 8, affidavit 9, and affidavit 10, your whistleblower states that he is submitting materials, and I quote, "as requested by staff with the relevant U.S. House committees," correct?

Mr. Clerget. I see that, yes.

Mr. Panetta. Thanks.

Now those "relevant committees" are Oversight, correct?

Mr. Clerget. Yes.

Mr. Panetta. Judiciary, correct?

Mr. Clerget. Yes.

Mr. Panetta. And then the Ways and Means Committee?

Mr. Clerget. I assume that is the committees he is referring to.

Mr. Panetta. Okay. You assume or you know?

Mr. Clerget. That is my understanding of his statement.

Mr. Panetta. Okay. And that understanding is based on your conversations with him?

Mr. Clerget. No.

Mr. Panetta. What is that understanding based on?

Mr. Clerget. Reading the affidavit.

Mr. Panetta. Okay. And that is it.

That is a yes?

Mr. Clerget. Yes.

Mr. Panetta. Okay. Thanks.

Now I can tell you, Sean, the Democratic staff of each of those Committees made no requests of your whistleblowers. So, the request based on my understanding must have come from the Majority staff on those relevant committees, correct?

Mr. Clerget. I don't know.

Mr. Panetta. Okay. Fair enough.

Do you know whether or not your Ways and Means staff requested this material?

Mr. Clerget. I am not aware of any Ways and Means

staff requesting that material.

Mr. Panetta. Do you know whether or not the Majority staff on the Oversight Committee made the request for this material?

Mr. Clerget. I don't know.

Mr. Panetta. Do you know whether or not the Majority staff on the Judiciary Committee made the request for this material?

Mr. Clerget. I don't know.

Mr. Panetta. Now there are shared -- and what we see today -- there are shared Majority staff from other committees designated by the Chairman to receive this information, correct?

Mr. Clerget. Yes.

Mr. Panetta. And did Chairman Smith request or direct staff to request this information?

Mr. Clerget. No.

Mr. Panetta. And so, these affidavits here, though, what they are saying is that, as requested by staff of the relevant committees, that is correct, though, and that is true, right?

Mr. Clerget. That is what the document says.

Mr. Panetta. Right. But you don't know whether or not that is true?

Mr. Clerget. No. What I can tell you is that this

similar statement, the first several paragraphs are the same as previous affidavits he has submitted.

My recollection is that statement first appeared in affidavits after they testified at the Oversight Committee where Members asked them questions that they couldn't answer. So, that is my best understanding of what he is referring to here.

Mr. Panetta. Understood. But the fact is that he is still saying that it was requested by staff of any of these three committees, and that is to his best knowledge. That is the truth of what he is saying, correct?

Mr. Clerget. That is what the document says.

Mr. Panetta. So that is why we are at this position right now today, correct?

Mr. Clerget. The document speaks for itself.

Mr. Panetta. Thank you. Thanks, Sean.

I yield back.

Chairman Smith. Mr. Smith.

Mr. Smith of Nebraska. Mr. Clerget, why would you say there are large boxes of redactions on some of the exhibits from affidavit 8?

Mr. Clerget. Yes. So, the Committee received a series of messages that were numbered. Certain of those messages are presented for the Committee's consideration, you know, that the Committee considered relevant. So, any materials

in those large boxes were part of other messages. They ran from page to page to page.

And so, for example, in tab 6, there is a chat that begins with No. 62. There are redactions above. That was part of No. 61 which is not presented to the Committee for consideration.

Mr. Smith of Nebraska. Thank you.

Chairman Smith. Further technical questions?

Seeing none, we will move to strike the last word.

Does any Member wish to strike the last word?

Seeing none, does any Member have any amendments?

Seeing none, I now recognize Mr. Schweikert for a motion.

Mr. Schweikert. Mr. Chairman, I move that the Committee submit to the House of Representatives the materials under consideration today which are comprised of four affidavits and accompanying exhibits and the official markup transcript from this proceeding.

Chairman Smith. The Committee will return to open session to vote on the motion offered by the gentleman from Arizona.

Prior to opening the doors, all materials under consideration will be collected by designated staff.

The question is on the motion from the gentleman from Arizona to submit the aforementioned 6103 materials to the

House.

The clerk will call the roll.

The Clerk. Mr. Buchanan?

[No response.]

The Clerk. Mr. Smith of Nebraska?

Mr. Smith of Nebraska. Yes.

The Clerk. Mr. Smith of Nebraska, yes.

Mr. Kelly?

Mr. Kelly. Yes.

Mr. Kelly, yes.

The Clerk. Mr. Schweikert?

Mr. Schweikert. Yes.

The Clerk. Mr. Schweikert, yes.

Mr. LaHood?

Mr. LaHood. Yes.

The Clerk. Mr. LaHood, yes.

Dr. Wenstrup?

Mr. Wenstrup. Yes.

The Clerk. Dr. Wenstrup, yes.

Mr. Arrington?

Mr. Arrington. Yes.

The Clerk. Mr. Arrington, yes.

Dr. Ferguson?

Mr. Ferguson. Yes.

The Clerk. Dr. Ferguson, yes.

Mr. Estes?

Mr. Estes. Yes.

The Clerk. Mr. Estes, yes.

Mr. Smucker?

Mr. Smucker. Yes.

The Clerk. Mr. Smucker, yes.

Mr. Hern?

Mr. Hern. Yes.

The Clerk. Mr. Hern, yes.

Mrs. Miller?

Mrs. Miller. Yes.

The Clerk. Mrs. Miller, yes.

Dr. Murphy?

[No response.]

The Clerk. Mr. Kustoff?

Mr. Kustoff. Yes.

The Clerk. Mr. Kustoff, yes.

Mr. Fitzpatrick?

Mr. Fitzpatrick. Yes.

The Clerk. Mr. Fitzpatrick, yes.

Mr. Steube?

Mr. Steube. Yes.

The Clerk. Mr. Steube, yes.

Ms. Tenney?

Ms. Tenney. Yes.

The Clerk. Ms. Tenney, yes.

Mrs. Fischbach?

Mrs. Fischbach. Yes.

The Clerk. Mrs. Fischbach, yes.

Mr. Moore?

Mr. Moore of Utah. Aye.

The Clerk. Mr. Moore, yes.

Mrs. Steel?

Mrs. Steel. Yes.

The Clerk. Mrs. Steel, yes.

Ms. Van Duyne?

Ms. Van Duyne. Yes.

The Clerk. Ms. Van Duyne, yes.

Mr. Feenstra?

Mr. Feenstra. Yes.

The Clerk. Mr. Feenstra, yes.

Ms. Malliotakis?

Mr. Malliotakis. Yes.

The Clerk. Ms. Malliotakis, yes.

Mr. Carey?

Mr. Carey. Yes.

The Clerk. Mr. Carey, yes.

Mr. Neal?

Mr. Neal. No.

The Clerk. Mr. Neal, no.

Mr. Doggett?

Mr. Doggett. No.

The Clerk. Mr. Doggett, no.

Mr. Thompson?

Mr. Thompson. No.

The Clerk. Mr. Thompson, no.

Mr. Larson?

Mr. Larson. No.

The Clerk. Mr. Larson, no.

Mr. Blumenauer?

[No response.]

The Clerk. Mr. Pascrell?

Mr. Pascrell. No.

The Clerk. Mr. Pascrell, no.

Mr. Davis?

Mr. Davis. No.

The Clerk. Mr. Davis no.

Ms. Sanchez?

Ms. Sanchez. No.

The Clerk. Ms. Sanchez, no.

Ms. Sewell?

Ms. Sewell. No.

The Clerk. Ms. Sewell no.

Ms. DelBene?

Ms. DelBene. No.

The Clerk. Ms. DelBene, no.

Ms. Chu?

Ms. Chu. No.

The Clerk. Ms. Chu, no.

Ms. Moore?

[No response.]

The Clerk. Mr. Kildee?

Mr. Kildee. No.

The Clerk. Mr. Kildee, no.

Mr. Beyer?

Mr. Beyer. No.

The Clerk. Mr. Beyer, no.

Mr. Evans?

[No response.]

The Clerk. Mr. Schneider?

Mr. Schneider. No.

The Clerk. Mr. Schneider, no.

Mr. Panetta?

Mr. Panetta. No.

The Clerk. Mr. Panetta, no.

Mr. Gomez?

[No response.]

The Clerk. Mr. Buchanan?

[No response.]

The Clerk. Dr. Murphy?

[No response.]

The Clerk. Mr. Blumenauer?

[No response.]

The Clerk. Ms. Moore?

[No response.]

The Clerk. Mr. Evans?

[No response.]

The Clerk. Mr. Gomez?

[No response.]

The Clerk. Chairman Smith.

Chairman Smith. Yes.

The Clerk. Chairman Smith, yes.

Chairman Smith. The clerk will report the vote.

The Clerk. The yeses are 23. The noes are 14.

Chairman Smith. There being 23 yeses and 14 noes, the motion is agreed to, and the materials are submitted to the House of Representatives.

Without objection, Members have 2 additional days to file with the Committee clerk supplemental, additional, dissenting, or minority views.

There being no further business before the Committee, the Committee stands adjourned.

[Whereupon, at 10:45 a.m., the Committee was adjourned.]

Committee Insert

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5 COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY,

6 joint with the

7 COMMITTEE ON THE JUDICIARY

8 U.S. HOUSE OF REPRESENTATIVES,

9 WASHINGTON, D.C.

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14 DEPOSITION OF: ROBERT HUNTER BIDEN

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Wednesday, February 28, 2024

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Washington, D.C.

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23 The deposition in the above matter was held in room 6220, O'Neill House Office

24 Building, commencing at 10:00 a.m.

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2 Present from the Committee on Oversight and Accountability: Representatives
3 Comer, Jordan, Foxx, Grothman, Higgins, Biggs, Mace, Fallon, Donalds, Timmons, Greene,
4 Boebert, Fry, Langworthy, Burlison, Raskin, Connolly, Krishnamoorthi, Ocasio-Cortez,
5 Brown, Stansbury, Robert Garcia of California, Frost, Casar, Crockett, Goldman, and
6 Moskowitz.

7 Present from the Committee on the Judiciary: Representatives Issa, Gaetz,
8 Tiffany, Roy, Bishop, Spartz, Fitzgerald, Cline, Hageman, Lee, Armstrong, Nadler, Swalwell,
9 Escobar, Dean, and Ivey.

1 Appearances:

2

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4 For the COMMITTEE ON OVERSIGHT AND ACCOUNTABILITY:

5

6 [REDACTED], SENIOR COUNSEL

7 [REDACTED], COMMUNICATIONS DIRECTOR

8 [REDACTED], DEPUTY STAFF DIRECTOR

9 [REDACTED], COUNSEL

10 [REDACTED], CHIEF COUNSEL FOR INVESTIGATIONS

11 [REDACTED], GENERAL COUNSEL

12 [REDACTED], STAFF DIRECTOR

13 [REDACTED], COUNSEL

14 [REDACTED], DIRECTOR OF OPERATIONS

15 [REDACTED], MINORITY CHIEF COUNSEL

16 [REDACTED], MINORITY SENIOR COUNSEL

17 [REDACTED], MINORITY COUNSEL

18 [REDACTED], MINORITY GAO DETAILEE

19 [REDACTED], MINORITY COUNSEL

20 [REDACTED], MINORITY DIRECTOR FOR OVERSIGHT AND POLICY

21 [REDACTED], MINORITY PROFESSIONAL STAFF MEMBER

22 [REDACTED], MINORITY STAFF DIRECTOR

23 [REDACTED], MINORITY DEPUTY CHIEF OVERSIGHT COUNSEL

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For the COMMITTEE ON THE JUDICIARY:

- [REDACTED], CHIEF CLERK
- [REDACTED], GENERAL COUNSEL
- [REDACTED], COUNSEL
- [REDACTED], SENIOR PROFESSIONAL STAFF MEMBER
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- [REDACTED], MINORITY PROFESSIONAL STAFF MEMBER

For ROBERT HUNTER BIDEN:

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[REDACTED]. Good morning, everyone. We'll go on the record now.

This is a deposition of Mr. Robert Hunter Biden. Chairman Comer and Chairman Jordan have requested this deposition as part of the House's formal impeachment inquiry into President Biden as well as the committees' respective oversight responsibilities. The committees are investigating whether sufficient grounds exist to draft Articles of Impeachment against President Biden for consideration by the full House.

Mr. Biden's testimony today is relevant to that impeachment inquiry. In addition, today's testimony is relevant to the committees' ongoing efforts to consider legislative reforms to Federal ethics and financial disclosure laws. Specifically, the committees seek legislative initiatives that provide transparency when the President's or Vice President's family members engage in financial transactions with foreign nationals, foreign companies, or foreign governments.

On February 14, 2024, the House Oversight and Judiciary Committees reissued subpoenas for Mr. Biden to appear at the deposition today, on February 28th of 2024. We will now mark the February 14, 2024, subpoenas as exhibit No. 1, please.

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[Biden Exhibit No. 1
was marked for identification.]

[REDACTED]. On February 22, 2024, the committees noticed today's deposition.

We will now mark the February 22, 2024, notices as exhibit 2 to this deposition.

[Biden Exhibit No. 2
was marked for identification.]

[REDACTED]. Would the witness please state your name for the record.
Mr. Biden. Robert Hunter Biden.

[REDACTED]. Thank you, sir.
Could counsel for Mr. Biden please state your name for the record.

Mr. Lowell. Abbe Lowell, David Kolanksy, Bella Oishi from Winston & Strawn representing Mr. Biden.

[REDACTED]. Thank you very much.
My name is [REDACTED], and I am general counsel with Chairman Comer's staff.

I'll now have everyone else from the committees who are in the room introduce themselves as well. We have a number of people in the room. I think it would be best to probably start with the table, and then we can work our way around the back.

[REDACTED]: [REDACTED], Chairman Comer's staff.
[REDACTED]: [REDACTED], chief counsel for investigations, Chairman Comer staff.

Chairman Comer. James Comer.
[REDACTED]. I'm [REDACTED]. I'm a staffer with Mr. Jordan on the House

1 Judiciary Committee.

2 Mr. Jordan. Jim Jordan, Ohio-4.

3 [REDACTED]: [REDACTED], with Chairman Jordan's staff.

4 [REDACTED]: [REDACTED], with Ranking Member Nadler's staff on Judiciary.

5 Mr. Nadler. Jerry Nadler.

6 [REDACTED]: [REDACTED], with Ranking Member Nadler's staff on the Judiciary

7 Committee.

8 [REDACTED]: [REDACTED], House Oversight Committee, Ranking Member

9 Raskin's staff.

10 Mr. Raskin. Jamie Raskin, ranking member of the Oversight Committee.

11 [REDACTED]: [REDACTED], with Ranking Member Raskin.

12 [REDACTED]: We can go to the back now.

13 [REDACTED]: [REDACTED], Chairman Comer's staff.

14 [REDACTED]: [REDACTED], Chairman Comer's staff.

15 [REDACTED]: [REDACTED], Chairman Jordan's staff.

16 [REDACTED]: [REDACTED], Chairman Jordan's staff.

17 Mr. Tiffany. Tom Tiffany, Wisconsin-7.

18 Ms. Lee. Laurel Lee, Florida's 15th.

19 Mr. Issa. Darrell Issa, California.

20 Mr. Fallon. Pat Fallon, Texas-4.

21 Mr. Gaetz. Matt Gaetz, House Judiciary Committee.

22 Mr. Bishop. Dan Bishop, North Carolina-8.

23 Mr. Fry. Russell Fry, South Carolina.

24 Mr. Timmons. William Timmons, South Carolina-4.

25 Mr. Casar. Greg Casar, Texas-35.

1 Mr. Biggs. Andy Biggs, Arizona-5.

2 Mr. Langworthy. Nick Langworthy, New York-23.

3 Mr. Armstrong. Kelly Armstrong, North Dakota.

4 [REDACTED]: [REDACTED], Chairman Jordan's staff.

5 [REDACTED]: [REDACTED], Judiciary Democrats.

6 [REDACTED]: [REDACTED], Oversight minority.

7 Ms. Hageman. Harriet Hageman, State of Wyoming.

8 Mr. Roy. Chip Roy, Texas-21.

9 Mr. Swalwell. Eric Swalwell, California.

10 Ms. Stansbury. Congresswoman Melanie Stansbury, New Mexico-1.

11 Mr. Krishnamoorthi. Raja Krishnamoorthi, Illinois-8.

12 [REDACTED]: [REDACTED], Ranking Member Nadler's staff.

13 [REDACTED]: [REDACTED], Ranking Member Nadler's staff.

14 Mr. Goldman. Dan Goldman from New York.

15 Ms. Dean. Madeleine Dean from Pennsylvania, Judiciary.

16 [REDACTED]: [REDACTED], Oversight minority.

17 [REDACTED]: [REDACTED], Oversight minority.

18 [REDACTED]: [REDACTED], Oversight minority.

19 [REDACTED]: [REDACTED], Oversight minority.

20 [REDACTED] [REDACTED] House Oversight, Democratic staff.

21 [REDACTED]: [REDACTED], Oversight minority.

22 [REDACTED]: Thank you. I think that's everyone.

23 I will now review the ground rules and guidelines that we will follow during
24 today's deposition. The committees will conduct today's deposition in accordance with
25 the House's regulations for the use of deposition authority. This regulation is

1 incorporated verbatim into the rules for the Committee on Oversight and Accountability
2 at rule 15 and the Committee on the Judiciary with rule 11.

3 Our questioning will proceed in rounds. The majority will ask questions for
4 1 hour, and then the minority will have an opportunity to ask questions for an equal
5 period of time if they choose. There will be one staff counsel per side asking the
6 questions during each round. To the extent Members have questions for the witness,
7 they will be propounded during their side's respective rounds.

8 The clock will stop if the witness needs to confer with counsel when counsel for
9 the witness is speaking and when Members are speaking during the opposite side's
10 round. We will alternate back and forth until there are no more questions, and the
11 deposition is over. We ordinarily take a short break at the end of each hour, but if you
12 would like to take a break apart from that, please just let us know.

13 As you can see, there is an official reporter taking down everything we say to
14 make a written record, so we ask that you give verbal responses to all questions.

15 Mr. Biden, do you understand that?

16 Mr. Biden. I do.

17 [REDACTED]. So the court reporter can take down a clear record, please try
18 and speak clearly so the court reporter can understand and so the people at the end of
19 the table can hear you. It is important that we do not talk over one another or interrupt
20 each other if we can help it, and that goes for everybody present at today's deposition.

21 We want you to answer our questions in a complete and truthful manner. If you
22 do not understand one of our questions or need clarification about what we are seeking,
23 please let us know. If you do not know the answer to a question or do not remember,
24 please tell us what you do know and what you do remember. It is okay to tell us if you
25 learned information from someone else, just indicate how you came to know that

1 information.

2 If there are things you do not know or cannot remember, just say so, and please
3 inform us who, to the best of your knowledge, might be able to provide a more complete
4 answer to the question.

5 By law, you are required to answer the questions from Congress truthfully. Do
6 you understand that?

7 Mr. Biden. I do.

8 [REDACTED]. This also applies to questions posed by congressional staff in a
9 deposition. Do you understand that?

10 Mr. Biden. I do.

11 [REDACTED]. Witnesses who knowingly provide false testimony could be
12 subject to criminal prosecution for perjury. This includes, for example, stating that you
13 do not recall or remember something when in fact you do. Do you understand this?

14 Mr. Biden. I do.

15 [REDACTED]. Furthermore, you cannot tell half-truths or exclude information
16 necessary to make statements accurate. You are required to provide all information
17 that would make your response truthful. A deliberate failure to disclose information can
18 constitute a false statement. Do you understand this?

19 Mr. Biden. I do.

20 [REDACTED]. Is there any reason you are unable to provide truthful answers to
21 today's questions?

22 Mr. Biden. No.

23 [REDACTED]. The Federal rules of evidence, criminal and civil procedures, are
24 not applicable for today's deposition. Under the House deposition regulation, a witness'
25 attorneys may not instruct a witness to refuse to answer a question except to preserve a

1 privilege. The House recognizes constitutionally based privileges and not necessarily
2 those privileges derived from common law.

3 Finally, I will make note for the Members and staff that the contents of what we
4 discuss in the deposition today is confidential under the House deposition regulation.
5 Under the rules, the chairman and ranking minority member shall consult before any
6 release of testimony, transcripts, including portions thereof.

7 Mr. Swalwell. Hey, Chairman, about that, parliamentary inquiry, when are you
8 going to release this transcript?

9 [REDACTED]. I'm going to get to that in one moment, sir.

10 Mr. Swalwell. I'm asking the chairman, not you.

11 Chairman Comer, when are you going to release the transcript on this?

12 Chairman Comer. We're conducting the deposition.

13 Mr. Swalwell. Yeah, but you've got 91 of them buried and --

14 Chairman Comer. I don't care what your question is.

15 Mr. Nadler. Well, I care what his question is. When are you going to release
16 the transcript? There are 91 transcripts that haven't been released yet.

17 Chairman Comer. We will release the deposition -- the transcripts like we always
18 do when we agree to release the deposition, the transcripts.

19 Mr. Swalwell. Shouldn't the witness know?

20 [REDACTED]. Yeah, we want to put the transcript out within a day.

21 Mr. Nadler. Within a day? Very good. Thank you.

22 [REDACTED]. We'll do our best, yeah.

23 Mr. Swalwell. In English or Russian?

24 [REDACTED]. Excuse me? What'd you say?

25 Chairman Comer. We've already answered the question, Eric, and we're not

1 going to tolerate outbursts like we had the last time.

2 Mr. Nadler. He said within a day. That's fine.

3 [REDACTED]. This means it is a violation of House and committee rules to
4 disclose content of the deposition prior to its official release. For this reason --

5 Mr. Nadler. Can you speak a little louder, please.

6 [REDACTED]. For this reason, the marked exhibits that we will use today will
7 remain with the court reporter so that they can go in the official transcript, and any
8 copies of those exhibits will be kept at the table, returned to us when we wrap up.

9 It is the intent of the chairman to release the deposition transcript as soon as
10 practical after receipt of the transcript, hopefully within 24 hours of receipt. If Ranking
11 Member Raskin or Ranking Member Nadler choose to raise an objection to the release of
12 such transcript, we ask that they do so with this timeframe in mind.

13 Before we begin the first round of questions, we will afford the minority, the
14 witness, and counsel for the witness the opportunity to offer any preliminary remarks.
15 We'll start with the minority to allow them remarks, and then we'll proceed with you,
16 Mr. Biden, if you would like to.

17 Mr. Raskin. [REDACTED], I just want the record to reflect that Mr. Moskowitz,
18 Mr. Ivey, Ms. Ocasio-Cortez, Mr. Connolly, Mr. Frost have arrived and are present.

19 [REDACTED]. Thank you, sir.

20 Mr. Raskin. Oh, and Ms. Crockett has arrived as well.

21 Mr. Lowell. Thank you, [REDACTED].

22 [REDACTED]. Thank you.

23 Mr. Lowell. Your reciting the rules are exactly accurate, but I'd be remiss if I
24 didn't point out, for example, in the question that was asked by one of the Members,
25 that, in addition to that, you and your colleagues and I have had conversations and

1 exchanges about how this will proceed as well, which may or may not be included in the
2 written rules of the committee or in the written rules of the House.

3 But there's nothing that you've said that ought to turn into some conflict about
4 that. For example, on the issue of the release of the transcript, there is an outside limit
5 that it has to be done no later than 36 and preferably 24, as one example. And, in terms
6 of the other issues that you said, I don't know that that will come up, so let's see if it
7 does. Otherwise, we're prepared to begin, and Mr. Biden does have an opening
8 statement.

9 [REDACTED]. Thank you, sir.

10 And, Mr. Biden, you can give your opening statement whenever you would like.

11 Mr. Biden. Thank you.

12 I am here today to provide the committees with the one uncontestable fact that
13 should end the false premise of this inquiry: I did not involve my father in my business,
14 not while I was a practicing lawyer, not in my investments or transactions, domestic or
15 international, not as a board member, and not as an artist, never.

16 You read this fact in the many letters that have been sent to you over the last year
17 as part of your so-called impeachment investigation. You heard this fact when I said it
18 weeks ago standing outside of this building. You heard this fact from a parade of other
19 witnesses, former colleagues, and business partners of mine, including my uncle, who has
20 testified before you in similar proceedings. And now, today, you hear this fact directly
21 from me.

22 For more than a year, your committees have hunted me in your partisan political
23 pursuit of my dad. You have trafficked in innuendo, distortion, and sensationalism, all
24 the while ignoring the clear and convincing evidence staring you in the face: You do not
25 have evidence to support the baseless and MAGA-motivated conspiracies about my

1 father because there isn't any.

2 You have built your entire partisan house of cards on lies told by the likes of Gal
3 Luft, Tony Bobulinski, Alexander Smirnov, and Jason Galanis. Luft, who is a fugitive, has
4 been indicted for his lies and other crimes; Smirnov, who has made you dupes in carrying
5 out a Russian disinformation campaign waged against my father, has been indicted for
6 his lies; Bobulinski, who has been exposed for the many false statements he has made;
7 and Galanis, who is serving 14 years in prison for fraud.

8 Rather than follow the facts as they've been laid out before you in bank records,
9 financial statements, correspondence, and other witness testimony, you continue your
10 frantic search to prove the lies you and those you rely upon keep peddling. Yes, they are
11 lies.

12 To be clear, I have made mistakes in my life, and I have squandered opportunities
13 and privileges that were afforded to me. I know that. I am responsible for that.
14 And I am making amends for that. But my mistakes and my shortcomings are my own
15 and not my father's, who has done nothing but devote his entire life to public service
16 and trying to make this country a better place to live.

17 During my battle with addiction, my father was there for me. He helped save
18 my life. His love and support made it possible for me to get sober, stay sober, and
19 rebuild my life as a father, a son, a husband, and a brother. What he got in return for
20 being a loving, supportive parent is a barrage of hate-filled conspiracy theories that
21 hatched this sham impeachment inquiry and continue to fuel unrelenting personal
22 attacks against him and me.

23 Over the last year, Republicans have taken my communications out of context,
24 relied on documents that have been altered, and cherry-picked snippets of financial or
25 other records to misrepresent what really happened. Examples of this include a few
26 references to my family in emails or texts that I sent when I was in the darkest days of my

1 addiction. If you try to do that today, my answers will reveal your tactics and
2 demonstrate the truth that my father was never involved in any of my businesses.

3 My testimony today should put an end to this baseless and destructive political
4 charade. You have wasted valuable time and resources attacking me and my family for
5 your own political gain when you should be fixing the real problems in this country that
6 desperately need your attention. Thank you.

7 [REDACTED]. Thank you, sir. Would you like us to mark that as an exhibit into
8 the record or do you just --

9 Mr. Lowell. He just read it into the record. I think that's fine.

10 [REDACTED]. Thank you, sir.

11 Mr. Goldman. Mr. Chairman, or counsel, do you have -- it sounds like there's a
12 scope agreement that you reached with --

13 [REDACTED]. We didn't reach any scope agreement. We agreed to send
14 Mr. Lowell topics that we were interested in pursuing.

15 Mr. Lowell. I would say that we don't have an agreement that specifies exactly
16 what will or will not be asked. We have topics that you sent, but I made very clear to
17 counsel for the majority what topics would be off limits given the stated purpose of this
18 event, which is, as you just stated, an inquiry into the possible impeachment resolution
19 and the oversight on the kinds of topics that you said. And we'll have to see whether or
20 not that is or what is not going to be done today, but we'll be premature until they try.

21 Mr. Goldman. So there's nothing in writing?

22 Mr. Lowell. There is something in writing.

23 Mr. Goldman. Can the minority please see that?

24 Mr. Lowell. The exchange between counsel for the committees and myself is an
25 exchange between us. I don't know that it's -- right now, I don't necessarily even have

1 it. I mean, I do have my copy, but I don't think it should be something that slows us down
2 until somebody tries to go outside the parameters of one of those conditions,
3 Congressman.

4 [REDACTED]. Can we swear in the witness, please.

5 The Reporter. Will you raise your right hand for me, please. Do you solemnly
6 declare and affirm under penalty of perjury that the testimony you are about to give
7 will be the truth, the whole truth, and nothing but the truth?

8 The Witness. I do.

9 [REDACTED]. Good morning, Mr. Biden.

10 Mr. Nadler. Mr. Chairman?

11 [REDACTED]. If we could pause the clock.

12 Mr. Nadler. Let me -- can I just ask that people try to speak up loudly because
13 it's very difficult to hear in here. There are no mics.

14 [REDACTED]. I'll do my best, sir.

15 Mr. Nadler. Not just you, everybody.

16 [REDACTED]. Thank you. We'll now begin. The clock reads 10:16 a.m.

17 EXAMINATION

18 BY [REDACTED]:

19 Q Thank you, again, Mr. Biden, for being here this morning. I'd like to begin
20 with discussing your professional and educational background. Could you just give us a
21 brief overview of your background?

22 A Sure. I wrote it down because it's long. I'm a graduate of Georgetown
23 University, a former member of the Jesuit Volunteer Corps Northwest. I graduated from
24 Yale Law School, where I was an editor of the Yale Law and Policy Review and the Yale
25 Law and Humanities Journal and received honors for my thesis work on law and policy. I

1 was a vice president at a major national bank, where I worked in the General Counsel's
2 Office and then as manager of a unit within the Fraud Department.

3 I was executive director of e-commerce policy coordination with the Department
4 of Commerce during the Clinton administration. I founded and built a successful law
5 firm, Oldaker, Biden & Belair, and represented not-for-profit institutions, including close
6 to a dozen primarily Jesuit universities all over the country from Philadelphia to Los
7 Angeles, from Detroit to Denver, and everywhere in between. I then founded and built
8 the successful small business in advising global infrastructure and alternative investment
9 clients.

10 I have served on the following boards: I was appointed by President Bush to the
11 National Passenger Rail Corporation Board, Amtrak, and rose to the level of vice chairman
12 and head of the Corporate Governance Committee. I served on the board of the Center
13 for National Policy as chairman. I served on the board of the Jesuit Volunteer Corps
14 Northwest. I served on the board of the Truman National Security Project as chairman.
15 I served on the chairman's advisory board of the National Democratic Institute.

16 I served on the board for Catholic Charities in Washington, D.C. I served on the
17 board of the U.S./U.N. World Food Program, which supports the largest humanitarian
18 organization in the world and is the past winner of the Nobel Peace Prize, an organization
19 that feeds over 70 million people each day. And I was chairman of that board.

20 I was also an adjunct professor for 4 years at Georgetown University's School for
21 Foreign Service in its master's program. And, finally, I served as of counsel -- excuse
22 me, of counsel at a major international law firm of Boies, Schiller & Flexner. And I have
23 been member of the bars of the States of Connecticut, the District of Columbia, the
24 Federal Court of Claims, and the bar of the U.S. Supreme Court. I have recently written
25 a memoir, "Beautiful Things," and today I'm an artist. And that's my background.

1 Q Thank you for providing that background. I want to begin by --
2 Mr. Lowell. One thing. I'm sorry to interrupt you. Would it be possible to
3 include Mr. Biden's resume as an exhibit so that it's a full record?

4 [REDACTED]. Yes, sir.

5 Mr. Lowell. We have those for you.

6 [REDACTED]. We can mark this as an exhibit.

7 Mr. Lowell. Thank you.

8 [REDACTED]. This will be exhibit 3.

9 [Biden Exhibit No. 3
10 was marked for identification.]

11 BY [REDACTED]:

12 Q I want to begin by discussing some of your foreign business dealings, and I'd
13 like to begin in China. The first matter that I would like to discuss is Jonathan Li and BHR
14 Partners. Can you please provide the committee with who Jonathan Li was?

15 A Jonathan Li was, first and foremost, became a friend of mine before I
16 entered business with him.

17 Q And approximately when was that?

18 A I believe as early as 2014.

19 Q Did there come a time when you went with your father on Air Force Two to
20 Beijing, China, for one of your father's official government trips?

21 A I traveled with my father on that trip as I've traveled with my father my
22 entire life.

23 Q And, when you traveled on Air Force Two for that trip, when you all were in
24 Beijing, did there come a time when you introduced your father, who was Vice President
25 at the time, to Jonathan Li?

1 A When we returned from an event to the hotel, there was a rope line, and
2 Jonathan Li was in the lobby of the hotel where I was going to meet him for coffee. In
3 that line I introduced my dad to Jonathan Li and a friend of his, and they shook hands and
4 I believe probably took a photograph. And then my father went up to his room, and I
5 went to have coffee with Jonathan Li.

6 Q Who was the friend that was with Jonathan Li?

7 A I don't remember his name directly. It was a friend of Jonathan's.

8 Q Prior to introducing your father to Jonathan Li, what did you tell your father
9 about Jonathan Li?

10 A I don't -- didn't tell him anything about Jonathan Li.

11 Q At the time that you did introduce your father to Jonathan Li, did you or any
12 of your business associates have any potential business with Jonathan Li?

13 A I was working with Jonathan on a potential that he had an idea for creating a
14 private equity fund based in China to do cross-border investments.

15 Q And this private equity fund, what kind of -- what was the source of the
16 money that was being invested?

17 A There was no source of money at that time.

18 Q So you're testifying here today that it wasn't money from China that was
19 being invested to be deployed in international areas?

20 A Now, when you --

21 Mr. Lowell. I'm sorry; [REDACTED], when you say money from China, what
22 does China mean?

23 BY [REDACTED]:

24 Q It means from any of the state-owned entities or any of the Chinese entities
25 that have a close association with -- with the Chinese Government.

1 A At that time, I was not an equity holder in anything that Jonathan was doing.
2 I did not have any notion of the exact source of funds.

3 Q Sitting here now, are you aware that Jonathan Li does invest Chinese
4 Government funds?

5 A I am not aware of that.

6 Q Was the company that was being thought of or being formed, the
7 investment fund, was that BHR Partners?

8 A Yes, ultimately, it became BHR Partners. Jonathan's original fund was
9 called Bohai. He had been in private equity with one of the first privately held
10 private equity firms in China.

11 Q And the "B" in BHR Partners stood for Bohai, correct?

12 A Yes.

13 Q And the "H" in BHR Partners stood for Harvest? Do I have that correct?

14 A Yes.

15 Q And that's related to who? Who was associated with Harvest?

16 A I believe that the principal for Harvest was Henry Zhao.

17 Q And the "R" in BHR was Rosemont Seneca. Is that correct?

18 A No. It was Rosemont Seneca Thornton.

19 Q And Rosemont Seneca Thornton, just so the committee understands,
20 Rosemont would've been Devon Archer, correct?

21 A Yes.

22 Q Seneca would've been you, correct?

23 A Yes.

24 Q And then the Thornton would've been Jimmy Bulger, correct?

25 A Yep, James Bulger.

1 Q And the idea for this equity fund that the business associates were going to
2 invest in is that it had raised approximately \$4.2 million. Do I have that number correct?

3 A I think from the equity stake from the partners.

4 Q And so, in order to purchase a 10 percent share of this equity to get -- to
5 receive equity in BHR Partners, each individual partner had to put up approximately
6 \$420,000. Is that correct?

7 A Yes.

8 Q And so, if Devon Archer wanted to get a 10-percent share, let's say, he would
9 have needed to put up \$420,000 in equity to get that 10 percent share in BHR Partners.
10 Is that right?

11 A In some way, he would have to put up \$420,000. I believe that's correct.

12 Q The committee has subpoenaed bank records for a company called
13 Rosemont Seneca Thornton. And, in those records for Rosemont Seneca Thornton, we
14 see that the first payments in order for -- to get the 10-percent equity into BHR occurred
15 in January of 2014. Were you aware that there were -- is an investment of 10 percent
16 for approximately \$420,000 into BHR Partners by Rosemont Seneca Thornton in January
17 of 2014?

18 Mr. Lowell. Can you show us that document, please?

19 [REDACTED]. Yes, we can. If we could please mark that as an exhibit.

20 [REDACTED]. This will be exhibit 4.

21 [Biden Exhibit No. 4

22 was marked for identification.]

23 Mr. Swalwell. Can the Members see that too?

24 Mr. Biden. What's the question?

25 Mr. Lowell. No, I want to see this first.

1 This exhibit starts on page 6, and it's a 2-page piece of paper, both of which are
2 marked page 5, and yet they're not the same page 6. So can you explain?

3 [REDACTED]. Yeah. So they're two different client statements. So the first
4 page is going to be January 30 -- you'll see it's for the period January 1 through 31 of
5 2014, and then the next one is February 1 through 28, 2014. We're going to stick with
6 page 1 of this exhibit.

7 Mr. Lowell. So this is page six of two different monthly statements?

8 [REDACTED]. Correct. And we're going to stick with page one. Both of
9 them refer to, as you'll see in the top right corner, Rosemont Seneca Thornton, LLC.

10 Mr. Lowell. Care of Devon Archer.

11 [REDACTED]. Correct.

12 Mr. Lowell. And now, on this page, can you point us to what was the basis of
13 your question, please?

14 [REDACTED]. Yes, sir. If you look at the dates, so January 23rd, there is a wire
15 fund sent. The beneficiary is BHR with account number 7727 for \$167,000. And then,
16 if you go down, there's a January 29th transaction, where wire funds are sent from -- and
17 the beneficiary is Bohai Harvest RST Shanghai for \$247,800 to the same account, the
18 7727. When you total those two up, it equals \$414,800.

19 Mr. Lowell. Coming from Mr. Archer's account?

20 BY [REDACTED]:

21 Q Coming from the Rosemont Seneca Thornton account, which I will ask your
22 client about in a moment. But my -- we'll go back to this -- original question is --

23 A Coming from Devon Archer's account.

24 Q I'll come back to that in a second.

25 A Well, I'm just telling you, this is Devon Archer's account. It's not mine.

1 Q I will get to that --

2 A I have no control or --

3 Q Sir, I would just ask that you let me ask the questions, and we can cover that
4 ground. I promise.

5 A Okay. I thought you did.

6 Q Were you aware that this 10 percent of equity was purchased in January
7 of 2014, to purchase BHR Partners, 10 percent?

8 Mr. Lowell. Of Mr. Archer?

9 BY [REDACTED]:

10 Q I'm not saying Mr. Archer. Were you aware of this transaction?

11 A I can't recall whether I was aware of the exact transaction at the time. But,
12 again, I'd like to point out, this is not my account. This is not my money. I don't have
13 any control or authority over this account.

14 Q What was your role at Rosemont Seneca Partners?

15 A Rosemont Seneca Partners was my primary business. I was the president
16 of Rosemont Seneca Partners.

17 [REDACTED]. I'm now going to show you exhibit --

18 The Witness. I've done -- CEO, director, or something like that.

19 [REDACTED]. Now I'm going to show you exhibit 5, which is going to be bank
20 documents from Rosemont Seneca Thornton.

21 [Biden Exhibit No. 5

22 was marked for identification.]

23 BY [REDACTED]:

24 Q In this document -- this is going to be now marked as exhibit 5 -- this is a
25 document that was obtained via subpoena related to Rosemont Seneca Thornton, and it

1 shows in this document, that the client contacts, one of them is Rosemont Seneca
2 Partners, LLC. Do you see where it says that, sir?

3 A I see where it says that.

4 Q And it says IBO, which is term for intended beneficial owner, entity.

5 A Okay.

6 Q Is that there as well, across from Rosemont Seneca Partners, LLC?

7 A I have never heard the term "IBO," but it does say IBO across from Rosemont
8 Seneca Partners, LLC.

9 Mr. Swalwell. Can we get more copies? None of us have copies of what you're
10 referring to.

11 [REDACTED]. So it's fair to say that this particular document shows that
12 Rosemont Seneca Partners is affiliated with Rosemont Seneca Thornton, correct?

13 Mr. Lowell. What do you mean by affiliated?

14 [REDACTED]. Well, it says it's the intended beneficial owner of the -- of
15 Rosemont Seneca Thornton.

16 Mr. Lowell. I see what you're asking. You're asking whether the document you
17 put in front of the person that you're asking the question to has a line that says that.

18 [REDACTED]. Yes.

19 Mr. Lowell. Okay. If that's what you're asking, the document will speak for
20 itself. Go ahead and --

21 The Witness. Yeah, the document speaks for itself. It says that.

22 BY [REDACTED]:

23 Q And then I want to also discuss a second portion of -- another 10 percent
24 that was purchased out of the Rosemont Seneca Bohai account to purchase another
25 10 percent equity into BHR Partners. Were you aware that, in December of 2014, that

1 there was another 10 percent purchase out of the Rosemont Seneca Bohai account for 10
2 percent of BHR Partners?

3 A No, not directly aware, no. Again, I would like to state for the -- for
4 everybody here is that neither of these accounts were under my control nor affiliated
5 with me. Any of this is outside of my knowledge.

6 Q Well, Rosemont Seneca Bohai, let's just go through the name real quickly,
7 the Rosemont deals with Devon, correct?

8 A Well --

9 Q Pertains to Devon?

10 A -- originally Devon's firm was Rosemont Capital. Originally my firm was
11 Seneca Global Advisors. I changed the name of my firm to Rosemont Seneca Partners,
12 which is not Rosemont Seneca Thornton, and it's not Rosemont Seneca Bohai. If Devon
13 set up accounts on his own under those names, they were not at my behest, not for my
14 benefit, and not in -- I had no control or understanding of.

15 Q Isn't it true that you received your money from Burisma in 2014 and 2015
16 into the Rosemont Seneca Bohai account?

17 A I don't know exactly what account. I know the money went to Devon
18 because of issues as it relates to being able to make the wire, and Devon then sent me my
19 portion of my board fee to me.

20 Q Isn't it also true that you received \$142,300 from Kazakhstani oligarch to
21 purchase a car into the Rosemont Seneca Bohai account --

22 Mr. Lowell. I'm sorry. When you say "Kazakhstani oligarch," could you identify
23 the person and what makes him --

24 [REDACTED] Sure. Kenes Rakishev.

25 Mr. Lowell. Let me finish please, and what makes him a oligarch?

1 [REDACTED]. The amount of money that he has and his location of where he is.
2 He is -- Kenes Rakishev is a very wealthy individual in Kazakhstan.

3 Mr. Lowell. Okay. So now can you ask the question again?

4 [REDACTED]. Did you receive \$142,300 payment from Kenes Rakishev into the
5 Rosemont Seneca Bohai account?

6 Mr. Lowell. Can you show us that document, please?

7 [REDACTED]. Sure.

8 Mr. Lowell. I mean, just as a timesaving measure, if you're going to ask him
9 about something that's in a document, you'll get there faster by showing him the
10 document.

11 BY [REDACTED]:

12 Q I'll come back to that.

13 Did you receive payments from other foreign sources into the Rosemont Seneca
14 Bohai account?

15 A Again, you say "foreign sources." The people that I did business with that
16 were from other countries other than the United States, the answer is, yes; I have
17 received -- but not -- I don't know whether they went into Rosemont Seneca Bohai or that
18 they went into Rosemont Seneca Thornton. I had no control. I have no authority over
19 those accounts, and I have no view inside of it. There was no transparency to me that I
20 know of.

21 Q Did you receive payments from the Rosemont Seneca Bohai account into
22 your other accounts, such as Owasco PC or other Robert Hunter Biden accounts?

23 A I can't say today whether they came from anybody other than Devon Archer.
24 What account they came from I'm not sure, because I had, again, no notion of what the
25 name of Devon Archer's bank account, which he named on his own, not me.

1 Q Devon Archer testified in a prior interview that the Rosemont Seneca Bohai
2 was a 50/50 handshake between you and him. Is that true or incorrect?

3 A Not that I remember at all, no. It obviously was not a 50/50 handshake
4 based upon the documents that I see here because I did not receive 50 percent of what
5 I've seen in documents that have been shown to me.

6 Q He also said that you were the corporate secretary of Rosemont Seneca
7 Bohai. Is that incorrect?

8 A The corporate secretary?

9 Q Yes, sir.

10 A I didn't even know that there was such a thing.

11 Mr. Lowell. Do you have the document that indicates that company as having a
12 company so that there would be a secretary? Do you have that too?

13 [REDACTED]. We provided you the Rosemont Seneca Bohai bank accounts,
14 so --

15 The Witness. No, I'm saying --

16 [REDACTED]. -- in advance we provided these to you.

17 The Witness. -- is there a registration that says --

18 [REDACTED]. I'm not going to answer questions, sir. We provided the
19 documents to you. In addition --

20 Mr. Lowell. I will state for the record that there's no document that you sent out
21 of the hundred and -- 200-plus documents and thousands of pages that indicates what
22 you just said.

23 The Witness. Yes.

24 [REDACTED]. I referred to Devon Archer making the statement. I didn't refer
25 to a document from a bank record.

1 Mr. Lowell. Okay. Please, continue.

2 BY [REDACTED]:

3 Q Based upon the records that we've reviewed, you and Devon Archer were
4 unable to purchase this 20 percent equity into BHR Partners until after your father met
5 with Jonathan Li in Beijing.

6 A I completely disagree with the characterization and the way that you just
7 stated that. It had nothing to do with the meeting with Jonathan Li.

8 Mr. Nadler. I can't hear.

9 The Witness. I can say for certain I disagree with the way that you just
10 characterized that. It bears no resemblance to the truth. My father shaking Jonathan
11 Li's hand in a rope line in a hotel had nothing to do with my relationship with him. I had
12 an over 10-year relationship with Jonathan Li. He was a friend, and he was also a very
13 astute businessperson. He was educated in London, and we have become, not just
14 friends, but I trusted him to be a very capable businessperson.

15 Q But, during that 10-year friendship that you had with him, you were never
16 able to actually purchase any equity into BHR Partners until your father met with him in
17 Beijing?

18 A I didn't --

19 Mr. Lowell. Sorry, sorry. Just timing wise, you're suggesting that BHR came
20 about at the beginning of their 10-year relationship?

21 [REDACTED]. I didn't say that. It's when they were permitted to invest in the
22 company, when they could put in that 20 percent so that they could get a 20 percent
23 equity did not occur until this meeting between Vice President Biden and Jonathan Li
24 after he took Air Force Two to conduct this business --

25 Mr. Lowell. If you're saying, is a handshake the meeting, is that what you're

1 referring to?

2 [REDACTED]: Yes, sir.

3 Mr. Lowell. All right.

4 The Witness. I could say for the record, and I will probably say this 1,000 times,
5 my father had absolutely no knowledge of, no involvement in, had no -- any way was --
6 awareness of my business relationship with Jonathan Li. And I could also say this, is that
7 I did not have an equity stake in BHR until my father left office in 2017 to begin with.

8 [REDACTED]: I want to now, if we could please show -- this will be exhibit 6.

9 [Biden Exhibit No. 6

10 was marked for identification.]

11 BY [REDACTED]:

12 Q This is going to be an excerpt from your book, "Beautiful Things." We are
13 going to refer everyone to page 122.

14 Sir, when did you publish this book?

15 A It was published in the spring, I believe in the spring, early summer of 2021.

16 Q I'd like you to read into the record, if you could, it's going to be the
17 second -- sorry, the first full paragraph, so it begins with, "I learned of Beau's tumor."

18 A "I learned of Beau's tumor just months before I received a call regarding
19 Burisma and Devon Archer."

20 Mr. Nadler. Could you hold a minute until we get a copy?

21 [REDACTED]: Pause the clock.

22 [REDACTED]: Stop the clock.

23 The Witness. Stop the clock.

24 [Recess.]

25 BY [REDACTED]:

1 Q All right. Sir, if you could please begin.

2 A "I learned of Beau's tumor just months before I received a call regarding
3 Burisma from Devon Archer, one of my business colleagues from Rosemont Seneca. Our
4 deal with the biggest potential was a partnership with the Chinese private equity fund
5 seeking to invest Chinese capital in companies outside the country. I was an unpaid
6 advisor in that deal and to this day have collected no money from the transaction. Yet,
7 like everything else, it has joined the ever-swelling club of Trump's conspiratorial
8 delusions, from birtherism to QAnon."

9 Q Stop there, sir. Stop right there. In here you talk about how you collected
10 no money from the transaction.

11 A Yes.

12 Q And, during this excerpt or what you're writing here, you're discussing this
13 meeting with Jonathan Li and your father and providing an explanation. Is that correct?

14 Mr. Lowell. No, actually, it's the next paragraph where he discusses what you
15 just described.

16 The Witness. Yeah, I can read the next paragraph so that I could -- if that's what
17 you're asking me about.

18 BY [REDACTED]:

19 Q No, just in general, this is what you were talking about? This is what you
20 were referring to here?

21 A Not in the paragraph you had me read. I did not talk about Jonathan Li or
22 anything to do with what you just asked. So, if you'd like me to read the next full
23 paragraph, I can do that because it gives a fuller answer to your question.

24 Q You can read the next full paragraph.

25 A Okay. "In 2013 --" I think it was 2014, but I'm not sure, because -- I think

1 this is a mistake because I'd learned of Beau's tumor just months before, it would be
2 2014, and I went on this trip, I believe, it was in 2014.

3 "In 2014, Dad asked --" it says, in 2013, but it should say 2014 -- "Dad asked my
4 then teenage daughter, Finnegan, to join him on Air Force Two to Japan and then onto
5 Beijing, where he was meeting with President Xi Jinping. Dad often asked his grandkids
6 to accompany him on overseas trips. It was his chance to catch up. I jumped on the
7 plane from Japan to China to spend time with them both. While we were in Beijing, Dad
8 met with one of Devon's Chinese partners, Jonathan Li, in the lobby of the American
9 delegation's hotel, just long enough to say hello and shake hands. I was meeting with Li
10 as a courtesy call while I was in the country; the business deal had been signed more than
11 a week earlier. Li and I then headed off for a cup of coffee."

12 Q So I want to refer you back up to the first paragraph you read, where you
13 said, "Our deal with the biggest potential was a partnership with the Chinese private
14 equity fund seeking to invest in Chinese capital in companies outside the country."
15 What were you referring to there?

16 A I was referring to BHR.

17 Q BHR Partners, correct?

18 A Yes.

19 Q And then you say, "I was an unpaid advisor in that deal and to this day have
20 collected no money from the transaction." Is that correct?

21 A Yes.

22 Q And, when you wrote this, it was approximately 2021. Is that right?

23 A I published it in 2021. I wrote it in 2020.

24 Q What you don't say in here is that you did get money from Jonathan Li,
25 didn't you?

1 A I believe ultimately -- no, I did not get money from Jonathan Li.

2 Q I'd now like to show you bank records.

3 Mr. Lowell. Are you talking about a loan?

4 The Witness. The loan?

5 BY [REDACTED]:

6 Q He got money. Whether you want to call it a loan or --

7 A Okay. I'm sorry.

8 Q -- you want to call it a payment, did you get money from Jonathan Li is very
9 clear?

10 A I was loaned my -- money against my equity stake in the company of which
11 Jonathan Li was the majority partner of.

12 Q So, in this, when you say you collected no money in your book, the reality is
13 that, just the year earlier, in 2019, you had received a \$250,000 wire from Jonathan Li.
14 Isn't that correct?

15 A To send back to him for the equity stake in the fund.

16 Q You never repaid the loan to Jonathan Li. Isn't that correct?

17 A Did I repay the loan?

18 Q Correct.

19 A I sold my equity interest in it, and part of that is the assumption of the loan.

20 Q You never paid any money back to Jonathan Li, did you?

21 A What I'm telling you is that I sold my equity interest in BHR, and part of that
22 arm's length transaction is the assumption of the loan, and that is between Jonathan Li
23 and the equity holder.

24 Q And that equity holder is Kevin Morris, correct?

25 A Yes, it is.

1 Q What you did is in 2017 you took your BHR equity, which was being held by
2 Devon Archer in the Rosemont Seneca Bohai account, and you transferred it into
3 Skaneateles. Isn't that correct?

4 A I don't know how exactly that -- the transactions worked, but I do know that
5 Skaneateles was the holder of the equity.

6 Q And you sold Skaneateles to Kevin Morris, correct?

7 A Yes, I did.

8 Q And you also have over \$6.5 million loans with Kevin Morris, correct?

9 A I do not know the exact amount that I have with Kevin Morris, but, yes, I
10 have loans with Kevin Morris.

11 Q So you never paid back this \$250,000 wire to Jonathan Li because you then
12 gave Skaneateles over to Kevin Morris who absorbed the loan, right?

13 Mr. Lowell. Did you just use the word "gave"?

14 [REDACTED]. Yes.

15 Mr. Lowell. You can answer that question if you can.

16 The Witness. Say the question again. Maybe you can say it the right way this
17 time.

18 BY [REDACTED]:

19 Q You then took your Skaneateles share --

20 A Yep.

21 Q -- which owed \$250,000 to Kevin Morris, correct?

22 A No.

23 Q Excuse me, to Jonathan Li, correct?

24 A There was a debt against the equity that was owed to BHR, yes -- or to
25 Jonathan.

1 Q And you then sold that over to Kevin Morris, correct?

2 A I sold my equity stake, which included a note that was owed to Kevin Morris
3 in an arm's length transaction that was negotiated by our lawyers and was executed by
4 myself and Kevin.

5 Q Other things you don't mention in your book are that your father actually
6 wrote a college recommendation for one of Jonathan Li's children. Isn't that correct?

7 A I believe that he did, yes. And as I -- I don't remember the exact date, but I
8 will say this, is Jonathan, as I said before, was a very close friend, became a close friend of
9 mine. And although I have not had any contact with Jonathan for a long time, I still
10 consider he and his family to be near to my heart. They have -- and I knew his son.

11 And there was a rule in my family, my dad was often asked to write
12 recommendations for hundreds of people that -- I'm sure over the course of the last
13 50 years. But the rule was is that, if you were going to ask, that they had to be close
14 friends; you had to know them well. And I knew both Jonathan, and I knew his son, who
15 was applying to universities here in the United States.

16 Q Devon Archer also testified that you placed your father on speak --

17 A May I ask a question?

18 Q Not of me, sir.

19 A Oh, I'm sorry. Okay.

20 Q You're the witness.

21 A I apologize. I just wanted a clarification about something, but go ahead. I
22 apologize.

23 Q Devon Archer testified that you also placed your father on speakerphone
24 during a meeting with Jonathan Li. Do you recall that?

25 A No, I don't recall it. Is there a specific time? I was with Jonathan Li for a

1 number of times over the course of 10 years, and as I've said -- well, go ahead.

2 Q Did you ever place your father on speakerphone with any of your business
3 associates?

4 A Over the course of the last 30 years when speakerphone was invented on a
5 cell phone? I'm certain my dad has called me. My dad calls me like I'm sure a lot of
6 your parents do or a lot of you do with your children, and if I'm with people that are
7 friends of mine, I'll have him say hi.

8 Q By placing him on speakerphone?

9 A I don't know whether it's speakerphone. Devon, I think, what did he
10 testify, that over the course of our 10-year relationship I was -- maybe 10 or 20 times
11 that he can remember. He can't recall the specific times that I put my dad on
12 speakerphone when I was at a dinner or at a social event, so that means, over the course
13 of 10 years, twice a year, my dad would call me, and I would be in the middle of a dinner,
14 and I always answer his call. I always answer his call, based upon my life's experience.
15 And you're telling me, so two times a year over the course of a 10 years, maybe more, or
16 15 years with Devon Archer, yes, that probably did happen.

17 Q And why would you place your dad on speakerphone? And the reason I ask
18 is that if I were -- my dad were to call me right now --

19 A I'm surprised my dad hasn't called me right now, and if he did, I would put
20 him on speakerphone to say hi to you and to Congressman Raskin and everybody else in
21 the room. It is nothing nefarious literally. You understand my relationship with my
22 family. When my dad was 29 years old, he woke up one day, went to work, and got a
23 phone call and lost his wife and his daughter. And, in that same accident, he also lost
24 almost my brother and myself. And then, when I was 46 years old, my 47-year-old
25 brother died.

1 And in our family, when you have a call from -- I call him or he calls me or I call
2 one of my -- his grandkids or one of my children, you always pick up the phone. It's
3 something that we always do. And you can ask anybody that I know; it does not have to
4 do with Devon. If my dad calls me and I'm in the middle of something, I either get up
5 from the table or I answer the phone at the table if it's with people that I have a
6 long-term relationship with.

7 ██████████. I now want to show exhibit No. 7.

8 [Biden Exhibit No. 7
9 was marked for identification.]

10 ██████████. It's going to be a bank record from Rosemont Seneca Bohai.

11 Mr. Lowell. Is this different than the first exhibit?

12 The Witness. Is it --

13 ██████████. Page one. So it will say page 6 of 8 at the top. This is
14 Rosemont Seneca Bohai --

15 Mr. Lowell. I'm sorry to interrupt you. Page 6, but the other ones were page 6.

16 Is this a different month?

17 ██████████. Different account.

18 Mr. Lowell. Okay. Understood. Go ahead.

19 The Witness. It's just interesting it's on page 6.

20 BY ██████████:

21 Q What we see here is a bank statement for Rosemont Seneca Bohai. In the
22 account statement on April 22nd of 2014, there is a payment that -- a wire that comes
23 into the Rosemont Seneca Bohai account for \$142,300. Devon Archer was asked about
24 this during his transcribed interview, and he stated that it was -- he believed it was a car
25 for you, but he didn't know about the transaction. So now I'll ask you, did you receive

1 any proceeds or any money for a car into the Rosemont Seneca Bohai account?

2 Mr. Lowell. Can I just ask you -- you have Devon Archer's testimony. He said he
3 didn't know about this transaction. It's his account sending \$142,000, and he say -- he
4 didn't know what -- he didn't do that?

5 The Witness. Can I see what he said?

6 [REDACTED]. We do have the transcript.

7 Mr. Lowell. I mean, you just characterized it as him saying he didn't know about
8 this transaction.

9 [REDACTED]. He knew -- we'll just give you the transcript, and that way you
10 can have it.

11 I'm going to read it into the record while we're doing this.

12 Question: "Why did Rosemont Seneca Bohai receive this \$142,000 payment
13 from Rakishev?"

14 Answer: "It was for a car."

15 Question: "Whose car?"

16 Answer: "Also, let me clarify, I didn't -- I didn't like do the actual banking, so --"
17 "Who did?"

18 Answer: "Sebastian Momtazi."

19 Question: "And Sebastian --"

20 Answer: "So, like, I wouldn't have sent these wires or received these wires or,
21 like, pressed go or -- he would have some rubber stamp, you know, and do it. Hunter
22 interfaced with him. But I know this was for a car."

23 Question: "Did Sebastian work for Rosemont? One of --"

24 Answer: "Yeah."

25 Question: "-- the Rosemonts?"

1 "He worked for one of them. I don't know -- I forget --"

2 "Do you remember which one?"

3 Answer: "Rosemont Realty. First Rosemont Capital, then transitioned to
4 Rosemont Realty."

5 Question: "What was the purpose of this wire?"

6 Answer: "It was for a car."

7 Question: "For whose car?"

8 Answer: "For Hunter's car."

9 Mr. Lowell. Yeah, okay. So what's the question then?

10 BY [REDACTED]:

11 Q My question to you is, who sent you this money for the car?

12 A Devon Archer sent the money for the car from this account, so --

13 Q The wire is being received into Rosemont Seneca Bohai.

14 A So it goes out.

15 Mr. Lowell. -- two lines later.

16 The Witness. I don't --

17 BY [REDACTED]:

18 Q Who is Novatus? When the wire comes in for \$142,300 --

19 A I've never seen Novatus. But, if you're asking me, does this money come
20 from Kenes Rakishev, I can't answer directly because I don't have any full knowledge.

21 All I know is that this -- that the money for the car came from Devon Archer from
22 Rosemont Seneca Bohai, I assume, as you're showing me in this document.

23 Q Are you saying that all the money in Rosemont Seneca Bohai is Devon
24 Archer's money?

25 A Yes.

1 Q So all of your Burisma payments that you get to Rosemont Seneca Bohai --

2 A Yes --

3 Q -- those are Devon Archer's Burisma payments?

4 A Until they're paid into my account, yes, because I have no signing authority, I
5 have no transparency into this account, I have no way of making any withdrawals or
6 making any -- writing checks from or requesting dollars from. I don't. I don't have any
7 way to do anything with a bank account that is solely owned by Devon Archer.

8 Q Did you obtain custody of the car that was purchased for \$142,300?

9 A I did, yes.

10 Q So you did get this car?

11 A I got a car, yes.

12 Mr. Lowell. You didn't ask him whether he got the car. You asked him whether
13 or not all the money that went into the account was not his?

14 BY [REDACTED]:

15 Q Do you know who gave -- who sent the \$142,300 in the Rosemont Seneca
16 Bohai account the exact same amount that purchased the car?

17 A I do not know exactly how -- where that -- how it was purchased, but the car
18 was purchased. I took possession of a car.

19 Q Who sent the money for \$142,300 into the Rosemont Seneca Bohai account?

20 A As far as I knew, Devon.

21 Q Who sent the money from Novatus into the Rosemont Seneca Bohai account
22 that was \$142,300?

23 A Again, I don't know what Novatus is, but I believe that the money for the car
24 was sent to Devon; then ultimately Devon purchased the car for me.

25 Q And Devon never told you who was providing the money for the car?

1 A No, I didn't say that. I'm saying to you, I'm not -- I don't know technically
2 who Novatus is, so I can't answer what -- your question other than to say, my belief was
3 that, but I do not know exactly who Novatus is. If you tell me Novatus is connected to
4 Kenes Rakishev, then I accept that to be the fact. I have no issue with this.

5 They're telling you, is that I received a car and I know why I received a car. I
6 received a car because I was helping, what I -- my understanding was is that I was
7 engaged with Devon -- a way for Devon to engage me to help with his Rosemont Realty.
8 It was payment. It was a cockamamie way to do it, but that's what my understanding
9 was.

10 Q Did you ever introduce Kenes Rakishev to your father?

11 A Kenes Rakishev met my father, I believe, once at a dinner that I had for the
12 World Food Program.

13 Q That dinner is at Cafe Milano?

14 A Yes.

15 Q Who else was at that dinner?

16 A I don't have the guest list in front of me, but I believe, to begin with it, was
17 Father Karloutsos and his wife Xanthi, I believe Michael Karloutsos was also there. The
18 CEO of the world -- U.S./U.N. World Food Program, Rick Leach was there. I can't
19 remember which dinner there was also at --

20 Q What about Yelena Baturina?

21 A I don't know whether she was at this dinner or not.

22 Q But is your father -- have you ever introduced your father to Yelena
23 Baturina?

24 A I don't think I ever introduced him to her. I think that she was also at a
25 dinner over the course of the time in which Devon was engaged with Yelena Baturina.

1 Q And what about her husband, the mayor of Moscow?

2 A I've met him. I don't know -- I don't have any memory of my father
3 meeting him, but I don't know.

4 Q And was it -- Karim Massimov also at one of these dinners?

5 A Yes, he was.

6 Q And did --

7 Mr. Lowell. Can I just be clear, when you say "one of these dinners," do you
8 want to identify which dinner, because I think the guest list is different at various dinners.

9 [REDACTED]. Can you provide us with the guest list at the different dinners
10 where you're --

11 Mr. Lowell. We don't have a written list, if that's what you mean. We thought
12 by the subpoenas --

13 [REDACTED]. I'm not going to provide him with any list.

14 Mr. Lowell. -- that you have you did.

15 [REDACTED]. We can just say there were several dinners at Cafe Milano,
16 correct?

17 Mr. Lowell. I wouldn't say that there were several dinners.

18 [REDACTED]. Two?

19 Mr. Lowell. You mean there were two.

20 BY [REDACTED]:

21 Q There were two dinners at Cafe Milano, correct?

22 A Well, I had many dinners at Cafe Milano. The two that -- you may be
23 talking about two, but I've eaten at Cafe Milano dozens and dozens of times when I lived
24 in Washington, D.C.

25 Q There are two dinners where your father goes to the different dinners, and

1 at the respective dinners, and I'm not saying they're all at the same time, but Yelena
2 Baturina, the mayor of Moscow is at one of the dinners. Karim Massimov is at one of
3 the dinners. Kenes Rakishev is at one of the dinners. Is that correct?

4 A I believe so, and I don't know who was at which dinner exactly when, but if
5 you put it in front of me, I could decipher that for you. But I will say this: I've had
6 dozens of dinners at Cafe Milano for dozens of -- for many, many different reasons,
7 whether it was just to be with family or whether it was to be with friends or whether it
8 was to be with friends and associates or whether it was to do, for instance, a dinner that
9 was to -- a presentation for the U.S./U.N. World Food Program.

10 And, in one of the occasions that you're speaking about, the entire purpose of the
11 dinner was to present, and there was a big screen at the end of the room. I got up and
12 made a presentation. Rick leach got up, and he made a presentation about the World
13 Food Program. Father Alex Karloutsos, who I've known since I was 2 years old and is
14 one of my family's closest friends; Xanthi, his wife; Michael his son; and about a, you
15 know, 8 or 10 other people, including people from the U.S./U.N. World Food Program
16 were there. And my father stopped by to say hello, and he sat next to Father Alex as far
17 as I can remember, and that was basically it. And I would do that all the time as it
18 related to the U.S./U.N. World Food Program.

19 Q Was Vadym Pozharsky also at one of these dinners?

20 A I don't remember which dinner he was at, and I did not remember for a long
21 time, but I do believe that Vadym was at one of these dinners, yes.

22 Q I now want to turn to CEFC. When did you begin doing work for CEFC?

23 A I officially began to do work for CEFC when the -- when I received a retainer
24 from CEFC in early -- or spring of 2017.

25 [REDACTED]. I now want to show you an email titled "H to Zang Draft." It's

1 an email, an attachment. We received this from Rob Walker's attorney, exhibit 9.

2 [Biden Exhibit No. 9

3 was marked for identification.]

4 BY [REDACTED]:

5 Q Now, looking at this, the first page is an email and I'll read it into the record:

6 "Forward: H to Zang Draft." It's from Rob Walker to Hunter Biden, dated March 22,

7 2016, and there's an attachment H to Zang.docx. And it says, "Take a look and let me

8 know. Very simple. Once okay'd, I'll send to Joan to sign?"

9 But then, below, this particular email was forwarded. It's from Rob Walker,

10 dated March 22, 2016. Again, subject H to Zang Draft to James Gilliar. It says, "Very

11 simple. Take a look."

12 First, let's just discuss who these people are. Who is Rob Walker?

13 A Rob Walker is both a friend and business associate of mine. I met Rob

14 Walker first in 1998, and we were both close, personal friends and eventually over time

15 we did business together.

16 Q And he has a company Robinson Walker, LLC. Is that correct?

17 A If you tell me that's the name of it. I don't remember the --

18 Q I'll submit to you it is.

19 A Yeah.

20 Q James Gilliar, who is he?

21 A James Gilliar was first introduced to me by Rob Walker.

22 Q And does he have a company that you remember EEIG, which is an Abu

23 Dhabi company?

24 A I didn't know that that was the name. I just knew James, and I didn't know

25 their LLC names that they operate their businesses from.

1 Q And then, if we flip to the next page, it appears to be a letter on your
2 letterhead, dated March 22, 2016. It's a draft.

3 Mr. Lowell. Well, first of all, that's not an accurate statement of what this is.
4 This is a typed address and name. You call it his letterhead; it's not signed. You call it a
5 draft; it's not stated his draft. Do you have any indication to Mr. Biden did this? You
6 see the first pages have to do with --

7 [REDACTED]. I'm going to get into the -- I'll ask him if he did do it. I'm just
8 trying to give a background for the record.

9 Mr. Lowell. I just wanted the record to be as clear --

10 [REDACTED]. Sure. I'll read it into the record.

11 Mr. Lowell. -- and as complete as we can be since it will be a transcript.

12 BY [REDACTED]:

13 Q Director Zang, and it says TBD where you would have an address. "Director
14 Zang, I hope this letter finds you well. We anticipate working together on a number of
15 opportunities in the U.S. and abroad. I believe we have presented a collection of
16 projects that parallel the interests of you and your team, and we look forward to
17 discussing them in detail. As we await your next visit to the United States, please
18 continue to coordinate all matters with my confidant and trusted advisor, James Gilliar.
19 Best regards," and then "R. Hunter Biden."

20 Do you recall sending this letter?

21 A I do not recall sending this letter, and I obviously from the email that you've
22 attached, which I appreciate, is that this letter was sent to me, it looks like, right? So
23 someone --

1

2 [11:00 a.m.]

3 BY [REDACTED]:

4 Q It appears to be drafted by Rob Walker --

5 A Someone drafted this letter and sent it to me. And I don't know whether I
6 ever sent this letter to anyone, to the -- to Director Zang or anybody.

7 Q Based upon the content of this letter, it would appear that there was some
8 work for CEFC prior to the spring of 2017.

9 Do you recall doing any work for CEFC prior to 2017?

10 A I do not.

11 And I don't see -- I disagree with the premise of the question that you just stated.
12 You said it appears that there's work. It says, "We anticipate" -- and this is, by the way,
13 obviously, we've established, this is Rob Walker writing this, not me -- "We anticipate
14 working together on a number of opportunities...." It does not say, "We are working on
15 a number of opportunities."

16 And I neither do remember signing this or -- and I'm positive that I did not draft
17 this.

18 Q But it does say, "I believe we have presented a collection of projects...",
19 correct?

20 A "I believe we have presented a collection of projects that parallel the
21 interests...." Yes, I believe --

22 Q So do you recall presenting any projects to CEFC in 2016 or 2015?

23 A I do not personally recall presenting any particular projects. But if
24 James Gilliar or Jonathan -- or, excuse me -- or Rob Walker did, then they very well could
25 have.

1 Q The chairman of CEFC was Ye Jianming, correct?

2 A Yes.

3 Q When did you first meet Ye Jianming?

4 A I first met Ye Jianming in, I believe, February of 2017 at a meeting in Miami,
5 Florida.

6 Q And at some point while you were in Miami, Florida, did you receive a
7 diamond from someone at CEFC or Ye Jianming?

8 A Yes. And, as I'm sure you all travel, and particularly as it relates to the
9 business culture in China, I can say that, when I first received the diamond, I thought it
10 was an extravagant gift, but, at the same time, I know that James, Rob, and myself, who
11 were the attendees of that meeting -- not Tony Bobulinski, by the way -- gave Mr. Ye a
12 magnum bottle of, I think -- I don't know scotch, but -- 1967 Macallan that ultimately was
13 worth far more than the diamond that he gave to us.

14 Q What did you do with the diamond?

15 A I gave it to my uncle.

16 Q Your uncle being James Biden?

17 A Yeah.

18 Q Do you know what he did with it?

19 A I do not know ultimately what he did with it. But I believe that he said he
20 got it checked out and it wasn't really worth much.

21 Q Did you ever introduce your father to Ye Jianming?

22 A I do not recall introducing my father to Ye Jianming. But I believe
23 that -- that -- I don't recall that -- any meeting.

24 Q Rob Walker testified that there was a meeting at the Four Seasons with
25 Ye Jianming, your father, and you were present as well, was his testimony.

1 A Yeah.

2 Q You don't recall that?

3 A What was the date of that meeting?

4 Q He could not recall the date of the meeting.

5 A Yeah. And I do not recall the date of the meeting.

6 And so number one is this: is that my business with CEFC, which was completely
7 legitimate and completely, 100 percent in line with my experience and my abilities, was
8 done when my father wasn't even in office. He was out of office. It had nothing to do
9 with my father.

10 Q But did your --

11 A My father never benefited from --

12 Q -- father meet Ye Jianming?

13 A Can I finish?

14 My father never benefited from my business. My father never made any
15 decisions as it related to my business to benefit me. My father was never
16 financially, nor any other way, of benefit from my business.

17 And the business that you're talking about now wasn't even when he was in office.

18 Q That's not my question. My --

19 A Well, what's the purpose --

20 Q -- question is, did your father meet --

21 A I'm not --

22 Q -- Ye Jianming?

23 A -- I'm not being argumentative. Then what's the purpose? If you want to
24 question my business, if you want to question the business that I do, then we can talk
25 about my business. But what does this have to do with an impeachment inquiry?

1 Q Your father went, while he was running for President, and said his family
2 never received any money from China. Your father --

3 A Yes.

4 Q -- has also said --

5 A You're right.

6 Q -- he's never received -- he's never interacted with any of your business
7 associates. Is that correct?

8 A Yes.

9 Q But if you introduced him to Ye Jianming, that would be untrue.

10 A No, that is not untrue. I'm telling you this. The question being asked, that
11 you're stating, is that my father said that I never received any money from China, the
12 Government of China. Unlike Jared Kushner, I've never received money from a foreign
13 government. He --

14 Q He didn't say Government of China, by the way. He said China.

15 A From China. Well --

16 Q Did you receive money from China or not?

17 A I received money from a Chinese company.

18 Q How many millions have you received from Chinese companies?

19 A I don't know the exact amount, but I know that it was all completely legal, it
20 was incredibly ethical.

21 And I do know this: is that my father never received any money or any benefit
22 from any of the businesses that I've ever done.

23 Q Let's talk about who did get the benefit.

24 On March 1st of 2017, State Energy HK Limited, a company called State Energy,
25 deposited \$3 million into the Robinson Walker, LLC, account.

1 Are you aware of that?

2 A Is State Energy owned by the state of China?

3 Q You tell me. You worked with them.

4 A It's not, no.

5 Q So who do they work for?

6 A All I know is that, when I went to work with Ye, Mr. Ye, he was the largest
7 independent company inside of China.

8 The fact of the matter is, is that you can go back and read anything that you want
9 about CEFC during that period of time, and the anomaly of CEFC was this: is that they
10 were not state-owned. They had taken the place of one of the large state-owned
11 entities and had outgrown them.

12 They were a privately held company. They were privately held by Ye Jianming,
13 who was reported in many different publications as being the wealthiest man in the
14 world because he was the 100-percent equity holder of CEFC, not the state of China.

15 And that was why I found that it was possible to go into business with somebody
16 that was looking to do one thing, as it related to his relationship with me, was be able to
17 identify natural gas off-take contracts in the United States for export to China through
18 LNG terminals.

19 And as you all are well aware, I'm certain, of the issues as it relates to our natural
20 gas production, the most difficult piece is that we do not have enough LNG terminals to
21 be able to make those export deliveries, which depresses the price of natural gas in the
22 United States, and we're unable to then put natural gas into places like China, who
23 desperately need it to get off coal. And so --

24 Q Did Robinson Walker, LLC --

25 A I'm not finished with my answer.

1 Q You're filibustering right now. Did --

2 A I'm not filibustering.

3 Q -- Robinson Walker, LLC, receive --

4 A I'm totally answering your question.

5 Q Did Robinson Walker --

6 Mr. Nadler. Let him answer the question.

7 [REDACTED]. Did Robinson Walker --

8 Mr. Nadler. Let him answer the question.

9 [REDACTED]. Did Robinson Walker, LLC --

10 Mr. Nadler. Let him answer the question.

11 [Crosstalk.]

12 The Witness. -- say that I'm not experienced, that I don't understand, but I'm
13 trying to answer fully --

14 Mr. Nadler. Let him answer the question.

15 The Witness. I don't want to be argumentative.

16 The Reporter. Excuse me. Excuse me. Just one at a time, please.

17 [REDACTED]. I have a very pointed question --

18 The Witness. Sorry.

19 [REDACTED]. -- a very pointed question.

20 The Witness. I apologize.

21 BY [REDACTED]:

22 Q Did Robinson Walker, LLC, on March 1st of 2017, receive a million -- \$3
23 million from State Energy HK Limited?

24 A Yes, as far as I understand, he did.

25 Q That money was then disbursed to you and different family members over

1 the next 2 months, correct?

2 A What do you mean, "disbursed"?

3 Mr. Lowell. When you say his "family members" -- sorry. What do you mean
4 by "disbursed," and what do you mean --

5 [REDACTED]. After the money hit the --

6 Mr. Lowell. Let me finish my question to create --

7 [REDACTED]. Pause the clock. Pause the clock.

8 Mr. Lowell. Yes, pause it, but let's have the transcript be as accurate.

9 At the end of the day, I am sure that, whatever happens, you want a clear
10 transcript of your question and his answer. So, when I ask for a clarification, it's for that
11 purpose.

12 You just used two phrases, "disbursed" and "family." Can you be more specific?

13 Put the clock back on.

14 BY [REDACTED]:

15 Q After the money hit the Robinson Walker, LLC, account on March 1st of
16 2017, over a million dollars goes to EEIG, James Gilliar. Robinson -- Rob Walker retains
17 over a million dollars.

18 Then, over the following next 2 months, there are over 15 wires that go out to
19 you; to James Biden through JBBSR, Inc.; to Hallie Biden; and other Biden accounts that
20 we're still identifying.

21 My question to you is, what services did JBBSR, Inc., provide to State Energy HK
22 Limited?

23 A Okay. Well, I'll start with other Biden accounts that you're continuing to
24 identify. I think that you've had the ability to try to identify those, with your subpoena
25 power. Those are all me.

1 The million dollars was divided into three ways -- excuse me, the \$3 million. It
2 was a retainer agreement with CEFC while we worked out a way in which to become
3 partners through a different entity. And that million dollars that was accredited to me
4 as it related to that, one-third to Rob, one-third to James, went to me -- not my father,
5 not any bank account related to my father.

6 And what I did is, I said -- like I do with many things that I've done in my business
7 career, is that I wanted my uncle to be an advisor to me, so I sent money to him. I had
8 been using Hallie's American Express card because I did not have a credit card at that
9 time, and so I sent a portion of that money to her for repayment of the American Express
10 bill.

11 And "other family members," are you talking about the Venmos that I made to my
12 daughters?

13 Q No. This account had no Venmos.

14 My question -- the next question to you is, why didn't you --

15 A But I'm saying, who are the other -- when you say "other" --

16 Q Why didn't you --

17 A Okay. I'm just asking --

18 Q -- receive --

19 A -- for clarification, [REDACTED].

20 Q -- the \$1 million into your Owasco PC account or another account instead of
21 sending out individual wires from the Robinson Walker, LLC, account to Hallie Biden and
22 to James Biden?

23 A A real easy answer: Because, despite the fact that I certainly didn't look
24 like it, is that I sometimes can be oxymoronically cheap. It's to save on two wire
25 transfers.

1 I knew that I was going to send the money to my uncle. Instead of saying, send it
2 to my account and then I'll figure out how to send it from my Owasco account, business
3 account, another wire transfer to my Uncle Jim or another wire transfer to Hallie, I just
4 said to Rob -- who was, by the way, a friend and an associate of mine for over 20
5 years -- please just wire it directly to Hallie; please just wire it directly to Uncle Jim. But
6 it's all my money, and it's none to my dad.

7 Q And it is all your money, but during that time period, were you also going
8 through a divorce?

9 A I was already divorced by that time. I was divorced in March of 2017 or
10 earlier. But I had been separated from my wife since basically right after my brother
11 died.

12 Q Were you concerned that if the money went into your Owasco PC account
13 that your ex-wife at that time would know that the money went into your Owasco PC
14 account?

15 Mr. Lowell. Hold on a second. Hold on. Wait, wait, wait.

16 The Witness. Okay.

17 Mr. Lowell. [REDACTED], on what possible grounds, asking about the
18 relationship between Mr. Biden and his ex-wife, even for the premise of your question,
19 that he was concerned that his ex-wife would find out about it, could possibly be relevant
20 to an impeachment inquiry or an oversight investigation that you announced at the
21 beginning? What is the relevance?

22 [REDACTED]. It is relevant to know the purpose of why he's sending wires in a
23 manner that he's sending the wires. We need to know.

24 Mr. Lowell. And he just answered your question, which had nothing to do with
25 being concerned about anybody --

1 [REDACTED]. Which makes no sense, because each wire costs money, so you
2 wouldn't send 15 separate wires. He's saying, I want to send two wires. He ended up
3 sending over 15 wires. If each one cost \$25 --

4 Mr. Lowell. He or Mr. Walker?

5 The Witness. Mr. Walker. Not me.

6 [REDACTED]. That's your business partner. So you ripped off your business
7 partner?

8 The Witness. No. I'm saying that I didn't double up --

9 Mr. Swalwell. Oh, come on. Come on.

10 The Witness. I mean, are you kidding me?

11 Mr. Nadler. Come on.

12 The Witness. Look, [REDACTED], I appreciate the job that you have. I truly do. I
13 appreciate the job that you all have. But I am telling you this: is that if you can show
14 me where any money that I've ever had went to my father, other than, for instance, the
15 repayment of the \$1,300 for a loan for a truck -- okay?

16 Mr. Swalwell. Yeah. Come on.

17 The Witness. And this is what I'm saying. You want to talk my divorce? I was
18 not hiding money. I can absolutely 100-percent state for the record that in no way was I
19 trying to hide any funds from my wife. And we have a massive settlement divorce that
20 would prove that.

21 BY [REDACTED]:

22 Q Let's talk about --

23 A Agreement. Excuse me.

24 Q -- money that went to your father.

25 You also got, in August of 2017, a \$5 million deposit from a company called

1 Northern International Capital into Hudson West 3, correct?

2 A I did not -- I did not personally get a \$5 million deposit. It went into an
3 LLC, which was a joint venture between my entity, Owasco PC, and Hudson West III and
4 Mr. Ye's personal -- I don't remember -- Hudson West 4, his entity.

5 And that entity, Hudson West III, of which I did not have control over the bank
6 account, received the \$5 million capitalization for the formation of the company that I
7 was just describing to you before you stopped me from finishing describing it.

8 Q After you get this \$5 million deposit into Hudson West III, you get wires into
9 your Owasco PC account, correct?

10 Mr. Lowell. The "get" in your sentence is not reflecting what he answered.
11 But you go ahead and answer the next question.

12 BY [REDACTED]:

13 Q You received wires to your Owasco PC account, correct?

14 A Yes. Wires came into my Owasco PC account based upon the agreement
15 of the joint venture that I had in the capitalization of Hudson West III. Hudson West III
16 was the entity of which I was a member of and was due a certain amount based upon the
17 joint venture agreement in partnership on a monthly basis.

18 Q And when you would get money, or receive money, into your Owasco PC
19 account that originated from the Northern International Capital, that \$5 million that goes
20 into Hudson West III, did you then ever send money to -- wire money to the
21 Lion Hall Group?

22 A Yes. My uncle was a consultant to Owasco PC on the project that it was
23 related to, in particular, Hudson West III.

24 Q Just so the record's clear, the Lion Hall Group is associated with your uncle,
25 James Biden. Is --

1 A Yes.

2 Q -- that correct? It's also associated with Sara Biden; is that right?

3 A I don't know the inner workings of Lion Hall, but I know that it's related to
4 my uncle.

5 Q Are you aware that the money, some of the money, that you transferred
6 from Owasco PC over to the Lion Hall Group did eventually get -- make its way over to
7 your father's account?

8 A This is the most ridiculous thing that -- I mean, so far. Are you saying to
9 me, do I understand the fungibility of dollars? Do I understand that there is a -- I mean,
10 what is it? Post hoc ergo propter hoc? It's all based upon a fallacy?

11 I mean, guys, I know this: it is that I was due money from a partnership
12 agreement as it related to the capitalization of an organization which I was working for
13 and on behalf of, that was a Delaware LLC, fully transparently, to build an LNG terminal in
14 Monkey Island in Louisiana that, I believe the estimates were, would create 17,000 jobs,
15 permanent jobs, in Louisiana. That's what I was working towards.

16 And the person that I was working with towards that end were my partners in
17 Hudson West 3 and my uncle, who I was paying as a consultant to that.

18 Q I just want to -- you didn't answer the question. Were you aware that that
19 money --

20 A No. How would I possibly --

21 Q -- made it over to your father?

22 A I don't believe that you can possibly say that as being true. I totally
23 disagree with your statement. You're saying that, because I paid my uncle from a
24 Delaware corporation that was fully transparent as to the purpose of that corporation,
25 that had a business partner that happened to be from China, and then that money moved

1 over into my Owasco PC account, which didn't just have that money but had other money
2 in it, you're acting as if --

3 Q It had Burisma money, right?

4 A -- you're acting as if there's, like, a dollar here that somehow was traced all
5 the way down to here to repay a loan that you guys say that my father made to him.

6 All I know is this: My father was never involved in any of my business, ever.
7 Never received a cent from anybody or never benefited in any way. Never took any
8 actions on behalf in any way.

9 And I can absolutely, 100 percent state, that is not just in my case but in every
10 family member's case.

11 Q I want to go back to another question that I asked before regarding your
12 father meeting with Ye.

13 Was your father at the Four Seasons lunch with Ye Jianming and associates in late
14 February/March of 2017?

15 Mr. Lowell. You mean other than him saying he doesn't recall that lunch?

16 The Witness. Yeah, at the --

17 [REDACTED]. But does he know it through another source?

18 The Witness. No, I do not know it through another source. I only know what
19 you are saying to me.

20 And what I will say is this: is that I -- I do not contest or would question if Rob
21 has a memory. I do not have a memory of the date of that.

22 And all I know is this: If my father ever met anyone that was related to a
23 business meeting, not just Mr. Ye, anybody -- my dad has been a United States Senator
24 since I was 2 years old. My whole life has been this.

25 It is impossible -- it's impossible to say, if you are close family and you're around

1 people, that you would end up meeting -- your children would end up meeting people
2 that you're doing business with, your children would end up meeting people that you
3 are in Congress with, you would be at dinner, you would be in D.C. together, he would
4 walk into --

5 [REDACTED]. But it seems like something you would remember.

6 The Witness. Can you let me finish --

7 Mr. Lowell. Are you going to let him finish the question?

8 The Witness. -- because it's important. And I promise you, I'm not trying to
9 obfuscate or -- you can even stop the clock if you want. I'm telling you, is that there is
10 no -- none, zero -- there's no connection whatsoever between my father and my business,
11 period.

12 [REDACTED]. This seems like --

13 The Witness. We can restart the --

14 [REDACTED]. -- a very important meeting, with Ye Jianming and your father.

15 It seems like it's something that you would remember at this, sitting here today.

16 It would be a big meeting. Ye Jianming travels with a big crowd, correct? He
17 has an interpreter, right?

18 Mr. Lowell. Why are you putting facts in the record of your question?

19 The Witness. Yes.

20 Mr. Lowell. He travels with a big entourage? He has an --

21 [REDACTED]. I don't know.

22 Mr. Lowell. Where is that --

23 [REDACTED]. I'm trying to refresh his recollection.

24 [Crosstalk.]

25 Mr. Raskin. We're over an hour at this point.

1 [REDACTED]. You are correct, sir.

2 Okay. Thank you.

3 The Witness. Okay. Thank you, guys.

4 [REDACTED]. Off the record.

5 [Recess.]

6 [REDACTED]. All right. It is 11:41. We can go back on the record.

7 [REDACTED]?

8 [REDACTED]. Good morning, Mr. Biden.

9 Mr. Lowell. Can you speak up, please?

10 [REDACTED]. Absolutely.

11 EXAMINATION

12 BY [REDACTED]:

13 Q I just wanted to go and clear a few things up that my Republican colleagues
14 brought up in their round so that the record is clear about what your testimony is and
15 what the testimony of previous witnesses before this committee has been.

16 And so I want to start, if you'll let me, with exhibit 4, which my Republican
17 colleagues introduced.

18 Mr. Lowell. Could you identify which that was? Because I haven't marked --

19 [REDACTED]. Yeah --

20 Mr. Lowell. Never mind, I have it. Thank you. Never mind, I have it. Go
21 ahead.

22 BY [REDACTED]:

23 Q This was two pages produced by Morgan Stanley for an account in the name
24 of "Rosemont Seneca Thornton, LLC, care of Devon Archer."

25 And I think you testified, Mr. Biden, that you were not on this account; this was

1 Devon Archer's account.

2 A Yes.

3 Q And in response to that, my Republican colleagues introduced exhibit 5,
4 which is another document from Morgan Stanley, trying to suggest that somehow you
5 were involved with this account because this document shows "Rosemont Seneca
6 Partners" on the document. Do you recall that?

7 A Yes.

8 Q To be clear, your testimony is, you were not a signatory, you did not have
9 access to this account in the name of Rosemont Seneca Thornton, LLC. Is that correct?

10 A Yes, that's correct.

11 Q Well, I would like to introduce exhibit 10.

12 [Biden Exhibit No. 10
13 was marked for identification.]

14 BY [REDACTED]:

15 Q This is the actual account application and client agreement, which was also
16 provided to the committee by Morgan Stanley, for this same account. I think you can
17 see the numbers are the same. Do you see that?

18 A Yes.

19 Q Okay. And I want you to turn to the last page of it, signatories on the
20 account. And can you read to me all the names that are listed as signatories on this
21 account?

22 A Devon Archer.

23 Q That's it?

24 A That's it.

25 Q Does it say "Hunter Biden" anywhere?

1 A No, it does not.

2 Q So does this document -- that was also produced to the committee by
3 Morgan Stanley, but which my Republican colleagues did not introduce -- show that this
4 account, as you testified, was Devon Archer's account and not your account?

5 A Yes, that's correct.

6 Q Next, we discussed -- you discussed with my Republican colleagues the
7 entity Rosemont Seneca Bohai. Do you --

8 A Yes.

9 Q -- remember that? And I believe you testified that you had no position
10 with Rosemont Seneca Bohai, that that was Devon Archer's entity.

11 A Yes.

12 Q And my Republican colleagues suggested that Devon Archer had testified
13 otherwise. Do you remember that?

14 A I do.

15 Q And as exhibit 8, they provided some pages from Devon Archer's transcribed
16 interview transcript. But that did not include page 67 of the transcript. If they had,
17 you would've been able to see the following question propounded by my Republican
18 colleagues during Devon Archer's transcribed interview:

19 "So you're saying there's no -- he had no -- 'he' being Hunter Biden -- had no
20 position with RSB, Rosemont Seneca Bohai?"

21 And Devon Archer's response: "Right."

22 So it seems to me that Devon Archer's testimony and your testimony are the
23 same: You had no position with Rosemont Seneca Bohai. Is that correct?

24 A That is correct.

25 Q And then we discussed with my Republican colleagues exhibit 7, the

1 Rosemont Seneca Bohai account, which was some pages from Morgan Stanley again
2 referring to transactions in the bank account "Rosemont Seneca Bohai, LLC, care of
3 Devon Archer."

4 And I think your testimony was that you were not a signatory on this account, this
5 was not your account; this was Devon Archer's account. Is that fair?

6 A That is correct.

7 Q Okay.

8 And, again, this was covered in Devon Archer's transcribed interview. Page 16 is
9 not included in the packet that my Republican colleagues introduced as exhibit 8, but if
10 they had, it would show the following exchange.

11 Question: "And if we look at the top of the page and kind of in the header here,
12 it has 'Rosemont Seneca Bohai, LLC, care of Devon Archer.'"

13 Response: "Uh-huh."

14 Question: "Hunter Biden was not on this account, correct?"

15 Answer: "He was not. He was not on -- no, he was not on the account."

16 So Devon Archer and your testimony is the same, that you were not on this
17 account.

18 A That's correct.

19 Q I just wanted that to be clear so that the record can accurately reflect the
20 documents in the committee's possession and what they show, including bank records,
21 and the testimony that this committee has received and what it says and does not say.

22 And just so that the record is abundantly clear, all of these entities that we have
23 just talked about -- Rosemont Seneca Bohai, Rosemont Seneca Thornton -- your father
24 had no involvement in any of those entities.

25 A That is correct; my father had no involvement in any of those entities. And

1 those entities were not under my control in any way.

2 Q And your father didn't receive any money from those entities.

3 A No.

4 Q Your father certainly never took any official actions on behalf of those
5 entities.

6 A Absolutely not.

7 [REDACTED]: Mr. Biden, just a handful of additional questions, the first one along
8 those lines.

9 In the prior --

10 [REDACTED]: Can we stop for a second?

11 [REDACTED]: Sure.

12 [REDACTED]: The deposition rules state that there's only one -- allowed one
13 questioner, one staff questioner per round.

14 [REDACTED]: So I understand this is a joint deposition --

15 [REDACTED]: Right.

16 [REDACTED]: -- of the Committee on Oversight and the Committee on the
17 Judiciary, each of which have their own individual rules.

18 [REDACTED]: Right.

19 [REDACTED]: And so it was our understanding that, as the Oversight rules state
20 one questioner, so the Oversight Committee has one questioner, and the Judiciary rules
21 state one questioner. And so that's what we prepared for.

22 Had you alerted us ahead of time --

23 [REDACTED]: Well, it's the deposition regulation which contemplates joint --

24 [REDACTED]: You didn't --

25 [REDACTED]: -- joint investigative --

1 Mr. Raskin. Well, can you -- can you just show us the part in the regulations that
2 specifies that?

3 ██████████: Sure.

4 Mr. Raskin. Because my understanding was that of ██████████ also.

5 ██████████: Yeah, it's --

6 Mr. Lowell. And at the end of the day, may I just ask, does it really matter?

7 ██████████: Well --

8 ██████████: I don't know that we've actually followed that regulation in the prior
9 depositions, ██████████.

10 ██████████: No, we just should do our best to follow the rules.

11 We also -- I'll also put on the record that we are concerned that there's been
12 content discussed by the Members to reporters, content of the deposition. And that is a
13 violation of rules --

14 ██████████: Sorry. How is that relevant to the discussion about who can ask
15 questions?

16 ██████████: Well, we just want --

17 ██████████: Can we return to that?

18 ██████████: -- to alert all Members, like, what the rules are. And if we're going
19 to break the rules, then Republicans might want to go break them too.

20 Mr. Raskin. ██████████, do you want to show us the language that you're
21 referring to?

22 ██████████: Yes. Thank you.

23 Mr. Swalwell. Abbe, do you care if they ask some questions?

24 Mr. Lowell. I do not -- hold on.

25 We don't care whether or not one, two, or six people ask the questions, as long as

1 it forwards the purpose of this deposition.

2 Mr. Bishop. Whose rules are they?

3 [REDACTED]. It's a House rule.

4 Mr. Lowell. Say it again?

5 [Crosstalk.]

6 The Reporter. Excuse me. Could we just go one at a time, please? Thank
7 you.

8 Mr. Raskin. [REDACTED], with your permission, can we proceed as we understood
9 it?

10 [REDACTED]. Yeah, it's item -- it's item 5 under the "Regulations for the Use of
11 Deposition Authority."

12 "A deposition shall be conducted by any member or committee counsel
13 designated by the chair or ranking minority member of the Committee that noticed the
14 deposition. When depositions are conducted by committee counsel, there shall be no
15 more than two committee counsel permitted to question a witness per round."

16 [REDACTED]. That would be --

17 [REDACTED]. "One" --

18 [REDACTED]. That seems to actually --

19 [REDACTED]. Just let me finish here.

20 "One of the committee counsel shall" -- one -- "shall be designated by the chair
21 and the other [designated by] the ranking minority member...."

22 [REDACTED]. Certainly, [REDACTED], and so, therefore, there are two ranking
23 members --

24 [REDACTED]. And there's also two -- two deposition notices that went out --

25 [REDACTED]. Right.

1 [REDACTED]: -- so one was noticed by Chairman Comer, one was noticed by
2 Chairman Jordan -- or, Ranking Member Nadler has actually designated the --

3 [REDACTED]: Do we want to just -- okay.

4 Mr. Raskin. Yeah, [REDACTED], if you let it go this time, and we can discuss in the
5 future if you guys have a problem --

6 [REDACTED]: Well, if that's the plan, then, you know, we would also use two
7 staffers --

8 Mr. Raskin. And we have no problem with that at all. We understood that it
9 was both Judiciary and Oversight.

10 [REDACTED]: And I just want to dispute your account, that we're breaking the
11 rules. This was our reading of the rules. Had you brought up ahead of time that you
12 had a different reading, we would've been happy to hash that out.

13 [REDACTED]: Well, honestly --

14 [REDACTED]: Okay. I think --

15 [REDACTED]: -- I'm not stating you're intentionally, willfully breaking the rule on
16 questioners. The breaking the rules was advising that the Members discussing at the
17 sticks, in between breaks, the content --

18 [REDACTED]: And I don't think we want to -- I don't think we want to accept your
19 representation that --

20 Mr. Goldman. If you're releasing the transcript, then we don't need to go talk --

21 [REDACTED]: Yeah.

22 Mr. Raskin. All right. But I would suggest we resume questioning now under
23 these --

24 [REDACTED]: Okay.

25 [REDACTED]: Yeah. And I don't think we want to accept your representation --

1 Mr. Raskin. Let's go forward.

2 [REDACTED]: -- of what the Members might have said outside the room, certainly --

3 Mr. Raskin. We certainly cannot.

4 [REDACTED]: -- not on the record, so -- okay.

5 BY [REDACTED]:

6 Q Restarting the clock -- and this will be brief, Mr. Biden.

7 In the first hour of questioning, you were asked some questions about

8 Kenes Rakishev. Do you remember those questions?

9 A Yes.

10 Q To be abundantly clear, your father had nothing to do with any business
11 engagements you might've had with Mr. Rakishev, correct?

12 A None whatsoever.

13 Q And your father certainly never received any benefit from any business
14 engagements you might've had with Mr. Rakishev, correct?

15 A None.

16 Q Okay.

17 In the prior hour, you were also asked about a supposed diamond that you were
18 given in Miami. Do you recall those questions?

19 A Yes.

20 Q And you started to explain -- and I don't know that you got through your
21 explanation -- that there was a cultural aspect to the exchange of gifts in that scenario.

22 A Yes.

23 Q Can you explain what you meant?

24 A Well, if anyone has been to China, in particular, and other parts of Asia, it's
25 commonplace to exchange gifts at the beginning of any relationship and introduction.

1 And we brought a, I was told, very expensive, large bottle of vintage -- something
2 or other. And at the end of the meeting, Mr. Ye then presented me with an envelope
3 that contained the diamond that we're talking about.

4 Q Okay. And you said you gave the diamond to your Uncle Jim?

5 A Yes.

6 Q Are you aware that your Uncle Jim had that -- we're calling it a diamond; I'm
7 actually not sure if it was a diamond -- that he had that stone appraised?

8 A I'm only -- I was not aware, necessarily, at the time exactly how he went
9 about doing that, but he had told me that it was -- it was not worth much --

10 Q Okay.

11 A -- or worth anything.

12 Mr. Roy. Sorry. I'm going to channel Ranking Member Nadler. Could we all --

13 The Witness. Sorry. I apologize. Yeah.

14 Mr. Roy. If we could all just speak up a little bit, it's hard to hear.

15 The Witness. No, I -- I --

16 Mr. Roy. Including counsel.

17 The Witness. I ultimately came to learn that it was not of any real value,
18 whatever that means.

19 BY ██████████:

20 Q And I'll represent to you -- or, you're aware that your uncle testified before
21 the committee last week?

22 A I am aware of that.

23 Q And I'll represent to you that he had it appraised and that he told the
24 committee it was virtually worthless.

25 A Okay.

1 Q And so it's actually probably not even really a diamond, right, if it was -- it
2 was probably just a stone of some kind; is that fair to say?

3 A I assume. I didn't have any knowledge of the appraiser or could speak to
4 that, but, yes, that it would seem to be the case. I trust my uncle's word at that.

5 Q And your uncle represented to the committee that he actually threw it away
6 because it had no value.

7 A Okay. Yeah.

8 Q And, in contrast to that, you said -- I think in the first hour you said it was a
9 vintage bottle of -- a 1967 bottle of Macallan scotch. Does that sound about right?

10 A I do, and I don't remember the year or date. I'm not a -- well, I have to be
11 very careful. I'm a drinker -- I was. I'm not any longer. But when I did drink, I did not
12 drink scotch, and so I don't know. But it was purported to me to be a very expensive
13 bottle of -- I was shocked by how much they said. I can't remember exactly.

14 Q Maybe upwards of \$20,000?

15 A Yes, I think tens of thousands of dollars.

16 Q Okay.

17 A Yes.

18 Q Thank you.

19 A Yeah.

20 BY [REDACTED]:

21 Q In some comments to the press, there have been comments that there was
22 more than one diamond or more than one stone that you received from the Chinese
23 company.

24 Did you receive more than this one --

25 A I don't recall exactly the -- any other gifts, but I don't want to, you know --

1 Mr. Lowell. I'm sorry. To be clear, you mean, in the envelope that he was
2 given, there was more than one stone? Or --

3 The Witness. In that one -- no.

4 [REDACTED]. In general.

5 The Witness. Yeah.

6 [REDACTED]. Okay.

7 Do you have anything?

8 Mr. Raskin. Mr. Biden, you state -- there's a diamond in the rough here -- "I did
9 not involve my father in my business." And you go on to state, that was true as a
10 lawyer, in any of your investments, your transactions, not as a corporate board member,
11 not as an artist, never.

12 Will you just give us the rationale behind that? Was your father trying to be
13 involved in your businesses and your legal practice and so on and you had to keep him
14 out? Or was it just an assumption both of you had?

15 The Witness. Yes. I think number one is, it's just a natural family relationship.
16 I was a professional adult and I had my business, and my dad had his business.

17 But there was one thing that we -- that I was fully aware of my entire life, is that
18 my dad was an official of the United States Government, and there were very bright
19 lines that I abided to and that I was very, very cognizant of. And I made certain that I
20 never engaged with my father in asking him to do anything on my behalf or on behalf of
21 any client of mine.

22 Mr. Raskin. You've been very honest about your struggle with addiction. It's
23 been made public, perhaps more so than any person I can remember in our time. And
24 we have heard from at least one or two other witnesses that they feel as if some of the
25 political focus on you is an attempt to drive you into a relapse.

1 And I want to know how you respond to that, whether, you know, you agree with
2 people who are saying that.

3 And I hope that this process will be conducted, at least from here on in, in a way
4 that is respectful and is dignified. But, in any event, I hope that this is not a process that
5 has driven you outside of your recovery.

6 The Witness. Yeah, I appreciate that. And I appreciate the question.

7 It is -- it has not. I'm more determined than I've ever been in my life that the
8 number-one most important thing that I can do, not only for myself but for my family and
9 for those that love and support me, is to maintain my sobriety.

10 And -- I don't know. I think one of the things that I have not been able to fully
11 comprehend -- I'm speaking to everybody at the table here -- is at least the understanding
12 of that, at least the understanding of the fact that I am certain every single person in this
13 room has had someone in their life that they love, if not themselves, if not personally
14 themselves, that have been the victims of the disease of addiction. And I don't consider
15 myself a victim, but I do know this: is that it's real, and it rips apart families, it rips apart
16 communities.

17 It's something that I am -- I know, for me, if I have a purpose in life now, that
18 purpose in life is to be an example to other people that I know that have it a hell of a lot
19 harder than I do, even in these circumstances.

20 It's one thing to have to come and face all of you, and that's intimidating, and I can
21 tell you, it fills me with anxiety on a daily basis, but I know this: There are people out
22 there that -- that don't have families that love and support them anymore. There are
23 people out there that don't, from the outside, look like they have any hope at all.

24 And all I can say is this: is that the one thing that I would hope that you would
25 respect is that struggle, if not for me, at least for the people that are your constituents

1 that are facing the same thing.

2 And I'm not being saccharine or I'm not being disingenuous, and I promise you I'm
3 not in any way saying this other than for this: Everyone -- everyone -- has dealt with this
4 in one way or another.

5 And I have to make my amends, and I made mistakes, and I screwed up. I know
6 that. The world knows that now. The world knows that a thousand times over now.
7 But I do know this: is that, at least when you talk about it, give me that benefit, give
8 your constituents that benefit, give the people of America that benefit.

9 Over 35 million Americans right now are suffering from addiction, and it's a
10 disease that takes lives every day. And you know it. You watch it. And they are not
11 evil. They are not bad people. It doesn't stop some of them from being bad or evil,
12 and they have to pay for what they've done, if they've done something in addiction that
13 they should not have done. And that's my responsibility.

14 But I can tell you this: The only involvement of my father in anything in my life
15 has been as my father, not as a business partner, not as a benefit of my business, not
16 anything.

17 But I would just hope that you would respect what everyone else is going through
18 and realize it's not just about me when you speak about the things that I've faced as it
19 relates to -- and some of those behaviors in my darkest days.

20 Mr. Raskin. Thank you, Mr. Biden.

21 No further questions.

22 [REDACTED]: We can go off the record. Thank you.

23 [Recess.]

24 [REDACTED]: We'll go back on the record.

25 BY [REDACTED]:

1 Q We just pulled a part of the exhibit, the deposition transcript -- or a
2 transcribed interview transcript of Rob Walker that we were discussing at the end of the
3 first majority hour, regarding -- I'll refer you to line 15.

4 Mr. Jordan asked Mr. Walker: "And describe for us again -- we got into this right
5 at the tail end of our first hour. Describe who was all there."

6 And this is a luncheon at the Four Seasons involving some of the CEFC officials.

7 Mr. Lowell. Can you date that, just for the record? Which is this, which
8 luncheon? 2000-when?

9 [REDACTED]: '17.

10 Mr. Lowell. Okay.

11 [REDACTED]: We believe it was in February or March of 2017.

12 [REDACTED]: And, Mr. Biden, you had asked [REDACTED] the relevance. And --

13 Mr. Lowell. No, I asked the question. And he did too.

14 [REDACTED]: I think he did as well.

15 And some of the testimony we received and some of the documents indicate that
16 the CEFC business deals were, in fact, going on during the year 2016.

17 And so, to the extent your father, the former Vice President, stopped by a
18 luncheon in early 2017, you know, we're simply just, you know, asking the question,
19 whether that was something that was planned. I'm trying to refresh your recollection at
20 all about that luncheon where your dad stopped by.

21 Mr. Lowell. Allegedly.

22 The Witness. Yeah.

23 Number one, as I said before, I do not recall -- I do not recall this, but I don't
24 question Mr. Walker's memory of it.

25 However, if he did stop by, it was in 2017, when he was out of office. And --

1 ██████████. Correct.

2 The Witness. -- I understand that your question is -- well, I guess I don't
3 understand your question. What's the --

4 BY ██████████:

5 Q Well, I'm presenting you the transcript to see if it refreshes your recollection
6 at all. Just want to talk a little bit about it a little bit more --

7 A Sure.

8 Q -- because I think we started with just a minute left on the clock in the first
9 hour.

10 A Yes. I do not recall him specifically being there. However, again, I don't
11 question Rob's memory of it, if he says that that occurred.

12 If it occurred, it occurred in -- I think he says here when it occurred was in early
13 2017 sometime. I know that the first time that I ever met Chairman Ye was in February
14 of 2017. So, if this did occur, it had to have happened after that.

15 Q Okay. And do you recall any conversations with the CEFC officials about
16 your dad?

17 A No.

18 Q Okay. And so it was never part of the plan that your dad would stop at the
19 lunch or be part of the business at all?

20 A No.

21 Q How many -- do you remember any luncheons at the Four Seasons that
22 involved Chairman Ye and the CEFC officials?

23 A I do not.

24 Q Okay. So, to the best of your recollection, you can't remember ever being
25 at the Four Seasons with CEFC officials?

1 A Again, I don't even know, are they -- what Four Seasons are they talking
2 about, first of all?

3 Q The one in Washington, D.C.

4 A Oh, in Washington, D.C.

5 Q Yeah.

6 A No. I mean, I know that I've had lunch at the Four Seasons a number of
7 times. I don't ever remember having lunch with Chairman -- with Mr. Ye at the
8 Four Seasons in which my father stopped by.

9 But, again, I'm telling you, I don't contest Rob's memory of it. If Rob is certain of
10 that, then it most likely happened.

11 Q Okay.

12 We talked about the Cafe Milano, I think two dinners at Cafe Milano. One was in
13 early February, as I understand it, and one was later on in the spring.

14 Mr. Lowell. What year?

15 ██████████: 2014.

16 And '15? The second one was in 2015?

17 Okay. So one was in February of 2014; the second one was in the spring of 2015.

18 BY ██████████:

19 Q Do you remember your dad being involved with Cafe Milano dinners?

20 A No. Again, I had many dinners at Cafe Milano. Many of them were social.
21 Many of them were family. Many of them were a combination of social, family, and
22 business.

23 And so it would not be rare for my dad to call me and say, what are you doing,
24 because between the White House and the Vice President's residence, literally,
25 Cafe Milano is kind of equidistant. It's, from the back gate -- there's a back gate --

1 Q Uh-huh.

2 A -- to the VP's residence. And if my mom wasn't there or if my mom was
3 home in Delaware, he would, you know, stop and have a bowl of spaghetti with me or
4 whoever I was sitting with.

5 Q Okay. How often did your dad do that? Like, how many times do you
6 remember that happening?

7 A I can't count the number of times my dad stopped to have dinner with me
8 and my family. He would stop over at my house and have dinner with me and my
9 children.

10 Q No, but when you were conducting some business.

11 A Well, I wasn't conducting business when I had those meetings, necessarily.
12 I was -- number one, I had a dinner for the U.S. -- U.N. World Food Programme.

13 Q Uh-huh.

14 A It didn't have anything to do with business. Each person around that table,
15 individually and collectively, had the opportunity and the ability to actually do something
16 in support of the U.S. -- or, excuse me, the U.N. World Food Programme. And we made
17 a presentation at that one dinner that I'm talking about.

18 I think another dinner you're talking about was actually on my actual birthday, and
19 my dad stopped by because it was my actual birthday.

20 Q And do you remember anything specific from the February 4th? You
21 testified this morning about the World Food Programme Cafe Milano dinner. What do
22 you remember about the birthday dinner in February --

23 A Well, here's what I remember, and to be very clear, is that it was my
24 birthday, and the reason my dad stopped by was because it was my birthday. That's it.

25 Q Do you remember who was there?

1 A I don't remember exactly who was there because it's sometimes conflated
2 by both you guys and sometimes by myself. I'm not --

3 Q Okay.

4 A -- I'm not saying to you of who was at -- you know, what individuals were at
5 each meeting. I have not seen a guest list of both of them, as we talked about, a specific
6 guest list --

7 Q Uh-huh.

8 A -- but I know that they were associates and people that were in town, and I
9 know that Devon was at both of them.

10 Q Okay.

11 A Yeah.

12 Q Do you think some of your business associates that we've spoken about
13 today -- Mr. Archer, Mr. Bobulinski, Mr. Galanis -- do you think they had an expectation
14 that your dad had any role or involvement with any of your joint business dealings?

15 A Not an expectation from me.

16 And I think that you'd see in my communications to them, there was never a
17 single time that I can remember in which I say, "Hey, we'll get my dad involved," "Hey,
18 let's get my dad on the phone," "Hey, you know, let's -- you know, what can we get from
19 my dad out of this?"

20 Q Uh-huh.

21 A Is that I am absolutely certain is that anytime that I am talking about my
22 family in any of those communications, it is to make certain that people know that it's my
23 family and it's not theirs. It's not their name to screw up; it's mine.

24 And so I am certain that if any of their -- any of the -- their expectations would not
25 derive from me.

1 Q Uh-huh. I mean, you've said yourself, I believe to ABC, that the reason you
2 were picked for the Burisma board was because you're a Biden.

3 A I didn't say that. I didn't -- I -- I -- again, what I said, just to be clear, if you'd
4 like to read the actual quote -- but what I think I said, and I will paraphrase, is that, in my
5 entire life, it's a commonplace name.

6 It is -- my dad -- I live in a State that has 900,000 people. You know, when I got
7 pulled over when I was a kid for speeding, the cop wouldn't let me go. He'd say, "Your
8 dad's going to kick your ass" and laugh about it. And that's what would happen.

9 And so, for me, I've always had the last name "Biden," and it's been something
10 that has been both an incredible -- number one --

11 Q Uh-huh.

12 A -- more than anything, an incredible honor, and it's been a -- and it's also an
13 incredible responsibility.

14 And as I said before, I screwed that up when I was -- when I had addict- -- when I
15 was in the darkest days of my life and when I lost my brother and ended up with a divorce
16 and everything fell apart.

17 And -- but the one thing that I am absolutely aware of is that -- cognizant of the
18 fact that, when people engage with me, is that, are they engaging with me because of my
19 skills -- like, for instance, you guys have gone out and said I had no credibility, no -- that
20 there's no way that I should've been serving on the board of Burisma. I just read you my
21 resume. I'd put my resume up against any one of you, in terms of my responsibility. I
22 don't know anybody that was -- at that time that was teaching the number one-rated
23 course at Georgetown's School of Foreign Service in the master's program in terms of
24 foreign policy and advocacy. I literally was on 17 -- like, 12 different boards. I only
25 listed like, you know, 10 of them. And so I had an enormous amount of reasons to be on

1 it.

2 So, when I say -- I'm always cognizant of the fact that there is -- in many instances,
3 somebody may have an ulterior notion. And it's my job to be able to balance that and
4 to create boundaries.

5 Q Uh-huh.

6 Mr. Archer testified about the brand, the Biden brand, and that was, you know, an
7 asset for your joint business activities, that --

8 A Yes. And, you know, here's the thing. Here's the way that I think about
9 the brand. The brand is this: is my dad, with the support of his family -- in particular,
10 my mom; my Aunt Valerie, who's run every one of his campaigns; my grandparents;
11 everyone -- it's their legacy. Primarily, the name "Biden" is my dad's legacy. And he
12 passes it down to me and, when my brother was alive, my brother, my sister, now to my
13 children.

14 It's our responsibility to not screw that up. It's to live to what I think is the
15 person that I hold in the highest regard of any human I've ever met in my life, is my dad.

16 And, to that end, is that, whenever I -- I don't remember any times I talked about
17 it as a brand, but that's my view of the brand. If other people saw the brand as
18 something that they could market, it's not -- it was not with my -- without going through
19 me first. And if they did so, they didn't go through me first.

20 Q Is it fair to say, though, that Burisma wanted you on your their board
21 because your dad was the Vice President?

22 A No, I don't think that it's fair. Again, [REDACTED], I really don't. I really
23 don't think that it's fair to say that -- for that to be the entire sentence.

24 I can say to you this: I know why President Kwasniewski of Poland wanted me to
25 be on the board. He is the one who convinced me, ultimately, to be on the board.

1 He's one of the first democratically elected Presidents of Poland.

2 He called me up and he told me this. He said, if people in the West do not stand
3 up against Vladimir Putin and Vladimir Putin's aggression and they allow for companies
4 like Burisma -- whatever you think about Burisma, it was a bulwark against Russian
5 aggression in a moment in time when the single purpose of Vladimir Putin, in his taking
6 Crimea and his incursions into Donetsk and to Donbas, was to take over the natural-gas
7 fields, was to take over their energy supply.

8 And that still remains the single biggest goal. Ukraine is not necessarily for the
9 people; it's for their natural resources. It's for a pipeline to the West. It's to be able to
10 choke off Europe. That's what it's for.

11 And there was two gas companies inside of Ukraine at that time. One of them
12 was the state-owned, which was highly corrupt and connected to people like Firtash,
13 which was directly going into Vladimir Putin's pocket. The only independent company
14 was Burisma. And Burisma was supplying 60 percent of all natural gas to power the
15 entire industry in Ukraine, including 78 percent of all steel mills. And so they needed to
16 survive.

17 And President Kwasniewski said to me, if that is -- ends up being the result, if it
18 shows that me, President Kwasniewski, who is literally the symbol of democracy in
19 Eastern Europe, and you, Hunter Biden, whose name is also a symbol of freedom and
20 democracy and standing up for the Ukrainians' desire for a democratic state against
21 Vladimir Putin, then I was comfortable with that. I was completely comfortable with
22 that.

23 Q Who's Alex Kotlarsky?

24 A Alex Kotlarsky was an associate of Devon's. They worked together. He
25 had a separate company in which he introduced Devon -- I believe he introduced Devon

1 to Burisma originally.

2 Q And what was his role in getting you a board seat at Burisma?

3 A That's -- he introduced Devon to the CEO of Burisma.

4 Q Okay. And, as I understand it, you had to pay a finder's fee to

5 Mr. Kotlarsky?

6 A Yes.

7 Q And what was that finder's fee?

8 A I don't remember the exact figure, but if you have a document. I don't

9 know if it was a third or -- I think it was around that.

10 Q Okay. Do you remember your annual salary with Burisma?

11 A I think that it worked out to be about \$65,000 per month over 5 years.

1

2 [12:21 p.m.]

3 BY [REDACTED]:

4 Q Okay. And do you know if your salary changed when your father was no
5 longer the Vice President?

6 A My salary changed when all the board members' salaries were renegotiated.
7 Devon was taken off of the board because of an issue that he had legally, and then they
8 renegotiated all the salaries of board members.

9 Q And do you know what timeframe that was?

10 A I don't know exactly when it was. I think it was some time in -- after
11 Devon's indictment, soon after Devon's indictment.

12 Q Do you remember what year that was?

13 A 2017, I believe.

14 Q Okay. So that was --

15 A I think he was indicted in late 2016 and, yeah, into '17.

16 Q And what can you tell us about Vadym Pozharsky?

17 A Vadym Pozharsky was an employee at Burisma. He was, I think, officially
18 kind of secretary to the board.

19 Q Okay. Was he your go-between? Was he the person you interfaced with?

20 A Well, Vadym spoke English. Mykola and most -- and some of the managers
21 did not speak English. All of the board members spoke English, every single one of
22 them. We conducted board meetings in English, and it was translated into Russian or
23 Ukrainian for the purposes of Mykola or some of the managers.

24 Most of the people are the engineers who worked for Burisma were also all
25 Americans that actually did the drilling and had the prospects of the drilling. So their

1 lawyer, their accountant, everybody spoke English.

2 Q What types of services did you provide on the board? I mean, you were
3 making a million a year, Burisma. What were you doing for that million?

4 A Well, I don't think ultimately it worked out to be that but I -- what I was
5 doing is I was the head of the corporate governance, corporate governance.

6 And my responsibilities were like any other board member, to attend board
7 meetings, to be aware of what the management was doing to try to strive for, you know,
8 accountability, transparency, openness in terms of the reporting, to go through the
9 financials and make certain that the financials were certified by a CPA.

10 The whole idea was that it was a private company that was operating in Ukraine
11 for a very long period of time in that part of the world, which doesn't have the same high
12 standards that the West does. And that was my goal in trying to provide a more
13 Western-looking and acting company.

14 Q How many hours a month do you think you spent on the Burisma work?

15 A I don't know.

16 Q Or your work?

17 A I didn't keep hours, but we spent a good deal of time.

18 Q Was it a full-time job?

19 A I don't think it was a -- no, it was not a full-time job. It was a board
20 member seat like anybody, a board member sits. I don't think anybody who takes a
21 board member seat takes it as a full-time job. It wasn't employment. It was a board
22 position.

23 Q Okay. But it wasn't a full-time salary. I mean, a million bucks a year is a --

24 A Oh, yeah.

25 Q -- pretty good gig.

1 A Look, I don't have any -- I'm absolutely certain that it was a lot of money.
2 And I don't think, though, that it stands out necessarily from anybody that was working
3 on a board of a Fortune 500 company that is similar in size here in the United States, that
4 receives a board fee, along with stock options. I think actually the truth of the matter is,
5 is it's right in line with that.

6 Q Were you aware at the time that your father had a specific role involving
7 Ukraine policy as Vice President?

8 A I was aware, number one, is that -- is this, is that my father had a specific -- a
9 very unique role as Vice President of the United States, unlike any other Vice President,
10 except for probably Vice President Cheney. He did not take a specific set of issues and
11 stick to those specific set of issues.

12 One of the -- he writes about it and has spoken about it in terms of his relationship
13 with President Obama is that he would not be -- serve simply to, for instance, be the
14 ambassador as it relates to the climate or to one country.

15 And so one of the roles that my dad had, I'm absolutely certain, was dealt with
16 Russian aggression, which obviously proves Ukraine.

17 Q There was some testimony back in 2019. George Kent, a State Department
18 official --

19 A Yes.

20 Q -- testified that there were some concerns that your involvement with the
21 Burisma board may have presented a conflict for the Vice President.

22 Mr. Lowell. Wait, I'm sorry.

23 Mr. Kent said that to Mr. Biden?

24 ██████████: Mr. Kent testified --

25 Mr. Lowell. That's not what I'm asking. You're saying that at some point,

1 Mr. Kent made a statement that he, Mr. Kent, felt something and your testimony -- your
2 question is did he ever convey that to Mr. Biden.

3 [REDACTED]: Well, that's what I'm getting ready to ask.

4 Mr. Lowell. Okay. Please.

5 BY [REDACTED]:

6 Q Mr. Kent testified that he had some concern and other State Department
7 officials had some concern that perhaps your board membership with Burisma presented
8 a conflict. And they wrestled with how do we -- how do we raise this to the Vice
9 President's office? And ultimately, I believe they sent some emails, and Amos
10 Hochstein had a one-on-one conversation with your dad about this.

11 And so my question for you is: What was your thinking about that question,
12 about the ethics question?

13 A I appreciate the question. But just -- I don't agree necessarily with the way
14 that you presented -- I appreciate your question.

15 I don't necessarily agree with the way you present that question, is that I don't
16 know, for instance, if Mr. Kent said that they expressed that there was a conflict or
17 whether he expressed that there -- that the appearance of a conflict could take place. I
18 think that's an important distinction.

19 And in terms of whether it was ever related to me, it was not related to me by
20 anybody in an official capacity.

21 Amos Hochstein and I have been friends since I first met him in 2007, traveling
22 around Iowa. He worked for Senator Dodd at that time. And I was there, campaigning
23 on behalf of my dad. I lived in Iowa for 7 months in motels.

24 And Amos and I would see each other often at these events where we would
25 either speak on behalf of the candidate or run into each other, and he has been a close,

1 personal friend.

2 The time that I saw Amos, I asked him. I was getting an enormous amount of
3 incoming, I would say, from the media about, you know, my role in Burisma. I was very
4 transparent about it. You can all recall, remember, this was not -- I did not try to hide
5 this. I sent out a press release the day that I joined the board.

6 And I thought that I was able to, like, withstand it because of what I said about the
7 reasons that I wanted to join the board.

8 And I asked Amos to -- if he would meet me for coffee. We met at Georgetown
9 as place that we -- that I -- that I know he would go to. I would sometimes see him
10 coming out when I was going in. So we met there at a table.

11 And the first thing that we talked about over the course of the time was my
12 family, my brother, and what had just -- Beau had just died a few months earlier, I
13 believe, at this time. And we talked about that.

14 And I talked about the stress and the strains that were being put on the entire
15 family because of it. It was nothing unique for any family, but it was devastating.

16 And then I asked Amos, I said, do you have any advice for me about how I should
17 handle what was very public at the time. It was kind of, you know, an open secret.
18 And I knew Amos had an enormous amount of understanding of the area.

19 And Amos said to me, Amos said to me, you know, he said any -- the -- that you
20 have to worry about, Hunter, as it relates to this, is the ability -- you have no
21 understanding of the Russian disinformation and the way in which they could potentially
22 weaponize this. He said, So you need to be really careful.

23 And that was the extent of it.

24 Q Do you know if he had any conversations with your father about that?

25 A I don't know if he had any conversations with -- I know that he testified here,

1 but I haven't seen that testimony.

2 Q Mr. Zlochevsky, at the time, was under investigation from a number of
3 fronts. Isn't that correct?

4 A Well, not at the time that I -- as I understood it, when I joined the board.

5 So just to get the timeline right here is, when I was first introduced to Burisma as
6 an organization and Mr. Zlochevsky as the leader of that organization, I was introduced by
7 Devon.

8 Devon said that they, you know, had a whole host of issues, and I was at -- of
9 counsel at Boies Schiller Flexner. And I said, well, if they would like to talk to me, they
10 can talk to me, because I know there that are people with experience at Boies Schiller
11 Flexner that can also be helpful.

12 And so they became a client of mine initially at Boies Schiller Flexner. And in that
13 time I asked them, because I wanted to do a background and security check on them to
14 make certain that they are who they say they were. And they provided me with a Kroll
15 report.

16 I don't -- I can't speak about what I did for them necessarily. But in that Kroll
17 report and in a subsequent report that was commissioned by Burisma, it did not have any
18 of the allegations as it relates to the -- what eventually happened in the U.K. and then
19 eventually was dismissed in the U.K.

20 And so that -- that's the answer, I think, to your question.

21 Q Do you recall a December 2015 board meeting in Dubai?

22 A I do. I believe that that was the date of the board meeting in Dubai.

23 Q So December 4th, 2015, there was a board meeting in Dubai. Do you
24 remember at that board meeting whether Mr. Zlochevsky, or any of the Burisma officials,
25 raised concerns about the pressure he was under from some of these investigations?

1 A I know that there -- I'm certain they talked about pressure in general. The
2 pressure was enormous from all sides --

3 Q Uh-huh.

4 A -- for Burisma. They were literally every inch of territory that Putin was
5 encroaching into Ukraine was a potential loss for them and loss for Ukraine in terms of
6 their ability to produce natural gas and run a large portion of the factories, and so, in
7 terms of those pressures.

8 Now there was also, obviously, you know, there's the geopolitical pressures that
9 were occurring inside Ukraine, which obviously would affect the company and an
10 individual like Mr. Zlochevsky.

11 Q But Mr. Zlochevsky, at the time, was under investigation by the prosecutor
12 general in Ukraine, Mr. Shokin.

13 A In 2015? No, that's the exact opposite of the truth. And I think you can
14 go to, I don't know, maybe 15,000 public reports. And you can talk to the IMF, and you
15 can talk to the -- you can talk to the World Bank. And you can talk to the EU, the EU
16 Commission on Energy and the EU Commission as it related to democracy.

17 And you can talk to the State Department, or any State Department official that
18 testified before your committee, Mr. Jordan, or when you were impeachment. And they
19 can say the exact opposite.

20 Mr. Zlochevsky was not investigating the -- many of the oligarchs, including a
21 company like Burisma at that time.

22 Q How about Ambassador Pyatt? What do you think he would have said?

23 A Ambassador Pyatt actually gave a speech at the time after I joined the board
24 in December of 2019, criticizing Mr. Shokin for not investigating, in particular, Burisma.

25 Q But Mr. Pyatt also gave a speech where he was very critical of Burisma. Do

1 you remember that?

2 A That's what I'm saying. When he was critical of, he was critical of Burisma
3 and he was in the context of Shokin was not doing his job.

4 So I guess the most important point that I'd like to add and for once and for all
5 here is that we can all agree is that there is not a single person other than Alexander
6 Smirnov who says that Shokin, that Shokin was fired because I was on the board of
7 Burisma.

8 It's literally the exact opposite, and that has been a fact now since it was first
9 claimed. It is a fact. I'm telling you. It is a fact.

10 And I would really like you all to either look at -- look at every single report that's
11 out there. Look at what Mr. -- President Poroshenko said. President Poroshenko,
12 Viktor Shokin is the godfather to his child.

13 President Poroshenko came out against Viktor Shokin and said everything he said
14 is a lie. It's the exact opposite was true. Godson to his child, he went on national
15 television here in the United States and said everything is a lie.

16 Every single other official inside of -- Viktor Shokin was prosecuted inside
17 of -- inside Ukraine because he was found with cash and diamonds and his Chief of Staff,
18 who he was formerly his driver, were both prosecuted. And so Viktor Shokin was the
19 problem, and the entire world community was asking for his removal.

20 Q So Burisma wanted Viktor Shokin removed so --

21 A I don't know. I never involved me in any of that. I didn't have any
22 discussions whatsoever about Viktor Shokin. It was not a -- on my radar at the time. I
23 had no involvement.

24 But the one thing also to make absolutely clear is I never spoke to my dad about it.
25 Never had any discussions with him about it, because the only honest -- the only thing

1 that would be of value here would be for Viktor Shokin to stay in place, not the opposite.

2 Q At that December 2015 board meeting, it's been reported that you broke
3 away with Mr. Pozharsky to call your dad.

4 A No, I didn't know that that was reported.

5 Mr. Lowell. Wait, wait.

6 The Witness. Yeah.

7 Mr. Lowell. Can I see the report?

8 [REDACTED]: It's the Devon Archer transcript.

9 Mr. Lowell. Okay. So it hasn't been reported. You're now stating something
10 Mr. Archer said.

11 [REDACTED]: Correct.

12 Mr. Lowell. Okay. Now can you --

13 [REDACTED]: I think that's been reported that Mr. Archer --

14 Mr. Lowell. Got it. Okay.

15 [REDACTED]: I was trying not to make an issue between you and Mr. Archer.

16 The Witness. No, no, I don't have -- can I see exactly what Devon said?

17 BY [REDACTED]:

18 Q Yeah.

19 A Let me ask you --

20 Q Page 35, 36.

21 A Let me ask you before I see it. Did Devon say that I stepped away with
22 Mr. Pozharsky specifically to call my dad? That's his exact words?

23 Q I believe that's his testimony.

24 A Okay, let's --

25 Mr. Lowell. I think not.

1 The Witness. But we can look at it.

2 Mr. Lowell. Let's read the entire thing. Okay?

3 The Witness. If you guys can pull --

4 BY ██████████:

5 Q Page 35, 36.

6 A And I can answer you this is that that never happened.

7 Q Okay.

8 A 100 percent never happened. I never called my dad --

9 Q I mean, if that's your testimony, then we don't --

10 A Yeah, but let's read it, though.

11 Q We don't --

12 A I want to read it just to make certain.

13 Mr. Lowell. Why don't we read into the record the question and answer so that
14 we can have an accurate statement of what it is he said, please.

15 ██████████: Of course.

16 The Witness. I found it if you want me to --

17 Mr. Lowell. Go ahead. Why don't you read it?

18 The Witness. Okay. So it says, question, What did -- start at number 15 or
19 number 16, or number 14 here on this, on page 36.

20 What did Hunter Biden do after he was given that request?

21 This is your question, ██████████.

22 And Devon says: Listen, I did not hear this phone call but he -- he called his dad.

23 Question: How do you know that?

24 Answer: Because he, because I think Vadym told me. But again, it's unclear. I
25 just know that there was a call that happened there. I was not privy to it.

1 What did Vadym tell you about the call?

2 Answer: Just that -- just that we called D.C., but he didn't know, you know.

3 Again, it's not like -- there was not a -- there was not, Oh, we've got all our problems
4 solved kind of revelation. I was -- I was not on the side of the equation, kind of working
5 in the lobbying side of the business.

6 And my point is, is that, number one, this is Devon talking about a call that I
7 made to D.C. And I never would have called, and never did my father on behalf of
8 Burisma with Vadym Pozharsky to ask for anything. It never happened.

9 BY [REDACTED]:

10 Q Okay. Who did you call?

11 A I don't -- have no idea whether there call ever took place. I have no
12 recollection of a call --

13 Q Okay.

14 A -- that was over 10 years ago from a -- from, you know, in which, I called
15 D.C.

16 If I called D.C., most likely I called back to my office. Most likely I called back to
17 my -- my wife. Most likely I called back to one of my daughters who were in high school.
18 But that's who I would call.

19 I wouldn't, in any way ever, you know, call my dad to get him to do something that
20 is business, which I think is obv -- is made, you know, clear by the evidence.

21 Q Okay. Is it possible you called Secretary Blinken?

22 A No.

23 Q Future Secretary Blinken?

24 A Absolutely not possible I called Secretary Blinken at that time.

25 Q Okay. Are you familiar with Blue Star Strategies and when they became a

1 consultant for Burisma?

2 A Yes, I am.

3 Q And how did that arrangement become initiated?

4 A Karen and -- Karen Tramontano and Sally Painter were the two principles of
5 Blue Star Strategies. Karen and Sally had a long relationship with Eric Schwerin and they
6 were -- they had a consulting group in D.C.

7 Some of the things that -- that Burisma, understandably and credibly, needed in
8 terms of services I was not willing to provide. One of those things were do any work as
9 it related to visas that they needed.

10 Number one, I don't have that expertise.

11 Number two, I'd never pick up the phone and call anybody for a visa.

12 And, number three, the chances of, even if it was the Vice President's son of the
13 United States, the Department of Homeland Security is no more going to grant a visa
14 because I asked them to or anybody than, you know, fly to the moon.

15 And so, there were things that they needed done, and some of those things were
16 outside of my scope of work that I absolutely would not do.

17 And so, I asked Eric if they knew of anybody that they could hire, and he suggested
18 Karen and Sally, who I knew just socially and tangentially a few times. And I trusted
19 them implicitly. I thought their work was -- that they were good people and they knew
20 what they were talking about.

21 Q And so they were hired by Burisma?

22 A Yes, they were hired by Burisma.

23 Q And do you know what their assignment was?

24 A I don't know what their assignment was, but it would deal with things that
25 would relate to any communications with government entities and things like that.

1 Q Were you involved with setting up the arrangement?

2 A No, there was one time in which I believe that I passed a number along to, as
3 it related to the State Department. But there was never any time in which I involved
4 myself in any of their communications other than to make sure a connection was made.

5 [REDACTED]: Okay. Mark the next exhibit.

6 We're up to number 12.

7 [Biden Exhibit No. 12

8 was marked for identification.]

9 BY [REDACTED]:

10 Q This is an email chain that was initially disclosed by the IRS on Special Agents
11 who came to Congress.

12 A Uh-huh. Uh-huh.

13 Q So the chain begins on the second page of this document.

14 A Yeah.

15 Q And a Blue Star staffer is passing along to Mr. Archer a revised proposal --

16 A Yep.

17 Q -- which gets to Mr. Pozharsky, yourself, and --

18 Mr. Lowell. I'm sorry. To be accurate, can we do that again? You said it starts
19 on the second page where this person named Lindgren sends something to Mr. Archer --

20 [REDACTED]: Correct.

21 Mr. Lowell. -- Ms. Painter and not Mr. Biden.

22 [REDACTED]: Okay.

23 Mr. Lowell. I just want to make clear because you said it starts on the second
24 page.

25 [REDACTED]: Well, what I'm -- I'm sort of introducing my questions.

1 Mr. Lowell. Okay. Go ahead.

2 BY [REDACTED]:

3 Q Mr. Pozharsky responds to Mr. Archer. You are cc'd on the next email in
4 the chain, which is at the bottom first page. Mr. Pozharsky takes issue at the Blue Star
5 proposal.

6 Mr. Pozharsky says in the second line, "The first thing is the suggested scope of
7 work is largely lacking concrete tangible results that we set out to achieve in the first
8 place, mostly focusing on the process.

9 "Also, it doesn't offer any names of top U.S. officials here in Ukraine or Ukrainian
10 officials as key targets for improving Mykola's case and his situation in Ukraine."

11 Flipping over to the second page.

12 "If, however, this is done deliberately to be on the safe and cautious side, I can
13 understand the rationale. And if all parties, in fact, understand the true purpose of the
14 BS engagement and all our joint efforts, it's okay, and we should proceed immediately."

15 A Yeah.

16 Q And so, my question to you is: What was your understanding at that time
17 of improving Nikolay's case?

18 A I didn't have any understanding of that. This is -- this email, just to be clear,
19 is about the contract that Blue Star negotiated with Burisma. That's it. That's what
20 he's talking about, the scope of the -- of their work, not my work. It's just simply talking
21 about Blue Star which is a global consulting company that deals in these issues for both
22 foreign and domestic companies were doing.

23 Q Understood. But Mr. Pozharsky's emailing you and Mr. Archer.

24 A No, no, no, no, no, no. Just to be clear, he's not just emailing me and
25 Mr. Archer. He's emailing -- it says, "Dear Colleagues."

1 Q Uh-huh.

2 A It's the, I believe, the entirety of the board that he's probably emailing. If
3 it's not, I'm cc'd. Most likely I'm bcc'd. So the colleagues that would go to is, what he's
4 doing is distributing. These documents are the contract that's there.

5 Q Okay.

6 A And I don't respond to it in any way.

7 Q Okay. Given the understanding of what Mr. Pozharsky meant by the true
8 purpose of the BS engagement?

9 A No, I have no idea.

10 Q Okay.

11 A Well, again, just remember also is this is that you have a -- someone that is
12 using probably Google Translate in half the communications that they're doing to me.

13 But I don't -- I don't see anything that varies in that when I look at it right now.

14 Q Okay.

15 A But I do know that it's about Blue Star. It's not about me. It's not about
16 me or any involvement of my father.

17 Q Mr. Schwerin responds, and he suggests, "I would tell Vadym that it's
18 definitely done deliberately."

19 A Uh-huh.

20 Q Do you know what that refers to?

21 A Again, I don't know. I'm not a part of -- actually I'm neither responding to
22 this --

23 Q Uh-huh.

24 A -- nor am I the author of the original one that I was not on. So I can't say
25 for certain what exactly he's talking about, but I assume that it's about the scope of

1 work --

2 Q Yeah, I think --

3 A -- that they're talking about.

4 Q -- you may not be on that message but Mr. Archer forwards it to you.

5 A I see that, yes. At the top where he forwards it, "Hunter, you need to
6 deliver that message," I don't respond that I know of.

7 Q And Mr. Archer says, "I've walked this to the finish."

8 And so my question is: What -- if you know, what was the message Mr. Archer
9 wanted you to deliver?

10 A That they needed to hire Blue Star Strategies.

11 Q "And I have walked us to the finish line but need some support to close."

12 What was the issue?

13 A That they needed to hire Blue Star Strategies. That's it.

14 Q But why? Why that was so important?

15 A Because they had issues that I -- neither myself or -- just myself, that I knew
16 that I would have no part of. Their expectations needed to be set clearly. They
17 needed a consulting company in order for them to be able to approach anybody in the
18 United States Government that was not me or anybody associated with me.

19 Q Was that the plan? They, Burisma needed help approaching officials in the
20 U.S. Government?

21 A No, I didn't say that it was surely the U.S. Government. I don't know.

22 All I know is this, is that they had issues. They had issues related to visas.
23 They had other issues. They were a global company under attack from Vladimir Putin.

24 And so I wanted to make it absolutely clear. A lot of their issues remained in
25 Ukraine and other places in that region of the world. And Sally and Karen were

1 well-suited to be able to deal with those. That was their job. That was their business.
2 That was their 35 years of experience.

3 [REDACTED]: Okay. I'll mark the next exhibit --

4 Mr. Gaetz. Hold on. Before we leave this, [REDACTED], Mr. Biden, do you recall
5 receiving this message from Mr. Archer?

6 The Witness. Do I -- I see it in front of me.

7 Mr. Gaetz. No, I'm saying when it was sent to you, do you -- as you're now
8 reading it, do you recall having received it at the time?

9 The Witness. It's 9 years ago.

10 Mr. Gaetz. Will you answer my question?

11 The Witness. I'm sorry, Congressman.

12 [REDACTED]: I'm going to introduce another exhibit that might refresh his
13 recollection.

14 The Witness. Let me see. Do I remember receiving this particular email on this
15 particular moment in time? I cannot say that I recall the exact moment when I would
16 have received this email, but I do not contest that this was an email to me.

17 [REDACTED]: So the next exhibit -- what number?

18 [REDACTED]: 13.

19 [Biden Exhibit No. 13
20 was marked for identification.]

21 BY [REDACTED]:

22 Q Is number 13. It's on the same topic. You respond to Vadym's message,
23 the "Dear Colleagues" message. This is on the first page I'm referring you to.

24 And you email, "Let me have one final call with them and verify once more that
25 they understand the scope so we can all feel that the retainer is in line with the work

1 required."

2 A Yes.

3 Q So how many calls do you believe you had with Ms. Painter or
4 Ms. Tramontano?

5 A Well, I guess I had one final call. Whether I had a call before that, I can't
6 say for certain. And what I -- I stand by. Am I being asked whether -- how many calls
7 that I had?

8 Q Yeah, that's my question.

9 A I don't know how many calls that I had with them. I assume that I had one
10 final call with them.

11 Q Okay. It seems like you were following up on Mr. Archer's advice to try to
12 close this deal. Is that fair?

13 A I don't know whether -- what the reason was but I -- I was in favor of
14 Burisma hiring Blue Star Strategies.

15 Q And in the engagement process before Blue Star was engaged, do you
16 specifically remember telephone calls with Ms. Tramontano and Ms. Painter?

17 A No, I don't.

18 Q Do you remember any communications with Ms. Tramontano and
19 Ms. Painter about --

20 A Not directly.

21 Q -- Burisma?

22 A No, I don't.

23 Q Or did you go through Mr. Schwerin?

24 A I don't know whether I would say I went through Mr. Schwerin.

25 Mr. Schwerin had his own relationship with them, and I trusted him implicitly when he

1 would communicate with them.

2 Mr. Lowell. Speak up.

3 The Witness. Yeah, sorry.

4 [REDACTED]: Tab 14.

5 BY [REDACTED]:

6 Q So do you know if Blue Star had been specifically working on improving
7 Mykola's case with Ukrainian officials or U.S. officials or any officials?

8 A I have no idea. I don't -- I don't recall in any way exactly what they were
9 working on at this time.

10 Q Do you remember at that time in 2015 that Ambassador Pyatt had been
11 critical of Burisma?

12 A I only remember because it was, I think, reported in most major U.S.
13 newspapers.

14 Q At the time you were on the board, did your Burisma colleagues mention
15 anything to you about their concern about Mr. -- Ambassador Pyatt's comments?

16 A No.

17 [Biden Exhibit No. 14
18 was marked for identification.]

19 [REDACTED]: Marked exhibit 14.

20 The Witness. Not that I recall.

21 BY [REDACTED]:

22 Q This is a two-page document, and it's a -- it's an article from the Ukrainian
23 press that a Blue Star staffer forwards to Ms. Tramontano and Ms. Painter.

24 A Yep.

25 Q And that gets forwarded along to Eric Schwerin. The headline of the article

1 is, "The interior ministry in Ukraine confirmed that Zlochevsky is no longer wanted."

2 Now that you see this --

3 Mr. Lowell. I'm sorry. Is he on this email?

4 [REDACTED]. He is not.

5 Mr. Lowell. Okay.

6 The Witness. So this is neither to me, from me, or cc'd? I'm not on this in any
7 way?

8 BY [REDACTED]:

9 Q Correct.

10 A Okay.

11 Q Do you recall that the interior ministry at the time was investigating
12 Zlochevsky?

13 A No.

14 Q I mean, you were on the board. So --

15 A I knew, I was aware of issues that they had, but I was not involved in
16 anything that related to any of the criminal or pressures that they were under related to
17 prosecution, either in Ukraine or outside.

18 Q Okay. Ms. Painter forwards it to Schwerin, like I mentioned, and she
19 indicates, "We won and in less than a year." And I'm just wondering if you know what
20 she's referring to.

21 A No, I do not. And, again, I'm not on this email. This email wasn't sent to
22 me. I'm not cc'd on it. I'm not bcc'd on it. I don't have any -- any look into this email.

23 Q Well, you're a board member of Burisma.

24 A Yes.

25 Q And you helped broker the Blue Star arrangement. So, you know, I think

1 it's fair to ask you the question.

2 A Well, I would just look at the headline. "The interior ministry in Ukraine
3 confirmed that Zlochevsky is no longer wanted."

4 I'm thinking what Blue Star Strategies is saying is that the company that they
5 represent is, you know, got a good headline.

6 Q Okay. But you don't know what Ms. Painter means by, "We won and in less
7 than a year"?

8 A I think that it's probably, if I read the article that was attached to it, it says
9 that, "An adviser to the Minister of Internal Affairs -- I can't pronounce the name, so I
10 won't try -- confirmed that the former Ministry of Ecology and Natural Resources is no
11 longer wanted. He stated this on TV channel 112." And it goes on to say, "Yes, in fact,
12 today it was implemented. MIA performed a function," but that's the article.

13 And so what she is saying, I'm certain, is that -- I think this goes down.
14 Prosecutor General Yuriy Lutsenko told about the disclosure of the gas train which carried
15 blah, blah, blah.

16 So I think that it was a good development for internally inside of Ukraine in some
17 way for Burisma.

18 [REDACTED]: Next exhibit I'm going to mark is number 15.

19 [Biden Exhibit No. 15

20 was marked for identification.]

21 Mr. Lowell. What's the number?

22 [REDACTED]: The next one's going to be number 15.

23 BY [REDACTED]:

24 Q This is a giant text pack prepared by the IRS investigators, summarizing, and
25 in many cases, quoting WhatsApp message.

1 Mr. Lowell. Do you have the underlying message?

2 ██████████: We have this document. This is what we have.

3 Mr. Lowell. I want to point out on the record that is all known to you that we
4 have great reservations about the accuracy and completeness of what two IRS agents
5 who have decided to go on television and try to promote what they believe should
6 happen to Mr. Biden as having made a complete record.

7 And when there have been records, they have not been complete?

8 And when they make summaries, they are often quoting from texts or
9 communications, which appear to have been altered by those other than themselves.

10 So with all that, you can certainly ask your questions. But I do not accept the
11 premise that what you're about to ask him is either an authentic or authenticated or a
12 complete document.

13 ██████████: Okay.

14 Mr. Lowell. With that in mind, let's go.

15 ██████████: Okay.

16 BY ██████████:

17 Q Just to set expectations here, I'm going to refer to three. Okay? Then
18 we'll be done with this document for now.

19 A Page 3?

20 Q I'm going to refer to three sort of topics --

21 A Okay.

22 Q -- within this giant document, not 148. We're not going to go through
23 every page. I'm sort of managing your expectations here.

24 A Thank you.

25 Q I'd like you to turn to page 4, and it's a message dated July 30th, 2017. It's

1 about halfway down the page and it begins, "WA message with SM." And that's
2 the -- that stands for Sportsman, and that's what they called you, and Zhao.

3 Have you identified the one that I'm referring to?

4 Mr. Lowell. It's down the page. It's the only one for the 30th?

5 [REDACTED]: Correct.

6 Mr. Lowell. Okay. Yes.

7 BY [REDACTED]:

8 Q And so the text, according to the IRS, the Federal investigators, say, "Z,
9 please have the director call me, moment James or Tony or Jim. Have him call me
10 tonight. I'm sitting here with my father, and we would like to understand why the
11 commitment made has not been fulfilled.

12 "I'm very concerned that the chairman has either changed his mind or broken our
13 deal without telling me or that he's unaware of the promises and assurances that have
14 been made have not been kept.

15 "Tell the director I would like to resolve this now before it gets out of hand, and
16 now means tonight. And, Z, if I get a call or text from anyone involved in this other than
17 you, Zhang or the chairman, I will make certain that between the man sitting next to me
18 and every person he knows and my ability to forever hold a grudge that you will regret
19 not following my direction.

20 All too often people make mistakes -- sorry.

21 "All too often people mistake kindness for weakness, and all too often I'm
22 standing over the top of them, saying, I warned you.

23 "From this moment until whenever he reaches me. It's 9:45 a.m. here and I
24 assume 9:45 p.m. there. So his night is running out."

25 Zhao responds, "Copy. I will call you on WhatsApp."

1 You respond, "Okay, my friend. I'm sitting here, waiting for the call, with my
2 father. I sure hope whatever it is are you doing is very, very, very important."

3 Then Zhao says, "Hi, Hunter. Is it a good time to call now? Hi, Hunter, Director
4 did not answer my call, but he got the message you just mentioned."

5 A Yeah.

6 Q Do you have any recollection of sending these?

7 A No, but I've seen this and --

8 Mr. Lowell. Is there a question?

9 ██████████: Yes. Does he have a recollection of sending the message?

10 The Witness. And I do not, but I do know this. I have now seen it, which it's
11 been presented. I would say two things about this message.

12 Mr. Nadler. Can you speak up?

13 The Witness. I would say two things about this message. The first thing is this.
14 Is that the Zhao that this is sent to is not the Zhao that was connected to CEFC.

15 BY ██████████:

16 Q Okay.

17 A Which I think is the best indication of how out of my mind I was at this
18 moment in time.

19 Again, I don't -- my addiction is not an excuse, but I can tell you this: I am more
20 embarrassed of this text message, if it actually did come from me, than any text message
21 I've ever sent.

22 The fact of the matter is, is that there's no other text message that you have in
23 which I say anything remotely to this. And I was out of my mind.

24 I can also tell you this: My father was not sitting next to me. My father had no
25 awareness. My father had no awareness of the business that I was doing. My father

1 never benefited from any of the business that I was doing.

2 And so, I take full responsibility for being an absolute ass and idiot when I sent this
3 message, if I did send this message.

4 Q Okay.

5 [REDACTED]. When you say it wasn't Zhao from CEFC, who --

6 Mr. Nadler. Would you speak up, please?

7 [REDACTED]. Which Zhao are you referring to if it wasn't from CEFC?

8 The Witness. The number that I believe it went to was to Henry Zhao. Zhao is
9 a very common -- it's not a surname -- surname in China. I mean, obviously, very
10 common surname.

11 And I, like an idiot, directed it towards Henry Zhao who had no involvement,
12 who had no understanding or even remotely knew what the hell I was even Goddamn
13 talking about.

14 Excuse my language.

15 BY [REDACTED]:

16 Q And he seems to --

17 A No, no, no, no, no, the Zhao -- it's a different -- you're conflating now.

18 Q Okay.

19 A And this why this report from the IRS is absolutely wrong. They're two
20 different messages.

21 The Zhao that calls me is not related to the message that was sent. I speak to
22 him the next day. They're two completely different sets of messages. One goes a
23 number because, I made the Goddamn -- excuse my language again -- because I made like
24 an idiot, and I was drunk and probably high, sent a -- this ridiculous message to a Zhao, to
25 a Henry Zhao.

1 But then the next day, I speak to a Raymond Zhao, who has never received the
2 message that Henry Zhao got. And so that's why this report is very misleading in many
3 ways.

4 Mr. Lowell. That's exactly why I raised the point before you decided to ask
5 questions. The IRS agents --

6 The Witness. I gave --

7 Mr. Lowell. -- took two different times and two different messages and conflated
8 them. That's what he's explaining.

9 The Witness. And I can -- and we can show you that.

10 And I also could show you that on that message, there was never a Chinese flag
11 and a picture of it, as I think was shown in the Oversight Committee before.

12 [REDACTED]: Okay. Going to refer to you page 9, the third message.

13 Mr. Lowell. This is four?

14 [REDACTED]: This is page 4. There's a page number at the bottom.

15 Mr. Lowell. Where? Where's the page?

16 [REDACTED]: It's at the bottom.

17 Mr. Lowell. Now I get it.

18 Mr. Goldman. [REDACTED], can you explain redactions?

19 [REDACTED]: This is how the document was produced from the IRS agents.

20 Mr. Goldman. Thank you.

21 Mr. Lowell. On page 9, which entry?

22 [REDACTED]: The third message.

23 Mr. Lowell. This one? I'm sorry.

24 [REDACTED]: It's dated --

25 Mr. Lowell. August 27th?

1 [REDACTED]: August, the third one down, it's dated August 27th --

2 Mr. Lowell. Got it.

3 [REDACTED]: -- 2017.

4 BY [REDACTED]:

5 Q It's a message between you and Kevin Dong. Who's Kevin Dong?

6 A Kevin Dong was the -- ultimately ended up becoming -- he was Mr. Ye's
7 representative in the United States and was a part of the Hudson West Three group.

8 Q Okay.

9 A Yeah.

10 Q This is August 27, 2017. You write, "I will pick you up at 12:00 p.m. in the
11 lobby of your hotel. The luncheon will start at 12:30 p.m."

12 "Where is the luncheon, Kevin? My uncle will be here with his brother,"
13 brother's all in caps, "who would like to say hello to the chairman. He is here to visit my
14 daughter."

15 Do you have any recollection of sending a message of this sort?

16 A Again, I don't have a specific recollection of ever sending the text. But
17 what I do see and what's produced here -- and if it is actually valid and verified -- is that
18 my dad was -- what I think I'm saying is my dad was in town to visit my sis -- excuse
19 me -- my daughter, who was at Columbia Law School at the time. My uncle was also in
20 town.

21 I was going lunch with Kevin Dong, and it was the chance that Mr. Ye may join us
22 for a lunch. And I said, Well, maybe we'll all stop by. That's exactly what I'm saying.

23 Q Okay.

24 A That never happened, though.

25 Q Okay. So when you're indicating that your -- that your dad was possibly

1 going to stop by and you put "brother" all in caps --

2 A Yeah.

3 Q -- referring to --

4 A Again, I just want to be clear.

5 Would there be something wrong if my dad was in New York, when he was out of
6 office and he wasn't a candidate for office, and I didn't think he would ever be a
7 candidate for office ever again, and he was in New York to visit my daughter and I was
8 going lunch with some of my business associates, if I told he and my uncle to stop by and
9 have a bite to eat? There is -- I don't understand how this rises to the level of the
10 supposed inquiry that we're in right now. What is -- what's the issue?

11 Q I mean, he --

12 A What's the issue if he was out of office? Now I do see an issue if there is
13 a -- if this was in, you know, a certain other date when he was in office or he was
14 President of the United States.

15 Q But you said while he was running for President that he's never been
16 involved --

17 A This is --

18 Q -- with any of your business.

19 A -- 2017, [REDACTED].

20 Q Yeah, but when he was running for President, he was --

21 A He was never going to.

22 Q When he was running for President, you said he never was involved with any
23 of your business activity.

24 A He was not involved with any business activity.

25 Would you call it involvement if my dad was in New York City at the same time I

1 was in New York City and I was having lunch with some of my business associates, and I
2 said, Hey, dad, come by for lunch?

3 Who wouldn't do that? Are you saying that you wouldn't do that with your
4 father if he was in town at the same time --

5 [REDACTED]: Well, I don't think that.

6 The Witness. -- you were?

7 No, I'm being really serious. Would you not allow him to come to lunch with you
8 and Mr. Jordan if you were discussing things as related to impeachment because your dad
9 was a prosecutor?

10 Q Yeah, well, yeah.

11 A Would you do that? I don't understand it.

12 Q My dad was a biophysicist.

13 A Oh, your dad's a physicist.

14 Q So I don't think anyone would want to --

15 A Well, again, we could talk about, you know, the other things that he could
16 somehow influence you.

17 Mr. Lowell. Let him ask the question.

18 BY [REDACTED]:

19 Q But I think it is fair to ask, because I don't think most people would have
20 their dad come to a business meal with --

21 A Well, that's not true. You know that's not true. If he was in town at the
22 same time and I was having lunch with some people that I knew that were buying and I
23 said, Dad, hey, I probably invited my daughter, too.

24 Q Okay.

25 A Why wouldn't I?

1 Q Okay.

2 A I mean, I really mean it.

3 Mr. Fallon. I never did that my whole life. My father --

4 The Witness. You never invited your father to lunch.

5 Mr. Lowell. Hang on. Hang on. Hang on.

6 [REDACTED]. We're going to mark --

7 Mr. Lowell. Can I just --

8 The Witness. I can also tell you this.

9 Mr. Lowell. No, no, can you read the whole thing?

10 [REDACTED]. You can read it.

11 Mr. Lowell. Well, just remember that it says at the end, if it's complete, "So
12 please give me the location and time." And it says, "Jim," so, Jim's involved, brother, "If
13 he is -- if he is the coming, just wants to say hello and will not be stopping for lunch."

14 You missed that part.

15 BY [REDACTED]:

16 Q Fair enough. But the point is we're injecting --

17 A [REDACTED], I mean, fair enough, I mean, like, isn't that the whole thing?
18 Isn't that the whole thing, is it not?

19 Q The whole thing is that the former Vice President is coming to meet
20 potential --

21 A But he didn't, number one. You know that he didn't. Number two is that
22 you know that I never involved him in any of my business. Number three is --

23 Q Well, that's --

24 A -- he never benefited from any of my business.

25 Number four, you know there are no evidence of any transactions in which I sent

1 money for my dad or my dad took action to benefit me or any of my businesses.

2 You know all of those things. But you look at one text message out of context.

3 And when I say, Hey, my dad's going to be in town. He's also visiting my daughter, I'm
4 going to have lunch, maybe we'll all get to see each other, because it's also with my uncle,
5 I'd love him to meet my new partner, you say there's something wrong with that?

6 I really mean it. He's out of office.

7 Q I mean, I think it raises questions.

8 A No, he's out of office. You're saying he can't do that.

9 So when you -- when Jared Kushner flies over to Saudi Arabia, picks up \$2 billion,
10 comes back, and puts it in his pocket, okay, and he is running for President of the United
11 States, you guys have any problem with that?

12 Mr. Gaetz. The clock has stopped.

13 [REDACTED]. Anyway --

14 The Witness. No, the clock has not stopped.

15 Do you guys have any problem with that? I'm asking.

16 [REDACTED]. I have one more question before our hour is up.

17 The Witness. It's unbelievable to me.

18 Mr. Lowell. You said there's one more? Go ahead.

19 The Witness. So my dad can't go to dinner?

20 [REDACTED]. We're running out of time. Before we go to the third one, I'm
21 giving you exhibit No. 16.

22 Mr. Raskin. I'm sorry. What did you say? We do have a problem with that?

23 Let the record reflect --

24 Mr. Lowell. I'd love to hear the answer to that.

25 Chairman Comer. When we'll deal with influence peddling, we'll ask.

1 The Witness. Isn't that what this is about extensively.

2 Chairman Comer. By the way --

3 The Witness. That's what you're saying. So I just --

4 ██████████: One more question before our hour's up and then we'll get a
5 chance --

6 The Witness. You're really going to do that.

7 ██████████: -- to have them --

8 The Witness. You're saying that what you're going to do is you're going to open
9 an investigation into Jared Kushner alongside of what -- the things because I will say --

10 Chairman Comer. We may ask you.

11 The Witness. Is that --

12 Chairman Comer. He has the same attorney. That's what I'm saying.

13 Mr. Lowell. Mr. Comer, you are absolutely wrong. I represented one person at
14 one time for a stupid investigation as to whether or not he had been involved in
15 something called Russian interference. I have not represented him in any other matter.

16 And to say that we have the same attorney is really just another example how you
17 say things, and you pretend that they're real because they come out of your mouth, but
18 they tend not to be so.

19 So I take offense by what you just said.

20 Mr. Jordan. ██████████, let's go back on the record.

21 ██████████: So I've just marked exhibit 16.

22 The Witness. Did we stop the clock for some reason?

23 Mr. Jordan. We got 4 minutes left.

24 The Witness. So, I mean, his is at 57. Hers is at 56 and we're stopping and
25 yours is stopped.

1 Mr. Lowell. Let's keep going, please. Go ahead.

2 The Witness. No, actually his time was an hour.

3 But, regardless, I'll stay if you got more than an hour.

4 Mr. Lowell. Let's finish this exhibit, please.

5 [Biden Exhibit No. 16

6 was marked for identification.]

7 BY [REDACTED]:

8 Q Exhibit 16 is a subject,

9 Expectations. It's from James Gilliar to Tony Bobulinski. Rob Walker and yourself.

10 Have you seen this email before?

11 A I have. I've seen it, I think, as we all have, 8,642,300 times.

12 Q Okay. And you'd expected we'd ask you about it here today, correct?

13 A Of course, I did, yeah.

14 Q Okay.

15 A Yeah.

16 Q At the bottom, so I'll skip reading the whole email if I may. And at the
17 bottom, it says, "At the moment, there's provisional agreement that the equity will be
18 distributed as follows.

19 A Uh-huh.

20 Q "20 to H," which presumably is yourself. Is that correct?

21 A Yes.

22 Q "20, RW," that's Rob Walker, correct?

23 A Yes.

24 Q "20, James Gilliar." Is that correct?

25 A Yes.

1 Q "20, TB." Is that Tony Bobulinski?

2 A Yes.

3 Q "10, Jim," is that your uncle?

4 A Yes.

5 Q And then "10 held by H," which would be you, "for the big guy," which
6 presumably is your dad, correct?

7 Mr. Goldman. Question mark, correct?

8 BY [REDACTED]:

9 Q Question mark.

10 A Question mark. Not only question mark, but all I know this is, is that,
11 number one, there's only one agreement that includes Tony Bobulinski, that is executed,
12 that is signed by me. There's only one message that I had as it relates to any
13 involvement that I had with Tony Bobulinski, James Gilliar, my uncle, and Rob Walker, and
14 it did not involve my dad.

15 There's an executed agreement in which I got 20 percent, Jim got 20 percent, Rob
16 got 20 percent, Tony got 20 percent, and James Gilliar got 20 percent. Nothing do with
17 Joe Biden.

18 And the only agreement that was drafted before that had 50-50, and I was -- I was
19 the one 50. I was 50, and Mr. Ye was the other 50.

20 And the only company that ever existed that had any involvement with Mr. Ye
21 that was ever an actual operating company was the company Hudson West Three, in
22 which I owned 50 percent, and Mr. Ye owned 50 percent.

23 So this idea that because James Gilliar goes out and he says to Tony, You guys
24 have seen the communications of Tony. You have the communications of Tony.

25 I told Tony literally weeks after I met him that he was out of his mind, that he was

1 going around, trying to promote the idea that my dad was somehow going to be involved
2 in this. And that's why I never did business with Tony.

3 And that's why Tony is a bitter, bitter man that did not get in on a deal that he
4 wanted to get in on, because I thought that he was both incompetent and an idiot. And
5 he's proved himself to be so by the complete misstatements that he's made.

6 I do know that Tony said that he was never at a meeting with Mark Meadows at a
7 rally in, I forget where it was in Missouri and that he never wore a ski mask until the next
8 day you get a picture with Mr. Meadows behind a car with Tony Bobulinski with a ski
9 mask.

10 Did he say that to you under oath, Mr. Comer? Did he tell you that under oath?
11 Because he also said under oath to the FBI that he was at a meeting with Mr. Ye in Miami.
12 And then he said -- he said it under oath to the FBI is he went in --

13 Q But that was a 302.

14 A Oh, wait a second.

15 Q And he contested the FBI got it wrong.

16 A You guys are going to tell me that 302s are not -- you guys are going to tell
17 me that you can't trust a 302 --

18 Q We are going to tell you --

19 A -- but you can trust a 1020.

20 So you guys are actually going to tell me that you --

21 Q We're going to tell you --

22 A -- you can't trust a 302 but you can a 1023. You can trust that one.

23 Q We're going to tell you that Mr. Jordan has a bill --

24 A Can you tell me that, Ms. Greene?

25 Ms. Greene. I said it was their most credible informant. So truly not be able to

1 believe that that --

2 The Witness. So should I not believe the credible FBI? Should I not -- so you're
3 saying the FBI are liars.

4 Ms. Greene. I thought you were -- I didn't think you --

5 The Witness. Alexander Smirnov who has Russian contacts is not a liar.

6 [REDACTED]. Before we go off the record, I want one last question.

7 The Witness. No, let's stay on the record for this discussion.

8 [REDACTED]. Well --

9 The Witness. Let's talk about it.

10 So you're telling me, Ms. Greene, you don't trust the FBI notetaker, six of them, six
11 of them.

12 Ms. Greene. Are you a businessman, or are you involved in government,
13 Mr. Biden?

14 The Witness. Here's what I am. I'm both an attorney, a businessman, and a
15 concerned citizen, Ms. Greene. That's what I am.

16 Ms. Greene. Just an average citizen.

17 [REDACTED]. So just --

18 Mr. Jordan. One final question.

19 BY [REDACTED]:

20 Q One final question, because our round is up, I know everyone's disappointed
21 by that.

22 But the reference to the big guy, you would agree, is a reference to your father?

23 A I truly don't know what the hell that James was talking about. All I know is
24 that what actually happened.

25 All I know is that what was executed in the agreement, and the agreement didn't

1 have anything to do with my father. My father's never been involved with my business.
2 He's never benefited from my business, and he's never taken an action to benefit me or
3 any of my business.

4 Q If that's the case, though, why is Gilliar drafting something like that?

5 A Because I think that it was just as Rob Walker said. I think that it was pie in
6 the sky. Like Joe Biden's out of the office. Maybe we'll be able to get him involved.
7 Remember, again, is that Joe Biden, for first time in 48 years, is not an elected official and
8 is not seeking office. And so James is probably, like, wow, wouldn't be great if a former
9 Vice President could be in our business together?

10 And I say you're out of your mind. My dad knows less about doing cross-border
11 blah, blah, blah, than he does about -- I mean, it's just ridiculous. It's absolutely
12 ridiculous.

13 And so I shut it down, and the evidence of me shutting it down is the actual things
14 you have as evidence. Remember that. The agreement, the executed agreement, the
15 executed agreement to create a company that was never operated, that's what
16 happened. That's the evidence you have. You have the evidence of the executed
17 agreement between Hudson West Three, me, and Mr. Ye. You have that.

18 Nothing to do with my dad, zero.

19 Q With that --

20 A You're shaking your head and I apologize for it because -- not you, behind
21 you -- Congresswoman, is that you keep shaking your head, but you explain to me how
22 I'm wrong. Explain to me. I would really love you to explain.

23 Ms. Hageman. This is the deposition of you, not of me.

24 The Witness. No, but you keep shaking your head. I'm not -- I am truly -- no,
25 Congresswoman --

- 1 Mr. Lowell. She said what she has to say.
- 2 [REDACTED]: We're ready to go off the record.
- 3 [Discussion off the record.]

1

2 [1:56 p.m.]

3 [REDACTED]. It is 1:56.

4 We can go back on the record.

5 BY [REDACTED]:

6 Q Good afternoon, Mr. Biden.

7 I want to come back to exhibit 16, which is the last exhibit my Republican
8 colleagues introduced, the email from James Gilliar to Tony Bobulinski, cc'ing Rob Walker
9 and you, in which he has that question at the end, "10 held by H for the big guy?"

10 A Yes.

11 Q I just want to be very clear. This is an email sent by James Gilliar. He's
12 the one making this suggestion, posing this question.

13 A Yes.

14 Q This is not from you?

15 A Yes.

16 Q You never suggested that your father become involved in your business
17 dealings with CEFC.

18 A I never suggested that. That never happened.

19 Q And I think during your round of questioning, you talked about how, you
20 know, this idea that he would join is kind of crazy and you would shut it down. And I
21 wanted to ask you kind of: What -- why was that your view?

22 A Well, it was my view because my father's never been involved in any of my
23 businesses. He's never taken a role, never had any stake in any of my businesses, or
24 benefited from any of my businesses. And it's just something that I would not do.

25 And I would particularly not do it at the suggestion of people that -- that I had a

1 very tangential relationship with at that time.

2 There's just no truth to it. There's no reality to it.

3 Mr. Roy. I hate to ask this.

4 Mr. Biden. Sorry. Yeah, sorry. I apologize.

5 There's no reality to it, no truth to it.

6 BY [REDACTED]:

7 Q Now, Tony Bobulinski provided some text message -- and, actually, let me
8 correct myself -- some photographs of a Blackberry purporting to show messages to the
9 Oversight Committee's Republican staff. He didn't provide his entire phone. We've
10 asked for it. He's refused to provide it. He just provided a certain number of
11 screenshots.

12 Mr. Lowell. Are they screenshots or are they photographs of --

13 [REDACTED]. They're photographs of a screen.

14 Mr. Lowell. Okay.

15 BY [REDACTED]:

16 Q And so, we don't know the full content of these text messages, but we
17 received a few. And I want to talk about just two of them with you which I'll mark. I
18 think we're now at exhibit 17 and 18.

19 [Biden Exhibits Nos. 17 and 18

20 were marked for identification.]

21 BY [REDACTED]:

22 Q I'll pass around exhibit 17 and exhibit 18.

23 So the email we were just looking at, exhibit 16, from James Gilliar, was dated
24 May 13th, 2017.

25 A I'm sorry. I'm just getting set up here. 18 or 17 are we talking about?

1 Q This is 17. It starts with, "Brother, please."

2 A Got it.

3 Q Then 18 is, "Later, Bro."

4 A Okay.

5 Q So these two photographs of a telephone that Mr. Bobulinski provided to
6 committee Republican staff appear to be dated May 11th, and Mr. Bobulinski
7 represented under oath that that was 2017, so just two days before the email we were
8 just looking at.

9 Do you see that?

10 A Yes.

11 Q Now these message are from Mr. Bobulinski's phone, and they're from
12 James Gilliar. So the only two people on that chain are James Gilliar and Tony
13 Bobulinski.

14 Do you have any basis to disagree with that?

15 A I have no basis to disagree with that.

16 Q You are not on this text chain, right?

17 A Not that I know of.

18 Q Okay. And Mr. Bobulinski testified similarly that it was just him and
19 Mr. Gilliar.

20 And so I want to read you the first one, 17, which is Mr. Bobulinski purportedly
21 telling Mr. Gilliar, "Brother, please listen to me. You have to open your eyes a bit more
22 and not take things at face value with these guys. They are calculated, and they are
23 running multiple horses in the race and covering all their bases."

24 And Mr. Bobulinski represented "they" here is talking about CEFC and Chairman
25 Ye.

1 "H and Biden should have been insulted they weren't invited. The BS about the
2 GFND is just that, BS."

3 And then there's this other text message from James Gilliar, exhibit 18, in which
4 he tells Mr. Bobulinski, "Later Bro. Man, you are right. Let's get the company set up.
5 Then tell H and family the high stakes and get Joe involved."

6 Now were you aware on May 11th at the time these text messages were being
7 sent that Mr. Gilliar and Mr. Bobulinski were having this conversation?

8 A Absolutely not.

9 Q And is it clear from reading this that what they appear to be discussing
10 between themselves behind your back is a plan to try to convince to you get your father,
11 Joe Biden, involved?

12 A It appears that that's the case.

13 Q Do you recall them bringing this proposal to your attention?

14 A No, because the -- I would have shut this down faster than anything, and it's
15 one of the reasons why I had no faith in this person that I had just met, Tony Bobulinski,
16 who was presented to me as some Wall Street whiz kid that was going around, throwing
17 around my name, and throwing around my family's name.

18 Q And shortly after these message, you, in fact, ceased your partnership with
19 Tony Bobulinski, James Gilliar, and Rob Walker --

20 A Yes.

21 Q -- with regard to CEFC. Is that right?

22 A Yes.

23 Q And why is that?

24 A Because I had no faith in Mr. Bobulinski. I think that you can see of the
25 documents that were sent to us in preparation for this, there are many instances in which

1 I call Mr. Bobulinski out for his what I would call complete absurdities.

2 One of these would be this absurdity, this idea that Mr. Bobulinski was somehow
3 going to take control of the Biden name and then have a control of a company, and then
4 go out and do whatever the hell he wanted to do with it was obviously something that I
5 had zero interest in being involved with.

1

2 [2:04 p.m.]

3 BY [REDACTED]:

4 Q And this venture you had with Mr. Bobulinski and others, it never got
5 funded, right?

6 A That's exactly right.

7 Q No money actually came in?

8 A That's exactly right.

9 Q You did at some point, though, through an entity called Hudson West III, go
10 into a venture with CEFC in 2017 and 2018. Is that right?

11 A That's right, yes.

12 Q And, in that venture, you were working with your brother Jim Biden?

13 A My uncle.

14 Q Your uncle, sorry, Jim Biden. Is that right?

15 A Yes, yes.

16 Q And why did you decide to go to do that venture with just your uncle?

17 A Because I lost complete faith in Mr. Bobulinski. I did not find him to be
18 credible. I did not find him to be competent. I found him to be arrogant. I found him
19 to often not tell the full truth or the truth at all. And, therefore, I had no faith to have
20 him as a partner in any business.21 And so, therefore, I told Mr. Gilliar and Mr. Walker that I was going on my own. I
22 was -- if they wanted to join me, that was -- that would be fine, but I would not be
23 involved with Tony Bobulinski.24 Q And did you trust your brother -- your uncle, Jim Biden, and go into business
25 with him?

1 A 100 percent. I trust my uncle implicitly. And he's not only my uncle, but
2 he's one of my closest friends and mentors and confidantes.

3 Q And trusting him also means that you trusted him not to stupidly suggest
4 that your father was in any way involved in your business deal?

5 A No, he would never do such a thing.

6 Q And why?

7 A Because I've known my uncle since the day I was born. And I know that my
8 uncle cares as much about my -- how he represents his name and how he is -- has been, if
9 anything, the most protective person in my family to -- to all of us, to all of us with the
10 last name Biden and even the ones that don't have the last name Biden that are -- that
11 are blood. That's why.

12 Q And the fact of the matter is that your father was not involved in this
13 business venture in any way. Is that right?

14 A Exactly. The bottom line is, at the end of the day, not even at the
15 beginning of the day or in any day was my father involved in any business that I've ever
16 done.

17 Mr. Goldman. Can I jump in? Are you're done? Whenever you're done with
18 this line of questioning?

19 [REDACTED]. Sure.

20 BY [REDACTED]:

21 Q I just wanted to read you a quote from The Wall Street Journal in an October
22 23rd, 2020, piece entitled "Hunter Biden's ex-business partner alleges father knew about
23 venture," which has a quote from James Gilliar in which he says, "I would like to clear up
24 any speculation that former Vice President Biden was involved with the 2017 discussions
25 about our potential business structure. I am unaware of any involvement at any time of

1 the former Vice President. The activity in question never delivered any project
2 revenue."

3 Do you agree with that statement by Mr. Gilliar?

4 A That's an accurate statement.

5 Mr. Goldman. These two text messages are dated May 11th, according to the
6 date on here, May 11, 2017.

7 Do you have the email that James Gilliar sent to Tony Bobulinski and cc'd you and
8 Mr. Walker that the Republican counsel went over?

9 The Witness. I do have it in front of me.

10 Mr. Lowell. I think you're referring to exhibit 16.

11 Mr. Goldman. I don't know.

12 So these two text messages where James Gilliar and Tony Bobulinski are scheming
13 to get your father involved happened on May 11th. And then what is the date of this
14 email where James Gilliar suggests an equity distribution of a similar division that was in
15 the original plan with you and Rob Walker, Tony Bobulinski and James Gilliar, and then
16 adds 10 percent for your uncle, and then James Gilliar suggests, with a question mark, "10
17 held by H for the big guy."

18 What date is that email?

19 The Witness. That is May 13th, 2017.

20 Mr. Goldman. And so that's 2 days after this text conversation between James
21 Gilliar and Tony Bobulinski, right?

22 The Witness. That appears to be correct, yes.

23 Mr. Goldman. And you didn't respond to that suggested equity distribution, did
24 you?

25 The Witness. No, I do not see a response to that.

1 Mr. Goldman. And then you entered into a formal agreement with your partners
2 for, was it Oneida?

3 The Witness. Oneida, yes. And then to hold equity in SinoHawk. That would
4 be the partner too, yeah.

5 Mr. Goldman. But your agreement was splitting up Oneida --

6 The Witness. Yes.

7 Mr. Goldman. -- with these same business partners?

8 The Witness. That is correct.

9 Mr. Goldman. And that agreement was signed officially and had 20 percent for
10 you, 20 percent for Rob Walker, 20 percent for Gilliar, 20 percent for Tony Bobulinski and
11 20 percent for your Uncle Jim, right?

12 The Witness. That is correct.

13 Mr. Goldman. And do you remember approximately when that was signed?
14 We probably have it here. I don't have it. If you don't --

15 The Witness. I do. May 23rd, I believe.

16 Mr. Goldman. So that was 10 days after this email?

17 The Witness. Yes.

18 Mr. Goldman. And you had mentioned that you were suspicious of Tony
19 Bobulinski because you didn't trust him, you didn't think he was credible. But were you
20 conscious of his or -- his efforts to try to get your father involved?

21 The Witness. No. I was not fully conscious of any efforts that they
22 other -- supposedly. I don't remember if I ever even read this email that I was cc'd on.

23 But they never -- they never spoke to it -- to me about it. They would have
24 known never to suggest that to me. Rob Walker has known me since 1998. And, if
25 Rob had talked to them beforehand, he would say that you are way out of bounds. And

1 so I don't have any recollection of them particularly proposing that.

2 But, to answer your question, the thing that concerned me about Tony Bobulinski
3 is that, number one, his background did not match what he told me his background was.
4 There was no record of his background, in terms of business or otherwise, of why he
5 would be a good partner. And he was never willing to expand on that with me.

6 And the second most biggest red flag was that the business partnership that he
7 proposed, proposed that he have absolute and complete control. He even put into that
8 agreement something to the effect that he has control of the brand, meaning that he
9 would have control of Oneida. What I soon learned what he meant is that he could use
10 the Biden name anywhere that he wanted to.

11 And I think that there's communications that you have where I used very, very,
12 very colorful language with Tony Bobulinski. And I think at some point I even offered to
13 get into a wrestling match with him, which would have been very, very stupid, because he
14 was supposedly a very good wrestler.

15 But the point being is that I did not trust him, and that was clear at the outset.
16 And, while I entered into that agreement, quickly it devolved into shouting matches
17 between me and Tony. And I said, "I do not want to have anything to do with you,
18 Tony." And that's how it ended.

19 Mr. Goldman. And was he bitter about it ending that way?

20 The Witness. He was very, very bitter. And, according to Rob, he made threats
21 at the time. He made threats afterwards. He said that he would get his revenge and
22 things like that, according to Rob at the time, that I think the exact words were -- excuse
23 my language -- you have no idea who you're Fing with.

24 [REDACTED]. Just so the record is complete, I'm going to pass around as exhibit
25 19 the May 22, 2017, agreement, limited liability company agreement of Oneida Holdings

1 LLC.

2

[Biden Exhibit No. 19

3

was marked for identification.]

4

BY [REDACTED]:

5

Q And I'll direct your attention to the signatures that come at the end right

6

before schedules I and II.

7

A Yes.

8

Q And those signatures represent the members of this entity. So it's you as

9

manager of GK Temujin, Jim Biden as manager of Sino Atlantic Solutions, Rob Walker as

10

managing director of Robinson Walker, James Gilliar as managing director of 8

11

International Holdings Limited, and Anthony Bobulinski as managing member of Global

12

Investment Ventures, LLC.

13

Is that correct?

14

A Yes.

15

Q Those are the five partners?

16

A Yes.

17

Q There's no secret big guy anywhere in this email?

18

A No, there's not.

19

Q There's no secret additional partners?

20

A No, there's not.

21

Q Joe Biden is not anywhere in this agreement?

22

A No, he is not.

23

Q And GJ Temujin LLC, that's your entity?

24

A That was an entity that it was suggested that I create for the purposes of

25

entering into this agreement at the time, yes.

1 Q And, just to be clear, Joe Biden had no interest or involvement in GK Temujin
2 LLC either?

3 A No, he did not.

4 Q And, if you turn to the Schedule I, it shows the shares of each partner, and
5 you each have a 20-percent share?

6 A That's exactly right.

7 Q So there's no additional 10-percent share anywhere for anyone?

8 A That's exactly right.

9 Q And then you were discussing Mr. Bobulinski wanting to have a greater say
10 over the company. If you turn to page 8, article IV, Management, do you see under
11 section 4.2 (b), "manager vote"?

12 A Yes.

13 Q Do you see it says each manager shall have one vote weighted as follows:
14 (i) The GKT manager has one-seventh.

15 A Yes.

16 Q And that's you, right?

17 A Yes.

18 Q (ii), the Sino Atlantic manager, one-seventh, and that's your Uncle Jim, right?

19 A Yes.

20 Q The Walker Manager one-seventh, and that's Rob Walker, right?

21 A Yes.

22 Q The 8 International Manager one-seventh, and that's James Gilliar, right?

23 A Yes.

24 Q And then the GIV Manager three-sevenths, and that's Tony Bobulinski?

25 A Yes, yes.

1 Q So Tony Bobulinski had three times the voting power that you or any other
2 partner in this venture had under this agreement?

3 A That's exactly right.

4 Q And you viewed that as a problem, right?

5 A I viewed that as a very significant problem.

6 [REDACTED]. We want to go through one more text message, which, again, is a
7 photo of a Blackberry of Mr. Bobulinski -- a Blackberry photo that Mr. Bobulinski
8 provided.

9 Mr. Lowell. With your understanding, as I've already pointed out, that we have
10 grave concerns about the authenticity and completeness of what Mr. Bobulinski says he
11 took a photograph of, of a device which he says is broken and has not provided for
12 anybody for forensic examination. With that, please ask your question.

13 [REDACTED]. Understood. And I'll note that, on this, which I'll mark as exhibit 20,
14 there is no date stamp and the list of -- it refers to the Oneida Holdings team as being the
15 list of recipients, but the complete list of recipients isn't visible on the face of it.

16 And we're going to mark this as exhibit 20.

17 [Biden Exhibit No. 20
18 was marked for identification.]

19 BY [REDACTED]:

20 Q I'm going to read into the record the text here. It says, "Hey, Tony" -- and
21 this is a text message from you to, again, a group titled the Oneida Holdings team. The
22 list of individuals in that team isn't fully clear. It's clear James Gilliar is part of it.
23 Beyond that, it's obscured.

24 The text message from you says, "Hey, Tony, I have an idea. In light of the fact
25 that we are at an impasse of sorts, and both James' lawyers and my chairman gave an

1 emphatic no -- I think we should all meet in Romania on Tuesday next week," and then it
2 continues on.

3 Do you recall this text message?

4 A I do not recall the text message, but if -- I don't have any issue with it.

5 Q I want to focus in on the language "my chairman" that you use.

6 A Yes.

7 Q There have been allegations that the use of the term "my chairman" was a
8 reference to your father.

9 Do you have a response to those allegations?

10 A Yes. It's that the reference here to my chairman is clearly to the two
11 different chairmen. If you do business and you've ever been to China, anyone that
12 is -- whether you're the -- you run a popsicle stand or you run a multinational corporation,
13 you're referred to as the chairman.

14 And, in CEFC, there were two people that we regularly referred to as chairman.
15 One was Chairman Ye, who was the titular chairman of the company, and the other was
16 Mr. Zhang. Chairman Zhang, also when you would meet with him, you would refer to
17 him as Chairman Zhang.

18 Tony and Rob -- excuse me. Tony and James were talking to Zhang. I was
19 talking to Ye, which is one of the conflicting things between us to begin with. That's the
20 chairman I'm referring to.

21 Q Was it your practice to refer to your father as "my chairman"?

22 A I don't know that I've ever, ever referred to my father as my chairman.

23 Q So it's fair to say that the suggestion that "my chairman" here somehow
24 refers to Joe Biden is just completely baseless?

25 A Yes. It's laughable.

1 Mr. Raskin. Just, on the question of nicknames, I have not seen your father
2 referred to as the big guy anywhere else in this record. Was that his nickname in your
3 family, the big guy?

4 The Witness. No.

5 Mr. Raskin. Did you ever call him the big guy?

6 The Witness. No, I never called him that.

7 Mr. Raskin. Okay. And I think Mr. Swalwell had a few --

8 Mr. Goldman. Just one last thing on this text message. It says at the beginning,
9 "In light of the fact we are at an impasse of sorts."

10 Is that a reference to the evolving disagreement that you had with Mr. Bobulinski
11 about the division of shares --

12 The Witness. Yes.

13 Mr. Goldman. -- as well as your concerns of his -- working with him?

14 The Witness. Exactly. And I don't -- what is the date of this?

15 ██████████: We don't have a date on it.

16 The Witness. Yeah, exactly. I don't know. So there was constant friction
17 between Mr. Bobulinski and myself and my uncle, who -- like the three-sevenths when
18 everybody else got one-seventh or -- it just didn't make sense to us. And we were at a
19 constant impasse together and constantly fighting.

20 Mr. Swalwell. I can tell you the date wasn't any time recently, because this is
21 from a Blackberry. They don't make those anymore. We might get the pager code
22 later from the majority.

23 Any time your father was in government, prior to the Presidency or before, did he
24 ever operate a hotel?

25 The Witness. No, he has never operated a hotel.

1 Mr. Swalwell. So he's never operated a hotel where foreign nationals spent
2 millions at that hotel while he was in office?

3 The Witness. No, he has not.

4 Mr. Swalwell. Did your father ever employ in the Oval Office any direct family
5 member to also work in the Oval Office?

6 The Witness. My father has never employed any direct family members, to my
7 knowledge.

8 Mr. Swalwell. While your father was President, did anyone in the family receive
9 41 trademarks from China?

10 The Witness. No.

11 Mr. Swalwell. As President and the leader of the party, has your father ever tried
12 to install as the chairperson of the party a daughter-in-law or anyone else in the family?

13 The Witness. No. And I don't think that anyone in my family would be crazy
14 enough to want to be the chairperson of the DNC.

15 Mr. Swalwell. Has your father ever in his time as an adult been fined \$355
16 million by any State that he worked in?

17 The Witness. No, he has not, thank God.

18 Mr. Swalwell. Anyone in your family ever strike a multibillion dollar deal with
19 the Saudi Government while your father was in office?

20 The Witness. No.

21 Mr. Swalwell. That's all I've got.

22 The Witness. Thank you.

23 [REDACTED]. We can go off the record. Thank you.

24 [Recess.]

25 [REDACTED]. We'll go back on the record. It's 2:23.

1 We're going to mark exhibit 21.

2 [Biden Exhibit No. 21

3 was marked for identification.]

4 BY [REDACTED]:

5 Q Do you recall -- just while the exhibit is being passed around, do you recall
6 responding to Mr. Gilliar's message about the 10 held by H for the big guy?

7 A I do not.

8 Mr. Lowell. I'm sorry. Do you mean responding to that part of it or further in
9 the chain where there's another subject? Do you have a document?

10 [REDACTED]: Yeah, we had a document, so I'm pulling it out.

11 Mr. Lowell. Let's look at the document.

12 [REDACTED]: A couple days later, you respond to Mr. Gilliar.

13 Mr. Lowell. Where it says "beyond office space"?

14 [REDACTED]: "Final word on this," it begins.

15 Mr. Lowell. No, no. Sorry. A few days later, Mr. Biden responds to Mr. Gilliar,
16 and he says, "Beyond office space" is the first response.

17 [REDACTED]: Did we give you the wrong one?

18 The Witness. No, it's on here. But I think you're -- so it says this --

19 Mr. Lowell. Hold on. I'm sorry. On the bottom of the -- sorry to be -- you
20 gave me a document that has four pages. The 10 percent one is the last of it. And
21 then you asked Mr. Biden whether he responded a few days later.

22 And my first response that I see from Mr. Biden says, "Beyond office space."

23 Is that what you're responding to?

24 [REDACTED]: Yeah.

25 Mr. Lowell. May 16th, 2017, at 10:06 a.m., from Hunter to James, Tony, Rob,

1 regarding expectations. That's his response, the first response. Maybe I'm just not
2 reading it correctly.

3 The Witness. No, you're reading it correctly because the next response --

4 BY [REDACTED]:

5 Q Indeed, we did have two different documents. I apologize for that.

6 In the sake of expediency, we'll just -- we have a couple responses from you, but
7 in none of them does it dispute the 10 held by H for the big guy.

8 Is that your recollection?

9 A I don't see that in these two responses.

10 Q The responses that we've been able to find, we don't see any where you
11 responded, "That's crazy, what is 10 held by H for the big guy supposed to mean?"

12 Mr. Lowell. Question mark.

13 The Witness. Yeah, question mark. No, I don't -- there's no document in front
14 of me that says that.

15 BY [REDACTED]:

16 Q But do you remember any communications where you did try to disabuse
17 Mr. Gilliar?

18 A No. I'm not even sure whether I ever fully read this. All I know is that my
19 response has nothing to do with my father. It has absolutely zero -- my response
20 doesn't mention any additional determination of percentages that would go to my father
21 or anything.

22 Q Okay.

23 A The only document that I do have is the executed document, which has 20
24 percent for me equally divided among the five partners that doesn't include my father.

25 [REDACTED]. Mark the next exhibit. It's some more of these photographs of

1 Tony Bobulinski's Blackberry device. It will be exhibit No. 22.

2 [Biden Exhibit No. 22

3 was marked for identification.]

4 BY [REDACTED]:

5 Q Mr. Bobulinski represented to us that these were exchanges that he had
6 between you, and some of them involved Rob Walker.

7 And he says he photographed his Blackberry. And, to the extent there is not a
8 year listed, he advised us that the year was 2017.

9 A Okay. Do you know the month?

10 Q And there are -- I believe it does have the month and the day.

11 A Got it. Oh, so this is when I first met Tony. Okay.

12 Q So I'm going to -- the third page from the back of the pack is a Rob Walker
13 message.

14 A Counting three back?

15 Q It's not the penultimate. It's one before the penultimate.

16 Mr. Lowell. The one that says Rob Walker. Would you tell me the first line,
17 please?

18 [REDACTED]: "No. When he said his chairman he was talking about his dad."

19 Mr. Lowell. Can I also, before you start asking questions about this, you stapled
20 these photographs together.

21 [REDACTED]: Yes.

22 Mr. Lowell. How -- and some of them have dates, and the date here is May 19th.
23 Another date is May 2nd. What is in between those two dates, and is this a complete
24 set of the exchanges?

25 [REDACTED]: So we were going to ask about some of these photographs

1 separately, and we thought, just for the ease of discussion, we would make it all one
2 exhibit.

3 Mr. Lowell. So, on the one you're talking about, when Rob Walker is talking in
4 this one --

5 [REDACTED]: It's dated May 19th.

6 Mr. Lowell. It is dated May 19th. Who is he talking to?

7 [REDACTED]: Tony Bobulinski.

8 Mr. Lowell. But not Mr. Biden?

9 [REDACTED]: Correct.

10 Mr. Lowell. Okay. Keep going.

11 BY [REDACTED]:

12 Q And it responds to the message that is one page before that the Democrats
13 used in the last round.

14 And Mr. Walker says, "When he," meaning you, "said his chairman, he was talking
15 about his dad."

16 And so I just wanted to get your reaction to that. This wasn't us, you know,
17 making the chairman equals his dad. This was Rob Walker. This is where, to the
18 extent the Republicans, the majority gets that, this is where we get it from.

19 A Okay. So, from a third party that was talking with another third party that
20 was not involving me in the discussion making a judgment about what I was talking about.

21 Now, you have my answer under oath that I did not refer and never have referred
22 to my father as chairman. You have my answer under oath that my father was never
23 involved in any of my businesses, including this.

24 You have my answer under oath and under the penalty of perjury that I was not
25 speaking about my father.

1 Q Okay. Have you ever spoken to Mr. Walker in a way that he thinks that
2 your chairman meant your dad?

3 A No. And I don't know how or what Rob would have been reading into that.
4 Maybe he read into it incorrectly.

5 Q Okay. But Rob Walker is somebody that -- a former business partner. You
6 have a lot of respect for Mr. Walker? He's a --

7 A Yes, I'm very close with Rob. Just, in May 19th in 2017, when my dad was
8 neither elected to office nor running for any office, he misconstrued something that I said
9 to a third party.

10 Q Okay. And then, finally, I'm going to turn you or turn your attention to the
11 first page, and this is WhatsApp messages with you and Mr. Bobulinski.

12 A I think it's really important for all of these to say each time that these are not
13 WhatsApp messages between me and Mr. Bobulinski. These are photographs of a
14 broken screen of a Blackberry cell phone that we have no forensic value, and I have no
15 idea where they came from. And Mr. Bobulinski has refused to actually give you any
16 forensic copy of this. That's what I think is important.

17 Q Okay.

18 A I know you think I'm being pedantic here, but I'm not, because it's really
19 important.

20 Q So the first message says, "Morning, please let me know if we will do early
21 dinner with your uncle and dad and where, also for document translation do you want it
22 in simple Chinese or traditional?"

23 You respond, "Not sure on dinner yet, and whatever is the most common for a
24 Chinese legal DOC."

25 A Yes.

1 Q Do you remember this exchange, or what was going on between you and
2 Mr. Bobulinski at this time?

3 A Yes. At this time was the first time I ever met Mr. Bobulinski. He had a
4 prior relationship with Mr. Gilliar. I believe that we were introduced either the night
5 before or the day before. I don't know the exact date. I'm certain in some of these
6 documents it's there.

7 And I was in Los Angeles for business meetings. My uncle was also in Los
8 Angeles for business meetings. My father was going to speak at the Milken Conference
9 in Los Angeles regarding the Cancer Moonshot.

10 And the night before, I believe I had had dinner with Mr. Bobulinski for the first
11 time and was introduced to him. And I said to him that let's meet the next day.

12 Q And did Mr. Bobulinski meet with your father during that trip?

13 A He met him in the lobby of the hotel of the -- I believe it was the -- the --

14 Q Beverly Hilton?

15 A Beverly Hilton. My dad's flight arrived I think at 11 a.m. We --

16 Mr. Lowell. 11 p.m.

17 The Witness. Excuse me, 11 p.m. We were in the lobby bar with Mr. Bobulinski
18 having coffee.

19 BY [REDACTED]:

20 Q And your uncle as well?

21 A What?

22 Q Was your uncle there too?

23 A My uncle and myself. I think my uncle was also staying at that hotel. And
24 so yeah. I know that, if you go further, it says -- but I think that the reality is that he
25 didn't -- anyway, my dad went and shook hands with Tony.

1 They talked about -- I believe at that time, I don't know whether it was Tony's
2 father was suffering from cancer, and his sister was suffering from cancer, and he invited
3 him to the speech at the Milken Conference.

4 Q Okay. Do you remember anything else from that conversation that Mr.
5 Bobulinski had with your dad?

6 A No.

7 Q And then, the next morning, did he have a chance to meet with your dad as
8 well?

9 A I believe that he went to the actual speech that my dad gave.

10 Q And did you witness any communications between the two?

11 A No, I did not witness any communications that I can remember.

12 Q But it's possible they did speak?

13 A Well, it would have to have happened literally in between the time my dad
14 went up to speak in the hallway. I don't know if anybody else has ever been to the
15 Milken Conference or a conference similar to that. You walk in. You go to make your
16 speech. You speak to people in the hallway. You speak to people after they
17 make -- after he makes his speech and comes down from the stage. But, no, there was
18 no meeting, per se.

19 [REDACTED]. Mr. Biden, you don't need to repeat it, but if you could speak up.

20 The Witness. I'm sorry. I'm losing my voice a little bit here.

21 Mr. Gaetz. So, Mr. Biden, I'm going to draw your attention back to exhibit 21,
22 and this appears to be this discussion about the big guy and your subsequent
23 correspondence.

24 Why didn't you protest this 10 percent for the big guy?

25 The Witness. Well, you say that I didn't protest. You don't have an email

1 necessarily from me.

2 Mr. Gaetz. Did you protest the 10 percent?

3 The Witness. If I had seen it, I'm certain that what I would have done is I would
4 have picked up the phone and said, "You're out of your mind."

5 And I literally probably didn't know what he was talking about, because, number
6 one, if you look at it, the percentages were all wrong to begin with. The percentages
7 were wrong in that I would never go into a business partnership with my uncle in which I
8 got 20 percent and my uncle got 10 percent. He would be my partner in it. That's
9 number one.

10 Mr. Gaetz. Unless your dad was getting 10 percent.

11 The Witness. No.

12 Mr. Gaetz. Let's go back to that reference to the phone call.

13 The Witness. That's not what it says here.

14 Mr. Gaetz. Excuse me, Mr. Biden.

15 The Witness. I was in the middle --

16 Mr. Lowell. You asked him a question. Do you want to know the answer or do
17 you want to make a speech?

18 Mr. Gaetz. Mr. Lowell, I have limited time. I'm going to ask the
19 questions and --

20 The Witness. This is not a public hearing. If it was a public hearing --

21 Mr. Gaetz. I'm aware, Mr. Biden.

22 My next question to you is whether or not you placed any phone call or engaged
23 in any effort to protest 10 percent for the big guy?

24 The Witness. I do not know, just as I do not remember ever seeing this until it
25 became a part of every story that has been promoted about this. I don't remember if I

1 picked up the phone or what I said, but I know that I would absolutely have objected to it
2 if I saw it, which is evidenced by the fact that my father was never an equity holder in any
3 business in which I was involved with Tony Bobulinski.

4 Mr. Gaetz. Yeah, I guess the question is whether or not you received that
5 information and protested in some way other than in writing, if you didn't protest it, or if
6 you don't remember.

7 Am I to understand your testimony correctly that you do not remember whether
8 or not you protested this concept of an agreement to give 10 percent to your father?

9 The Witness. Again, I can't answer that question other than to say, is that, if I
10 had read it and understood it to be my father, I would have protested. However --

11 Mr. Gaetz. How often do you reply to emails that you don't read?

12 The Witness. At that time, I think I replied to a lot of emails that I don't fully
13 read. And you have whatever -- you have all my emails. You have every email that I've
14 ever written and ones that I never wrote.

15 And so I can tell you that many times you miss something. You don't see it.
16 But, regardless of anything, I can tell you this: My father was never an equity holder in
17 any business that I was ever in. Whatever was proposed here never occurred.

18 What was proposed here occurred during 2017, when my father was neither in
19 office nor a candidate for office. So please explain to me -- I'm sorry that I didn't live up
20 to the standards that you've created about my responses to emails, but it didn't happen,
21 so obviously I objected.

22 Mr. Gaetz. It seems odd that someone is articulating a family member of yours
23 getting part of a deal. You now, in the context of this impeachment inquiry, have all of
24 these protests about that, but you can't recall whether or not those ever materialized.

25 The Witness. Mr. Gaetz --

1 Mr. Gaetz. In 2019 --

2 The Witness. Is that a question or a statement? Really, I mean it. Is that a
3 question?

4 Mr. Gaetz. We'll move on. In 2019, did you drop your laptop off at a repair
5 shop?

6 The Witness. Not that I remember, no.

7 Mr. Gaetz. Did you have a laptop in 2019?

8 The Witness. I've had many laptops.

9 Mr. Gaetz. Did you typically keep a separate laptop for work and personal, or
10 was it usually one laptop you operated with?

11 The Witness. I don't know. I don't think there was a distinction between
12 necessarily work and personal.

13 Mr. Gaetz. Do you recall ever having dropped off a laptop at a repair shop?

14 Mr. Lowell. He asked and answered that, Mr. Gaetz,

15 Mr. Gaetz. No, Mr. Lowell, I asked if he recalled that in 2019. Now I'm asking if
16 he ever recalls doing it.

17 Mr. Lowell. I'll point out that, as I said, that there are litigation about this issue.
18 And I'll give you some leeway, but one of the things I discussed with staff is that we
19 weren't going to get into the claims in litigation by the people that are both suing Mr.
20 Biden and vice versa, but ask your next question.

21 Mr. Gaetz. Mr. Lowell, I'll tell you what. If I ask a question that you believe
22 you've negotiated the scope out of, just indicate such.

23 Mr. Lowell. Well, it depends where you go next.

24 Mr. Gaetz. Did you ever drop a laptop off at a repair shop?

25 The Witness. I dropped a laptop off at the Apple repair shop that was literally

1 three blocks from my office in Washington, D.C. If I was ever going to repair one, I
2 would have walked up the street and dropped it there.

3 Mr. Gaetz. Did you ever drop off a laptop in Delaware?

4 The Witness. The Apple store in Georgetown.

5 Mr. Gaetz. Yeah. My question is about Delaware. Did you ever drop off a
6 laptop in Delaware?

7 The Witness. The largest Apple store in America is the -- the highest grossing
8 and largest Apple store in America is at the Christiana Mall. If I was going to drop off a
9 laptop -- I don't ever remember doing that, but if I was going to drop off a laptop, I would
10 have gone to the Apple store, which was 7 minutes from my parents' home there.

11 Mr. Gaetz. Do you recall ever leaving a laptop at a repair shop?

12 The Witness. I do not.

13 Mr. Gaetz. On your laptop, did you have any sort of login credential?

14 The Witness. Just the typical like -- you know, like when you log into your --

15 Mr. Gaetz. Yeah.

16 The Witness. Of course.

17 Mr. Gaetz. Did you have two-factor authentication?

18 The Witness. I don't know.

19 Mr. Gaetz. Did anyone else have access to your laptop?

20 Mr. Lowell. Legally or illegally?

21 Mr. Gaetz. I'm just asking the question in the broadest term, Mr. Lowell.

22 The Witness. I do not know if anybody else had access. And what do you mean
23 by "access"? Did they have access to my passwords, or did they have actual
24 physical access to my laptop?

25 Mr. Gaetz. Did anyone else use your laptop?

1 The Witness. Well, I had at the time three daughters and all teenagers. I had a
2 niece, nephew.

3 Mr. Gaetz. Did they use your laptop?

4 The Witness. I'm certain at some point.

5 Mr. Gaetz. Did they have separate logins, or did they know your login?

6 The Witness. They would have had separate logins, I believe. I don't
7 remember, anyway.

8 Mr. Gaetz. Have you seen -- you've seen coverage of this laptop that purports to
9 be yours that was dropped off in Delaware, right?

10 The Witness. Yes, yes. I've seen coverage.

11 Mr. Gaetz. In any of that coverage, have you seen any correspondence or other
12 material that you know to be fabricated or false?

13 The Witness. Yes, I do.

14 Mr. Gaetz. What?

15 The Witness. And I can tell you, in particular, there is a fabricated conversation
16 between me and a supposed Secret Service agent in a hotel room in Los Angeles. That
17 Secret Service agent was -- has sworn an affidavit and attempted to sue The Daily Mail
18 and The New York Post over the fact that he has never met me, he has never had any
19 conversation with me, that he had never involvement with me, that we have never had
20 any association whatsoever. And he swears --

21 Mr. Gaetz. Other than that conversation, are there any others that you recall?

22 The Witness. Yeah. There are many others. I can't go through them all right
23 now. But, yes, there are many different things in there that are either -- that are either
24 fabricated, hacked, stolen, or manipulated 100 percent.

25 Mr. Gaetz. Just list them for me.

1 The Witness. I got to list you all of the --

2 Mr. Lowell. We'll refer you to the litigation in Delaware where that can be
3 found, including Mr. Costello and Mr. Giuliani's statements that that's exactly what they
4 did.

5 The Witness. Yes. And all of those things that you have are in those
6 documents.

7 Mr. Gaetz. Is Burisma a corrupt company?

8 The Witness. I don't believe that Burisma is a corrupt company.

9 Mr. Gaetz. So you take exception with Geoffrey Pyatt's criticisms of Burisma?

10 The Witness. No, I don't take exception with Mr. -- Ambassador Pyatt's criticisms
11 of Burisma at that time. I think that there was an enormous amount of pressure that
12 Burisma and the Ukrainians were under, and Ambassador Pyatt was doing his job in
13 criticizing Ambassador -- or the prosecutor, Shokin, for not going after people that were
14 perceived to have been involved in corruption in Ukraine.

15 Mr. Gaetz. And the people associated with Burisma got into legal trouble. That
16 doesn't flavor your view of them as a corrupt company?

17 The Witness. Who is that?

18 Mr. Gaetz. I'm asking you.

19 The Witness. Who were the people that you're talking about that got into legal
20 trouble?

21 Mr. Gaetz. Anyone.

22 The Witness. Name one.

23 Mr. Lowell. Can you name who got in trouble, please? You asked the question.
24 Who are you referring to? Who?

25 Voice. Zlochevsky.

1 The Witness. Zlochevsky has never been indicted. He has never had -- he's
2 never been prosecuted. He actually was --

3 Mr. Gaetz. Actually investigated. Yeah, I didn't say prosecuted or indicted.

4 The Witness. I -- what's the question?

5 Mr. Gaetz. Investigated, like those people were investigated.

6 The Witness. Yes, and there was -- no prosecution was ever brought against
7 them.

8 Mr. Gaetz. How many stones were given to you by the Chinese?

9 The Witness. As I recall, one.

10 Mr. Gaetz. What value did you bring to Burisma?

11 The Witness. I would love to, again, read you the entirety of my resume.

12 Mr. Gaetz. No, that's the things you did before Burisma. I mean, when you
13 were working at Burisma --

14 The Witness. Well, that's the value that I brought to Burisma. The things that I
15 did before, my experience, the vast experience that I had. I was on over 13 different
16 boards. I was the chairman of the board of the largest humanitarian organization, that
17 supports the largest humanitarian organization in the world. I was the vice chairman of
18 the board of the largest national passenger rail system.

19 Mr. Gaetz. Mr. Biden, I don't need you to go back through your resume.

20 The Witness. You just asked --

21 Mr. Gaetz. The question is, how did you deploy that experience for a million
22 bucks a year for Burisma?

23 The Witness. How did I deploy that experience? By serving on the board in a
24 transparent and ethical way, providing the best advice that I could give.

25 Just like any other board member on any other company in any other

1 organization, that's how you provide your value. And the value is your experience.
2 The value is your ability to then transfer that experience into real-world action.

3 Mr. Gaetz. But you didn't have any experience as an energy executive, did you?

4 The Witness. Well, I would -- I would like you to understand what a board is. If
5 you look at any board, most boards do not pick board members that are necessarily
6 members of the particular industry in which they are in. What they do is they pull from
7 different areas in which there is a need.

8 They didn't need anyone to tell them about how to drill natural gas. What they
9 needed someone to do is to be able to help them with oversight and accountability and
10 to do corporate governance. What they needed was someone like Alan Apter, who was
11 not an energy executive but a lawyer in -- working at --

12 Mr. Gaetz. What need did you fill?

13 The Witness. What they -- I'm not finished. What they needed was someone
14 like Cofer Black, who had a wide range of experience in foreign policy and in that area of
15 the world.

16 What they needed was like -- someone like President Kwasniewski, who had a real
17 understanding of the issues and the pressures that they were under at the time, none of
18 which were energy executives. And I don't -- I would challenge you to look at the
19 Fortune 500 companies.

20 Mr. Gaetz. What need did you fill, Mr. Biden? What need did you fill?

21 The Witness. What need? Was corporate governance. And I was an of
22 counsel to Boies Schiller, one of the best law firms in the world at the time, and I, you
23 know, specialized in corporate governance. I was the chairman of the corporate
24 governance on the Amtrak board.

25 Mr. Gaetz. Were you on drugs when you were serving as the Burisma board

1 member?

2 Mr. Lowell. I'm not objecting to that. Hold on.

3 One of the things that I spoke to staff that you just asked about as to whether it's
4 outside the bounds. If you want to spend the next part of the last hour you have asking
5 about his drug use, go at it.

6 It's outside the scope. It certainly has no relevance to an impeachment inquiry
7 nor does it have anything to do with oversight of ethics legislation that may address
8 family members of Presidents or Vice Presidents.

9 So go at it, but it's outside the scope and you're wasting your time.

10 Mr. Gaetz. Were you on drugs when you were on the Burisma board?

11 The Witness. Mr. Gaetz, look me in the eye. You really think that's appropriate
12 to ask me?

13 Mr. Gaetz. Absolutely.

14 The Witness. Of all the people sitting around this table, do you think that's
15 appropriate to ask me?

16 Mr. Gaetz. Yeah. Are you going to answer it?

17 Mr. Lowell. You don't have to answer it.

18 The Witness. I'm not going to answer it. I've been explicit about --

19 Mr. Gaetz. So you're telling me --

20 The Witness. I will answer it this way: I have been absolutely transparent
21 about my drug use. Again, I spoke to you all earlier this morning about that.

22 I'm sorry; I'm an addict. I was an addict. I have been in recovery for over 4 and
23 a half years now, Mr. Gaetz. I work really, really hard at it. Let me answer. I work
24 really hard at it, under an enormous amount of pressure.

25 Was I an addict? Yes, I was an addict. What does that have to do with whether

1 or not you're going to go forward with an impeachment of my father other than to simply
2 try to embarrass me?

3 Mr. Gaetz. Mr. Biden --

4 The Witness. Why? Why?

5 Mr. Gaetz. We're asking the questions, not you. So I guess I'm trying to get a
6 timeline for your addiction, because, in this testimony, you seem to take accountability
7 for some actions and not others, and you say your addiction is the reason why you're
8 unable to be accountable for the Zhang message that you sent.

9 The Witness. I've never said that I'm not accountable.

10 Mr. Gaetz. And so -- excuse me, Mr. Biden.

11 So I'm going to get a timeline of your addiction so we can ascertain which
12 messages you've sent might have been impacted by that addiction and which weren't.
13 It's not to embarrass you. I wish you well in your recovery.

14 So let's go over that. When did you first become an addict?

15 Mr. Lowell. We're not going to go into his addiction.

16 Mr. Gaetz. So you all aren't going to tell us when Mr. Biden --

17 The Witness. I can answer that question.

18 Mr. Gaetz. -- was and wasn't on drugs when we're -- when we're trying to figure
19 out his influence peddling.

20 The Witness. Okay, Mr. Gaetz, Mr. Gaetz, if you're going to continue to go down
21 this road, I'll answer it this way: I don't think anyone ever begins -- has a start date for
22 their addiction.

23 If you've ever been to a 12-step program, you know what you do. You give your
24 history, okay? You go in and you talk about the first time that you ever took a drink.

25 That's the first time that I ever became an addict or an alcoholic. That is the time.

1 Over the course of my years of my life, I've had many instances in which I've gone
2 and had long stretches of sobriety in which I was adhering to whatever program I had or
3 whatever support that I was getting, and I was doing that.

4 Mr. Gaetz. Does your addiction impact your judgment?

5 The Witness. You're not letting me answer fully. I think addiction impacts
6 everyone's judgment, of course.

7 Mr. Gaetz. Does it affect your impulses?

8 The Witness. Yes. I'm not a doctor.

9 Mr. Lowell. What do you mean, impulses?

10 Mr. Gaetz. Does it affect your memory of events?

11 The Witness. Yes, I'm certain it does. I'm certain that you can read in any -- I'm
12 not a doctor, but I can tell you from experience that my addiction affected every -- you
13 can stop, you got your answer -- every portion of my life.

14 Mr. Gaetz. And so, since your addiction affected every portion of your life, did
15 every portion of your life include your business activities?

16 The Witness. In what way?

17 Mr. Gaetz. In any way.

18 The Witness. Well, be specific about what way you're asking, because I can tell
19 you this, is that there's something called a high-functioning addict, in which you can
20 actually go to a board meeting and you can actually participate in the board meeting, that
21 you can actually provide --

22 Mr. Gaetz. Are you a high-functioning addict?

23 The Witness. I think I was until I wasn't.

24 Mr. Gaetz. And were you a high-functioning addict while you were on the
25 Burisma board?

1 The Witness. I don't -- not the entire time that I was on the Burisma board, no.

2 Mr. Gaetz. Were you a high-functioning addict when you were working on the
3 CEFC deal?

4 The Witness. Yes, probably. But, again --

5 Mr. Gaetz. Have you ever bribed anyone?

6 The Witness. No, Mr. Gaetz.

7 Mr. Gaetz. Have you ever solicited a bribe?

8 The Witness. No, I've never solicited a bribe.

9 Mr. Gaetz. And have you ever had anyone solicit a bribe from you?

10 The Witness. No.

11 Mr. Gaetz. You work globally, so you're familiar with the Foreign Corrupt
12 Practices Act, right?

13 The Witness. Yes.

14 Mr. Gaetz. And, under the Foreign Corrupt Practices Act, you can actually be
15 guilty of paying a bribe if you pay money to a family member, right?

16 Mr. Lowell. Excuse me. Are you going to now indulge in a discussion of what
17 the Foreign Corrupt Practices Act does?

18 Mr. Gaetz. I'm going to ask questions.

19 Mr. Lowell. Is your background in Foreign Corrupt Practices Act?

20 Mr. Gaetz. My background is I'm a member of the House Judiciary Committee.

21 Mr. Lowell. I know that, apparently not reading the Foreign Corrupt Practices
22 Act.

23 Mr. Gaetz. Look, are you familiar with how family member payments can
24 function as bribes, yes or no?

25 The Witness. I'm generally aware of the Foreign Corrupt Practices Act. I have

1 no specific knowledge of the actual statute. If you'd like to put the statute in front of
2 me, we can read it, and then we can both give you --

3 Mr. Lowell. That's a great idea. Do we have that? Can you call up the Foreign
4 Corrupt Practices Act so we can do this for real?

5 Mr. Gaetz. How many LLCs do you manage?

6 Mr. Lowell. I'm sorry; are you done with the Foreign Corrupt Practices Act?

7 Mr. Gaetz. Are you done interrupting my questions?

8 Mr. Lowell. I thought it was in between questions.

9 Mr. Gaetz. It wasn't.

10 Mr. Lowell. Okay.

11 Mr. Gaetz. So let me ask you the question about your LLCs. How many LLCs do
12 you operate?

13 The Witness. Currently, I operate one LLC.

14 Mr. Gaetz. And how many have you operated -- did you operate when your
15 father was Vice President?

16 The Witness. Hold on. I have a list of -- do I have a list of my LLCs? No.
17 Okay. So I know this.

18 Mr. Gaetz. More than 10?

19 The Witness. No, definitely not. I know this, is that when I first went into
20 business for myself, I created an LLC. And I believe the first LLC that I created was called
21 Owasco. That would be where my equity would be.

22 And any businessperson knows that what you do is that you do not do business in
23 your own name. You create a limited liability company registered in a State, and most
24 do in Delaware, Nevada, or other places.

25 I'm going through the ones -- you just asked me a question.

1 Mr. Gaetz. I just wanted the number. I don't need a description.

2 The Witness. I don't have a number off the top of my head.

3 Mr. Gaetz. You said definitely not more than 10. That answered my question.

4 So have you ever had a meeting for a real estate investment fund at a Chinese
5 Embassy?

6 The Witness. How does that answer your question? I don't understand. You
7 asked me how many LLCs I had.

8 Mr. Gaetz. You don't have to understand my questions.

9 The Witness. I was going to go through the LLCs I had.

10 Mr. Gaetz. You just have to answer.

11 The Witness. I do have to understand your questions. Isn't that the point of
12 asking a question is that the question -- the person who is going to answer it understands
13 it? What do you mean I don't have to understand it?

14 Mr. Gaetz. Mr. Biden, did you ever have a meeting with your investment fund at
15 the Chinese Embassy?

16 The Witness. No, I did not have a meeting with my investment fund at the
17 Chinese Embassy that I remember. I know that there was a -- I met the Ambassador, the
18 Chinese Ambassador. I can't remember exactly. Do we have a document you want to
19 show me?

20 Mr. Gaetz. No, I just have a question to ask you.

21 The Witness. I just -- I answered it.

22 Mr. Gaetz. Okay. Do you recall a meeting April 28th at the Chinese Embassy?

23 Mr. Lowell. What year?

24 Mr. Gaetz. In 2011.

25 The Witness. No, I don't recall off the top of my head, but --

1 Mr. Gaetz. I'm going to mark as exhibit 23 an email, provide a copy to you.

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[Biden Exhibit No. 23

was marked for identification.]

The Witness. I had no investment fund in 2011.

Mr. Gaetz. So this purports to be an email from Marvin Lang to you. "Hunter, this is to confirm that the DCM (Minister Deng, pronounced Dung) asked (through a call that I received from Mr. Tao) for you to come to the Chinese Embassy to meet with Minister Deng for half an hour on Thursday, April 28th at 5:40 p.m. (before our dinner)."

Does that refresh your recollection?

The Witness. Yes, I know exactly what this is about.

Mr. Gaetz. Okay. Well, what was the nature of that 30-minute meeting that you had with the Ambassador?

The Witness. Well, to go back to my LLCs, one of the businesses that I had was an investment advisory firm that was licensed with the SEC and which was operated by a woman named Arlene Busch, who had 35 years of experience as an alternative investment adviser, and Eric Schwerin, who's the president of the company. I was the majority equity holder in that company.

And what we did is we advised large institutional alternative investment funds on -- that were seeking capital. And Mr. Lang, Marvin Lang, is a pretty world-renowned hedge fund operator that -- excuse me, a private equity, realty private equity investor that has billions of dollars under management. And he was going -- at that time, like many other people in the world, wanted to create a contact with potentially investors inside of China. And I introduced --

Mr. Lowell. Counsel, you didn't provide this document in advance. Where is it from?

1 ██████████. I have no idea.

2 Mr. Lowell. You have no idea. Okay. I have no idea either. So keep going.

3 The Witness. But anyway, that's the -- that's the --

4 Mr. Gaetz. So it was a business meeting at the Chinese Embassy to raise funds
5 for a business venture while your father was Vice President, right?

6 Mr. Lowell. That is not what he --

7 The Witness. No, that's not what I said at all. I said that, with Mr. Lang, I had
8 an operating business, which was an alternative investment advisory firm that was
9 operated under the SEC, and a -- and Eric Schwerin, who was licensed with -- as a Series 7,
10 and Arlene Busch who was also, were introducing Mr. Lang to potential investors.

11 Mr. Lang --

12 Mr. Gaetz. Chinese investors, right, or American investors?

13 The Witness. No, American investors too. Globally. At that time, if you
14 remember, Mr. Gaetz -- you may not remember, but, at that time, China had said that
15 they were going to begin to invest outside with private money into both alternative
16 investments, infrastructure projects.

17 It was a big reawakening. It was a new day for China-U.S. relations. And many
18 large institutional investors were seeking potential investors out of the largest country in
19 the world, our biggest trading partner. Everything --

20 Mr. Gaetz. Didn't it strike you as odd that you're the son of the Vice President
21 and you're having this investment meeting at the Chinese Embassy?

22 The Witness. They could choose to invest or not. It was Mr. Lang's fund. It
23 wasn't an investment into me. I was a --

24 Mr. Gaetz. What was the 30-minute meeting about beforehand, before the
25 dinner that's reflected in this?

1 Mr. Lowell. I understand. We did not hold you to every document, but I see
2 that Mr. Gaetz has a number of documents sitting in front of him. The last time he
3 asked for one, you said you have no idea where it's from.

4 One of the reasons we get the documents in advance is to see if we believe them
5 to be authentic and have provenance, et cetera. Now I'm just proceeding as you are
6 allowing this to go. Keep going.

7 ██████████. Understood. I just wanted to make a note that I mentioned that
8 Members can come with their own documents.

9 Mr. Lowell. And they apparently have.

10 Mr. Gaetz. So I guess, does this document refresh your recollection vis-à-vis
11 giving your dad keys to your office?

12 The Witness. Number one, it does not say that I'm giving keys to my dad. I
13 asked -- and, when my dad left office, I had an office space in Georgetown and -- and at
14 the time -- this is one of the times when I was in active addiction.

15 My lease was up for renewal, and they were not going to renew my lease. And I
16 said to them, "Look, I'm not going to be the sole person that's in this. I want it for the
17 Biden Foundation, and this could be an office space. It was a beautiful office space. It
18 can be for my mom and my dad."

19 It never occurred. I didn't get the lease. I was -- I was -- left the office, and no
20 one in my family or anyone else, including myself, ever got a key to the house in Sweden
21 again.

22 Mr. Gaetz. But it was your plan to have keys for them should that lease be
23 consummated?

24 The Witness. Literally, as I just said, it was not -- it was -- in my addled brain at
25 the time, it was a way that I was going to redeem myself, is that I was going to show

1 everybody that I was okay, that I wasn't out of my mind in the midst of addiction, and
2 that what I was going to do is that I was going to get my mom this beautiful corner office
3 that was there, and she would love it, and we'd all be okay, and everything would go back
4 to normal. And my dad was out of office now, and we could all do things as a family.

5 And it just -- you know, it was pie-in-the-sky ridiculousness. They never took an
6 office. They never got anything, and I didn't -- and I didn't even remain in that office.

7 Mr. Gaetz. I guess the committee is trying to understand how to parse
8 testimony where you say your father had nothing to do with your business, and then this
9 email, and now your testimony that the way you were going to redeem yourself was by
10 bringing your father into this office space and showing off to your mother how great the
11 corner office was.

12 The Witness. Understood. So --

13 Mr. Gaetz. Does that strike you as your intention?

14 The Witness. -- I guess you're confused --

15 Mr. Gaetz. I must be.

16 The Witness. -- about the actual evidence. My dad never took an office space
17 with me.

18 Mr. Gaetz. No, but you were contemplating it in this email.

19 Mr. Lowell. I contemplated a lot of things during that time.

20 Mr. Gaetz. And that's what -- see, because earlier you say, "My father, firewall,
21 nothing to do with my business," and now you're contemplating giving him keys to your
22 office to redeem yourself.

23 The Witness. How is contemplation -- let me ask a question. How is
24 contemplation of something evidence of involvement? I alone contemplate. I
25 contemplate that one day you and I are going to be great friends. Is that ever going to

1 happen, Mr. Gaetz? I don't think so.

2 Mr. Gaetz. Hope springs eternal, Mr. Biden.

3 The Witness. No. Well, if you keep talking like this, I don't understand how it
4 possibly could, because I don't think you're understanding, and we're not on the same
5 wavelength here. Contemplation is not involvement.

6 Mr. Gaetz. Right, but it seems to speak against this bright line system. You
7 testified when Mr. Raskin was asking you questions --

8 The Witness. My dad was out of office. The bright line --

9 Mr. Gaetz. -- that you had bright lines.

10 The Witness. My dad was out of office.

11 Mr. Gaetz. So it's okay to do business with your dad when he's out of office is
12 your testimony?

13 The Witness. Of course, it would be okay to do business with my dad when he's
14 out of office.

15 Mr. Gaetz. With the Chinese and with Burisma?

16 The Witness. This isn't about doing business with Chinese. I wanted it for the
17 Biden Foundation, for it to be housed in the office space that I had. And I just
18 contemplated that.

19 Mr. Gaetz. It seems like a distinction without a difference.

20 Mr. Lowell. Stop, sorry. I didn't hear what you just said.

21 Mr. Gaetz. I'll strike that.

22 Mr. Lowell. Wait. The Biden Foundation is not a distinction with doing
23 corporate business? Is that what you said?

24 Mr. Gaetz. No, that's not what I said.

25 Mr. Lowell. Oh, okay.

1 Mr. Gaetz. All right. So I'll go to my last exhibit. I think it's 25.

2 [Biden Exhibit No. 25

3 was marked for identification.]

4 The Witness. Can we read it for a second?

5 Mr. Gaetz. Sure.

6 Mr. Lowell. The record should show we have not been provided this in advance.

7 It is a multiple-page purported to be some text exchange. I don't understand what

8 XRVision is on the third page or where that indicates it's from.

9 It has some name that's blotted out in the front, and then the next page there is a
10 red line in the second. So I just need to read this.

11 The Witness. I have it. I mean, I generally have it, but go ahead. Why is the
12 clock stopped?

13 Mr. Gaetz. Because we're waiting for you to tell us you're ready to proceed.

14 Mr. Lowell. The clock is not on when you're reading a new exhibit that you
15 haven't been provided in advance?

16 [REDACTED]. We stopped it when you were making your statement about
17 the document.

18 Mr. Gaetz. So did you send this text message to your daughter?

19 The Witness. I don't know. Again, I don't know where you got this text
20 message. I sent many text messages to my daughter, but I have no reason to believe
21 that you would -- that -- I don't know, but I'm just reading over it. It's a --

22 Mr. Gaetz. I'm going to draw your attention to I think it's like the third or fourth
23 paragraph. It starts --

24 Mr. Lowell. First page?

25 Mr. Gaetz. Yes, first page. "Sometimes Pop can't help himself. There is

1 literally not a single brain cell he has used considering what the impact would be on me or
2 you or anyone...his factoring in the family had been simply to gauge whether any of us
3 have screwed up so bad that it would diminish his chances. You cannot say over and
4 over again (and it's true) that there's nothing any of us have done that even impacts the
5 voters -- the voter in the margin and say that how the skeletons of the family may make it
6 hard" --

7 Mr. Lowell. It doesn't say skeletons.

8 Mr. Gaetz. It does.

9 Mr. Lowell. It says Skelton's, capital S's.

10 Mr. Gaetz. Okay, my apology. "Skelton's of his family may make it hard for him
11 to put us through the ringer in pursuit of the office. It's just pure bullshit. It continues
12 regardless. He's still using that line by proxy. He doesn't say it himself that directly but
13 all of his advisers do."

14 Do you recall sending that?

15 The Witness. No, I don't recall sending this. But I can tell you this, Mr. Gaetz.
16 Number one is this: This is me on -- supposed to be me to my daughter, February 22nd,
17 2019. And I'm literally on a daily basis trying to kill myself.

18 It had nothing to do with business. It doesn't have anything to do with anything.
19 It's me complaining in every different way, shouting out at the world and literally in
20 complete and utter agony.

21 And my beautiful daughter is literally trying to save my life and reach out to me.
22 And I go on a tangent and a tirade, and I act like a child, and I say things that I would
23 never, ever, ever, ever want to be read, because they don't resemble anything resembling
24 the truth about the way that I think about my dad, who literally was also at this time
25 trying to save my life. And so I don't know what you're trying to get at here.

1 Mr. Gaetz. I was just asking if you sent the message. It sounds like you do
2 remember sending it.

3 My question is --

4 Mr. Lowell. That's not what he said, Mr. Gaetz.

5 The Witness. Mr. Lowell --

6 Mr. Lowell. Literally, no. You can keep stating his testimony for him or let the
7 transcript state his testimony, but don't mischaracterize it.

8 Mr. Gaetz. Well, it certainly seemed to me like he remembered it.

9 Mr. Lowell. A lot of things seem things to you that nobody else in this room
10 would seem to be the truth.

11 Mr. Gaetz. Which advisers are you referencing?

12 The Witness. Do you have children, Mr. Gaetz?

13 Mr. Gaetz. What's that?

14 The Witness. Do you have children?

15 Mr. Gaetz. It's not about me and my family, Mr. Biden. It's about your --

16 The Witness. I'm trying to get to the point, Mr. Gaetz.

17 Mr. Gaetz. I'm asking you a question about which advisors you're referencing.

18 The Witness. If you had a private message in your worst moment with your
19 child --

20 Mr. Gaetz. Is this a private message you sent in your worst moment?

21 The Witness. How does it have anything to do with --

22 Mr. Gaetz. I want to know which advisers you're talking about who were
23 warning you that your corrupt activities might have impacted your father negatively.

24 The Witness. Again, I apologize. I don't want you to get emotional about this,
25 because I'm not. And I apologize, I really truly do.

1 Is that I cannot verify the forensic certainty of this message because you have not
2 provided me with any forensic certainty. I do not know whether it was manipulated or
3 not. I don't know if one word was added or another was taken out. I can't -- and
4 neither can you and neither can anyone.

5 And that's the point, because I do know other text messages were manipulated.
6 I do know that we know for certain that there's a guy named -- that there's a guy named
7 Smirnov, who is going out and making up lies. There's a guy named Gal Luft who is
8 going out and making up lies.

9 Mr. Gaetz. You've exceeded the scope of the question, Mr. Biden. And I only
10 have another moment. So --

11 The Witness. I'm answering it in full. Yeah.

12 Mr. Gaetz. So did any of your father's advisers speak to you about your conduct
13 being problematic for his political ambitions?

14 The Witness. No.

15 Mr. Gaetz. Never?

16 The Witness. Never.

17 Mr. Gaetz. Those are my questions.

1

2 [3:05 p.m.]

3 Ms. Hageman. Mr. Biden, Harriet Hageman from the State of Wyoming.4 The Witness. Nice to meet you, Congresswoman.5 Ms. Hageman. Can you hear me okay down there? Can the court reporters,
6 can you hear me okay?7 The Reporter. I can.8 Ms. Hageman. Harriet Hageman, H-a-g-e-m-a-n, State of Wyoming.9 I have a couple of questions I would like to go over with you, and they're going to
10 be some of them that are sensitive. I'm not asking you these questions to embarrass
11 you or cause you any heartache. I'm asking questions because I think that the timeline
12 that we're dealing with here is very, very important.13 You have repeatedly pointed to your education, your background, your history,
14 your experience, and your resume as the basis for your qualifications to work for Burisma,
15 the richest man in China, Romania, et cetera, correct?16 The Witness. Yes.17 Ms. Hageman. Okay.18 You also stated, I believe in your book, that you had a raging crack cocaine
19 addiction during the same period of time that you were working for those companies,
20 from 2003 to 2019. Is that also correct?21 The Witness. No, not completely, not the entirety of the time. And if you read
22 the book, it provides a general timeline of when the acute addiction to crack began and
23 ended.24 Ms. Hageman. But I believe that in the book it was around 2003 was when it
25 began, into 2019; you've been in recovery since then. Is that fair?

1 The Witness. Not even remotely close.

2 Ms. Hageman. Okay. Can you tell me the timeline then?

3 The Witness. No, I cannot tell you the exact timeline, but I didn't ever use crack
4 in 2003. My -- I began, I think -- it says it in the book -- I think sometime in 2016 or so.

5 Ms. Hageman. Okay. You've confirmed that -- those addictions today, correct?

6 Mr. Lowell. Which addictions are you talking about, ma'am?

7 Ms. Hageman. That you had a crack cocaine addiction today, correct, you've
8 confirmed that?

9 Mr. Lowell. Congresswoman, he has made a long statement saying when he was
10 high-functioning, not high-functioning, his areas of sobriety --

11 Ms. Hageman. I would rather that you not testify on his behalf. He can either
12 tell me whether I'm correct or not. We'll just have him answer the questions, okay?

13 The Witness. What's the -- okay, Ms. --

14 Ms. Hageman. Thank you.

15 The Witness. -- Congresswoman. I got it. What's the question?

16 Ms. Hageman. Okay.

17 The Witness. Sorry.

18 Ms. Hageman. So what I want to find out is that, during some period of time
19 that you were working for these various companies, you had addictions. You've
20 confirmed that today, correct?

21 The Witness. Yes. I think the most acute addiction that I had was alcoholism at
22 that time.

23 Ms. Hageman. All right. So, between alcoholism and crack cocaine, you have
24 these addictions during the period of time that you were working for these companies,
25 correct?

1 The Witness. Not the entirety of the time, but some of the work that I did --

2 Ms. Hageman. Well, I would also say that we are familiar with the laptop, and
3 you've indicated that you believe that there are some things on there --

4 The Witness. I'm sorry. What --

5 Ms. Hageman. -- that are not accurate.

6 The Witness. Okay. I'm sorry. What laptop?

7 Ms. Hageman. The laptop that was dropped off with the person in Delaware
8 that is --

9 The Witness. Have you --

10 Ms. Hageman. -- the subject of your lawsuit.

11 The Witness. Have you seen that laptop?

12 Ms. Hageman. Pardon me?

13 The Witness. Have you actually seen that laptop?

14 Ms. Hageman. Well, no, but I've seen things from it.

15 The Witness. No, I know. But I'm asking you, have you seen the actual laptop?

16 Ms. Hageman. No, I haven't. But I don't think for purposes --

17 The Witness. Does anyone know the existence of an --

18 Ms. Hageman. Mr. Biden --

19 The Witness. -- actual laptop?

20 Ms. Hageman. Mr. Biden, for purposes of my questioning today, I do not need
21 to --

22 The Witness. I'm sorry --

23 Ms. Hageman. -- have the physical laptop in front of me. If you cannot answer
24 my questions, please say so and we will move on.

25 The Witness. Ms. Hageman, I'm not being -- I'm not in any way --

1 Ms. Hageman. So --

2 The Witness. I'm sorry. I'm trying to answer the question. I've never --

3 Ms. Hageman. All right.

4 The Witness. I've never --

5 Ms. Hageman. Well, but I would like you to focus on answering my questions.

6 So, in terms of what we have seen with some of the photographs, the information
7 from the laptop, the information from your book, I would say that I don't believe that that
8 represents someone who would be responsible and considered a professional for
9 handling multimillion-dollar international deals focused on corporate governance.

10 Would you agree with that?

11 The Witness. Again, I think that addiction is a very difficult thing to be able to
12 define. I think that there are moments in time where you could be fully competent. I
13 think that there are a lot of people around this room who suffer from alcoholism that are
14 still in this room and that they're still functioning.

15 Ms. Hageman. Then let me ask the question this way, Mr. Biden --

16 The Witness. Just by virtue -- I'm answering the question --

17 Ms. Hageman. Mr. Biden --

18 The Witness. -- Ms. Hageman.

19 Ms. Hageman. -- you're not answering my question.

20 The Witness. I promise you --

21 Ms. Hageman. You're filibustering.

22 The Witness. -- I'm answering the question.

23 Ms. Hageman. So here's my question. In terms --

24 The Witness. I don't know why you're being so hostile. I'm trying --

25 Ms. Hageman. In terms of your qualifications and expertise, did you tell your

1 handlers and the people that you worked with at Burisma, the Chinese company, et
2 cetera, of your addictions?

3 Mr. Lowell. What do you mean about "handlers"?

4 Ms. Hageman. People that you worked with at Burisma --

5 The Witness. Oh, you call them handlers? Do you have handlers?

6 Ms. Hageman. No, but I think you do.

7 The Witness. Well, that's -- that's --

8 Ms. Hageman. So let's go ahead --

9 The Witness. -- I guess that's your opinion.

10 Ms. Hageman. But I'll restate the question, Mr. Biden.

11 The Witness. I'm trying to answer your question.

12 Ms. Hageman. Let me restate the question because --

13 Mr. Lowell. Congresswoman, I don't want --

14 Ms. Hageman. -- your attorney apparently doesn't like --

15 Mr. Lowell. -- to interrupt, but if you're going to ask a question, please let him
16 answer your question before you interrupt him.

17 Ms. Hageman. You interrupted me. So I'm --

18 Mr. Lowell. So let's not interrupt --

19 Ms. Hageman. -- restating the question.

20 Mr. Lowell. -- each other anymore. That's a deal?

21 Ms. Hageman. That's a deal.

22 Mr. Lowell. Okay.

23 Ms. Hageman. All right.

24 So my question for you is: In terms of your qualifications and expertise, did you
25 tell the folks at Burisma, the Chinese company, Romania, et cetera, of your alcohol and

1 drug addiction?

2 The Witness. I don't remember if anyone -- I actually told anyone directly about
3 that. But it was -- at the end, it was fairly obvious that I had a problem.

4 Ms. Hageman. Okay. So you don't -- "at the end." What do you mean by "at
5 the end"?

6 The Witness. Before I got sober.

7 Ms. Hageman. And when would that be?

8 The Witness. Again, I feel like I have to explain what addiction is.

9 Ms. Hageman. You don't have to explain addiction. I'm asking for dates.

10 The Witness. Okay. I don't have -- because if you understood addiction, you
11 don't have necessarily dates. The one date that you remember is this: You remember
12 the day that you quit, and you remember the day that you first started when you were
13 11 years old and you had your first drink. You don't remember all the times in between
14 in which you weren't an addict, in which you got sober, in which you tried to get sober, in
15 which you had long stretches of sobriety during that period of time.

16 And, I mean, everybody knows this. Everybody has someone that they love
17 that's gone through this. It's --

18 Ms. Hageman. Mr. Biden --

19 The Witness. I'm answering your question.

20 Ms. Hageman. -- I'm using your terminology.

21 The Witness. I'm really trying to answer your question.

22 Ms. Hageman. You said "at the end." I said, what did you mean by "at the
23 end"?

24 The Witness. "At the end"?

25 Ms. Hageman. Yes.

1 The Witness. The date that I know that I stopped using drugs and alcohol.

2 Ms. Hageman. And when was that?

3 The Witness. That date was officially, I think -- not "I think" -- is June 1st.

4 Ms. Hageman. Of what year?

5 The Witness. 2019.

6 Ms. Hageman. Well, you've testified today that you were serving on the board
7 of Burisma in a transparent and ethical way, to quote from you, and that you were
8 providing oversight and accountability in corporate governance, again quoting from you.

9 Don't you believe that you had a fiduciary responsibility to inform Burisma and the
10 other folks that you were working with --

11 The Witness. Okay.

12 Ms. Hageman. -- about your addiction?

13 The Witness. Thank you for your question. And I would ask this question: Do
14 you think that every colleague of yours or anyone that works for you that's an
15 alcoholic -- which I can guarantee you, at least 30 percent of the people that you serve
16 with suffer from alcoholism; they're either in recovery or active addiction.

17 Do you think it's incumbent upon them, if they suffer from alcoholism, that they
18 immediately resign?

19 Ms. Hageman. That wasn't my question.

20 The Witness. Well, I'm answering --

21 Ms. Hageman. Would you please read back my question?

22 The Witness. That is how -- that is exactly how I'm answering the question.

23 Ms. Hageman. Oh, can't read back the question. Well, then I'll state it again.

24 The Witness. And I will say this: is that I have a fiduciary responsibility to do
25 my job based upon that. It is not necessarily that because you're an alcoholic or

1 because you're an addict, whether you're in recovery or otherwise, that you need to
2 leave your job.

3 Ms. Hageman. I didn't ask whether you had to leave your job.

4 The Witness. Fiduciary responsibility.

5 Ms. Hageman. I asked whether you had a fiduciary responsibility --

6 The Witness. Of course. Any board member --

7 Ms. Hageman. -- to provide any notice --

8 The Witness. -- has a fiduciary responsibility.

9 Ms. Hageman. Please let me ask the question.

10 The Witness. Okay. I'm sorry.

11 Ms. Hageman. Did you have a fiduciary responsibility to tell them of your
12 addiction?

13 The Witness. I had a fiduciary responsibility to complete the work that they
14 required of me at the times that I did the work.

15 Ms. Hageman. And that is what you -- and you're, again, an expert in oversight
16 and accountability in corporate governance?

17 The Witness. Yes.

18 Ms. Hageman. And you're not aware of what your fiduciary responsibilities
19 would be?

20 The Witness. I never said that I wasn't aware of my fiduciary responsibility. I'm
21 saying that addiction is something that is not necessarily pinned to a time. It's transient.
22 During that period of time which I served on the board, I was constantly in recovery and
23 constantly failing and constantly back in recovery and constantly failing. It was not a
24 secret.

25 I had been in recovery since 2003, Ms. Hageman, and I'm trying to answer your

1 question. In that period of time, I had gone through long stretches of sobriety. They
2 knew when I went to a -- my business partners knew when I went to rehabs. And I went
3 to over a dozen rehabs towards the end there. They all knew that. I had to pay for it
4 out of the insurance from Rosemont Seneca. All my partners there knew it. Rob
5 Walker knew it. James Gilliar knew it. All of the people that I worked with -- Devon
6 Archer knew it. They all knew. And there were other people that knew.

7 And like people that are alcoholics or addicts, is that you can either make a go of
8 hoping that they get better or you can say, we no longer want you to serve based on this.
9 In my instance, they hoped that I would -- that I was -- recovery would stick.

10 Ms. Hageman. Does the "they" include your fellow members or anybody
11 employed by Burisma or some of the other companies or countries that you worked for?

12 The Witness. Yes.

13 Mr. Lowell. Countries? I'm sorry, what countries are you testifying to?

14 Ms. Hageman. Romania.

15 The Witness. I never worked for Romania.

16 Ms. Hageman. Okay.

17 The Witness. No, no, no, no, no, no. Not "okay." I never worked for a
18 country. I am not Jared Kushner. I never got money from a country. Not one foreign
19 government ever gave me money, guys -- none, zero, not one.

20 Ms. Hageman. Then let me re-ask the question.

21 The Witness. Yes?

22 Ms. Hageman. Were the folks at Burisma, were they aware of your addiction?

23 The Witness. Yes. Devon Archer was fully aware of my addiction, and he was
24 fully aware of my attempts to get in recovery. And --

25 Ms. Hageman. But then what about the gentleman --

1 The Witness. I'm trying to answer the question, Ms. Hageman.

2 Ms. Hageman. What about the gentleman from China? Was he aware of your
3 addiction?

4 The Witness. I really thought we weren't going to interrupt each other. I'm
5 telling you. Yes, he was, because the -- because I was on the board, and Devon Archer
6 was on that board. James Thornton -- I mean, excuse me, James Bulger was also on that
7 board. They knew that I suffered from addiction; they knew that I was in recovery.
8 And each one of them knew.

9 Ms. Hageman. And how did this addiction manifest itself in terms of your ability
10 to function at your job in what you were doing?

11 The Witness. Over the course of the time of my addiction, it manifested itself in
12 many different ways. Sometimes it was completely debilitating. Sometimes I could
13 function higher than, I felt like, when I was sober. Sometimes it made me feel like I
14 could do anything, and sometimes it made me feel like I could do nothing. It's the
15 nature of addiction. It's the nature of drug addiction. And sometimes it kills you, and
16 sometimes you're dead.

17 Ms. Hageman. And you were suffering from these kinds of issues at the very
18 time that you were working for and on the board of, say, again, Burisma, as an example?

19 The Witness. Could you repeat the question for me?

20 Ms. Hageman. Yes. You were suffering from these problems during the very
21 period of time that you were on the board of directors for Burisma, for example, correct?

22 The Witness. I was suffering from addiction -- as I said to you before, the first
23 moment I took a drink, I would categorize myself as an alcoholic and an addict, and --

24 Ms. Hageman. And then --

25 The Witness. -- that began with my first drink when I was 11 years old. During

1 that period of time, I have gone between recovery and otherwise.

2 Right now, I'm sure you are happy to hear, is that I am clean and sober. I've
3 been clean and sober since June 1st of 2019, and I remain so today.

4 And I hope and pray on a daily basis and give gratitude to the fact that I have a -- I
5 have regained my life, every single morning that I wake up. And I hope to remain sober
6 for the rest of my life.

7 But all I know is this --

8 Ms. Hageman. Mr. Biden --

9 The Witness. -- I have today --

10 Ms. Hageman. Mr. Biden, during the period of time --

11 The Witness. -- and I'm not going to drink today, and I'm not going to use today.

12 Ms. Hageman. During the period of time that you were working for Burisma was
13 also the time that coincided with your father being Vice President of the United States,
14 correct?

15 The Witness. Yes.

16 [REDACTED]. Mr. Biggs?

17 Mr. Biggs. Thank you.

18 Thanks for being here today, Mr. Biden.

19 And I would just say, I'm going to ask him to answer the questions. If he doesn't
20 know or understand the question, he is free to consult with you, and I'm --

21 Mr. Lowell. That's not the way it works, Congressman, but give it your best shot.

22 Mr. Biggs. That's the way --

23 The Witness. I'm going to ask him to jump in when it's appropriate for him to
24 jump in --

25 Mr. Biggs. That's right. Okay.

1 The Witness. -- because he's my legal counsel.

2 Mr. Biggs. Yeah. That's what I'm saying.

3 Mr. Lowell. You ask a bad question, I'm going to ask you to clarify it.

4 Mr. Biggs. I want to ask you about exhibit 12.

5 The Witness. Thank you. Exhibit 12.

6 Mr. Biggs. So, when you get to exhibit 12, this is a series of text messages
7 here -- emails, I should say.

8 The Witness. Yeah.

9 Mr. Biggs. And I just want to make sure I understand this, because one of the
10 items mentioned in here is, "US publicly or in private communication/comment
11 expressing their 'positive opinion'" -- this is what BS was supposed to do -- "and support
12 of Nikolay/Burisma to the highest level of decision makers here in Ukraine: President of
13 Ukraine, president Chief of staff, Prosecutor General, etc."

14 Who was the Prosecutor General at that time, if you know?

15 The Witness. I don't -- I don't know --

16 Mr. Biggs. Okay.

17 The Witness. -- who the Prosecutor General was at that time. November 2nd,
18 2015. I'm not sure.

19 Mr. Biggs. Okay.

20 Tell me about Devon. How long have you known Devon Archer?

21 The Witness. I have known Devon since, I think, 2007, '08. Maybe earlier,
22 maybe 2006.

23 Mr. Biggs. Fifteen years or more, probably something like that?

24 The Witness. Yes.

25 Mr. Biggs. And he's been your -- an active business partner at various

1 enterprises over the years, I assume?

2 The Witness. Not necessarily business partner, but Devon and I tried
3 to -- attempted to do business together. We were closely integrated. We tried to do a
4 lot of business together, yes.

5 Mr. Biggs. And Mr. Archer currently is -- he's been convicted. He's awaiting -- I
6 think he's trying to appeal, but he's also due to report to the Bureau of Prisons sometime
7 fairly soon.

8 The Witness. Yeah, that's true.

9 Mr. Biggs. And that's something that has arisen out of something, I think, that is
10 often referred to as the Indian bond scheme. Are you familiar with that?

11 The Witness. I'm familiar that he was indicted and is going to be serving a prison
12 sentence soon.

13 Mr. Biggs. Regarding the Indian bond scheme?

14 The Witness. No, I have no knowledge of an Indian bond scheme. But I've read
15 the --

16 Mr. Biggs. Are you familiar with a company called Burnham?

17 The Witness. I am.

18 Mr. Biggs. And did you have any active participation in Burnham, either as an
19 equity holder, director, or officer?

20 The Witness. No. I don't think that ever came to fruition. I think that there
21 was a proposal that I'd be a part of that, but it all fell apart in all of this.

22 Mr. Biggs. And so you never actually had any relationship to -- of those who
23 were in Burnham trying to use the pension funds to --

24 The Witness. No.

25 Mr. Biggs. Okay.

1 And you're familiar with Jason Galanis, John Galanis, Frank Galanis, Devon, and
2 others?

3 The Witness. No. I know the name because it's been reported in the press. I
4 think that 10 years ago for 30 minutes I was introduced to Jason Galanis, and that's
5 only -- the only time I ever recall meeting him.

6 Mr. Biggs. So 10 years ago for 30 minutes. Okay.

7 The Witness. Yeah.

8 Mr. Biggs. Very good.

9 Now I want to go back to Devon Archer again for another second. The Dubai
10 telephone call that you indicated you did not call your father, but when Devon testified
11 for us, in front of us, he talked about this meeting that was had. And there was -- I think
12 there was a dinner meeting. It was you, and it was Zlochevsky, the secretary of Burisma,
13 and Devon were all dining at a hotel in Dubai.

14 Does that sound familiar?

15 The Witness. Yes.

16 Mr. Biggs. And Devon's testimony is that there was discussion about the
17 problems that Zlochevsky was having with Shokin and the Prosecutor General of Ukraine.

18 The Witness. I think that the transcript specifically said "pressures in general."

19 Mr. Biggs. "Pressures in general."

20 The Witness. Yeah.

21 Mr. Biggs. Yeah. He indicated pretty clearly that it was coming from within
22 Ukraine.

23 Do you -- do you remember that?

24 Mr. Lowell. I'm sorry. Can you read that one, please?

25 Mr. Biggs. Do you remember that?

1 No, we're not going to read -- we don't have time to read it. Let's go. Let's --

2 Mr. Lowell. Well, then don't characterize it unless you're willing to show us the
3 place that you are referring to.

4 Mr. Biggs. Then you can look at it. You can look at it later.

5 Here's what we're talking about. Here's what we're talking about. Do you
6 remember the dinner --

7 The Witness. I would rather look at it after you ask me the question about it so
8 I --

9 Mr. Biggs. You've already looked at it once.

10 The Witness. Mr. Biggs, there are literally 2,000 -- 8,000 pages of documents
11 you've given me. I've looked at over 27 exhibits today --

12 Mr. Biggs. This is earlier today.

13 The Witness. -- over 400 pages that you've given me --

14 Mr. Biggs. Let's answer the question.

15 The Witness. -- and you want me to recall?

16 Mr. Biggs. Let's answer the question.

17 The Witness. Okay. I'll answer the question.

18 Mr. Biggs. I think you can answer the question.

19 The Witness. Okay.

20 Mr. Biggs. And that is: You had a dinner. Those were the people who were at
21 the dinner that I just mentioned, right?

22 The Witness. I don't recall the actual dinner. I know that if we had a dinner,
23 the dinner most likely was with the entire board. And every other board meeting, if we
24 went to dinner afterwards, it would be the four to five board members and some of the
25 senior management, including Nikolay.

1 Mr. Biggs. So you had a dinner. You think it's bigger than Devon testified to,
2 but that's fine.

3 The Witness. Yeah, I don't recall exactly. Yeah.

4 Mr. Biggs. But I am under the impression, listening to you right now --

5 The Witness. Yeah.

6 Mr. Biggs. -- that you don't specifically remember a dinner where Zlochevsky
7 was saying to you, I need some help, and you left and maybe made a call to Washington,
8 D.C.?

9 The Witness. It's not that I don't remember that. I can say emphatically that I
10 never, ever, ever picked up the phone to call my dad to tell him to do anything --

11 Mr. Biggs. So -- so --

12 The Witness. -- on behalf of Burisma.

13 Mr. Biggs. I didn't ask that question, though, did I?

14 The Witness. Well, I thought you did.

15 Mr. Biggs. I said you called Washington, D.C.

16 The Witness. I don't recall calling Washington, D.C.

17 Mr. Biggs. So your testimony is contradictory to Devon's. Is that fair to say?

18 The Witness. I would say that my memory is definitely contradictory to Devon's
19 as it relates to 9 years ago, a dinner and a phone call that he was not a party to.

20 So Devon testified -- and this is why it's important that we have the transcript in
21 front of us, Mr. Biggs.

22 Mr. Biggs. Yeah. Yeah, yeah.

23 The Witness. It is important to have the transcript in front of us, because he
24 does not say that he was a witness to that phone call. What he says is that I walked
25 away from the table, and what he assumed was that I called D.C.

1 Well, Devon's assumption was wrong. I did not call D.C. --

2 Mr. Biggs. Who did you call then?

3 The Witness. I could've called my -- my -- my wife. I could've called
4 my -- anybody.

5 Mr. Biggs. You don't remember who you called?

6 The Witness. I have no idea about a phone call or otherwise. And neither does
7 Devon Archer, because he wasn't there. He self-admittedly was not there to witness a
8 phone call.

9 Mr. Biggs. Right.

10 So what we're getting at is -- you're telling us you can remember everything else
11 about that --

12 The Witness. I did not say I remember. I don't even remember the dinner.

13 Mr. Biggs. You don't remember? Well, then why are you testifying about it?
14 Then why didn't you just say, "I can't remember it"?

15 The Witness. Because --

16 Mr. Lowell. Because you asked him the question.

17 The Witness. -- you asked me the question, and Devon said that there was a
18 dinner. I'm saying that I don't have any reason to believe that there wasn't a dinner,
19 because at every board meeting, on every night that we were on a board meeting, we
20 would have dinner together. So was there a dinner? Of course.

21 And so I'm testifying that all I know is this: I don't recall a phone call. I know
22 there was never a phone call to my father. I can say that under oath.

23 Mr. Biggs. Okay.

24 The Witness. And, finally, is this: is that I also know, by the testimony under
25 oath of Devon Archer, he says he was not a witness to the phone call.

1 Mr. Biggs. Right.

2 So you also testified that the book -- that the book was wrong, your book was
3 wrong, it's printed with the wrong date. You testified that --

4 Mr. Lowell. No, no. Actually, it was right.

5 The Witness. Oh, it was right?

6 Mr. Biggs. But that's not what he testified to, Mr. Lowell.

7 Mr. Lowell. He said he wasn't sure.

8 The Witness. I wasn't sure. I thought because --

9 Mr. Biggs. No, no. Well, we'll have the transcript to look back. I mean, you
10 like to rely on the transcript.

11 Mr. Lowell. Well, luckily we're still here, so let's ask the question: When is the
12 date that is in his book in which he's talking about? It's either 2013 or 2014.

13 Is that the one you're talking about?

14 Mr. Biggs. Yeah.

15 Mr. Lowell. Let's go back to the book.

16 The Witness. Yeah.

17 Mr. Lowell. Can we go back to that exhibit?

18 The Witness. But regardless is this: is that, I'm sorry I missed, in a 270-page
19 book, a typo of -- if it is such a typo. I have no idea.

20 Mr. Lowell. What is the 2013 date?

21 Mr. Biggs. Unbelievable.

22 The Witness. How is it unbelievable, Mr. Biggs? I really don't understand.

23 Mr. Biggs. Well, I'm not surprised you don't understand, so --

24 The Witness. Why are you not surprised? I really -- is that --

25 Mr. Biggs. So here we go. Do you have the book?

1 Mr. Lowell. Yeah, we do.

2 Mr. Biggs. Okay. What's the right year?

3 Mr. Lowell. "In 2013, Dad asked my then-teenage daughter, Finnegan, to join
4 him on Air Force Two to Japan" --

5 The Witness. So this isn't even -- we're not even talking about the same time.
6 This is the -- this is the transcript. I thought that that 2013 -- I was confused. I thought
7 that it happened in --

8 Mr. Biggs. So you're --

9 The Witness. -- 2014. But --

10 Mr. Biggs. I don't want to interrupt you, but I'm going to. You are
11 confused -- you were confused earlier today --

12 The Witness. About your --

13 Mr. Biggs. -- when you testified?

14 The Witness. By your questioning. You're telling me -- you were just talking
15 about a board meeting with Burisma in Dubai.

16 Mr. Biggs. Yeah, and then we moved on to this.

17 The Witness. Oh. We hadn't even moved on to it yet, though. What's --

18 Mr. Biggs. Yeah, we had.

19 The Witness. -- the question?

20 Mr. Biggs. You said this morning -- I want to make this as clear as I possibly can.
21 This morning, you testified, my understanding, that your book was in error. In fact, I
22 wrote it down when you said that, that the date was in error --

23 The Witness. No --

24 Mr. Biggs. -- in your published book. Is that -- was that wrong?

25 The Witness. If we -- we will, I'm sure, have the transcript in 24 hours. But to

1 clarify, I will make absolutely clear, we were doing questioning here. We were asking
2 other questions related to other dates. There have been many, many dates thrown
3 around today. I think probably a thousand times someone has asked me about a date,
4 time, this, this, and the other.

5 Mr. Biggs. This was --

6 The Witness. When I was reading this, it said in 2013, and I said, "Is that right?"

7 Mr. Biggs. Okay.

8 The Witness. "I'm not sure if that's right. I thought the trip to China occurred
9 in 2014."

10 Mr. Biggs. All right.

11 The Witness. I'm still not certain of exactly the date that it happened. But it's
12 not a --

13 Mr. Biggs. You don't view it as materiality. I get it.

14 The Witness. Whether it happened in 2013 or 2014?

15 Mr. Biggs. So I want to -- I want to ask you --

16 The Witness. Do you view that as materiality?

17 Mr. Lowell. I'm sorry. Now we have to tell you that you're over your hour, and
18 I've given you 2 or 3 more minutes. And I'm just -- according to Ms. Greene, rules
19 matter.

20 Mr. Biggs. Thank you.

21 Mr. Lowell. We're done.

22 Mr. Biggs. I want to ask you one more question, though, with regard to the
23 messages --

24 Mr. Lowell. I guess not.

25 The Witness. I guess not.

1 Mr. Biggs. -- yeah -- with regard to the messages, which are apparently -- they
2 look like photos of screenshots of a BlackBerry, right? Roughly speaking. You've seen
3 a number of --

4 The Witness. That's what I'm told that they are.

5 Mr. Biggs. Yeah.

6 The Witness. By your own admission, correct?

7 Mr. Biggs. Yeah.

8 The Witness. Yeah.

9 Mr. Biggs. Well, the reason I'm asking about that --

10 The Witness. Yeah?

11 Mr. Biggs. -- is because you went ahead and answered questions about those as
12 if the contents of those were accurate. For instance, the conversation between Gilliar
13 and Bobulinski, et cetera.

14 And I assume, then, that you were accepting, with some modest amount of
15 skepticism, the veracity --

16 Mr. Lowell. Actually, I made an objection and said that because it is not
17 authentic and it is not complete and we don't know what it was, I put that on the record
18 so somebody like you couldn't do what you just did. And I said I will allow him to
19 answer questions with the premise that we don't know that they were authentic or
20 complete. And you can go back to the transcript on that as well.

21 Mr. Biggs. Yeah. Do you --

22 The Witness. Tony didn't turn over his phone.

23 Mr. Biggs. I'll let you ask him that. But let me --

24 The Witness. I don't think he's talking to me.

25 Mr. Lowell. They're not on talking terms anymore.

1 Mr. Biggs. Yeah. It looked like they weren't on talking terms early on either.
2 But the question ultimately boils down to this: Do you question the veracity of
3 those communications, of those evidence?

4 The Witness. I absolutely -- I question the veracity of anything that comes from
5 Tony Bobulinski, including a photograph of a screenshot of a broken phone from 9 years
6 ago, or 6 years ago, or 4 years ago, or whatever it is. I absolutely question the veracity
7 of everything that comes out of Tony Bobulinski's mouth.

8 Mr. Biggs. So your position is that those are not accurate at all?

9 The Witness. No, I did not say that. I question and feel that I have the right to
10 question the veracity of anything that comes from Tony Bobulinski based on this:

11 Tony Bobulinski has a 302 in which his account of it is absolutely different from
12 the six FBI agents who took notes during that, in which they say he said he was at a
13 meeting in Miami that he was not at. That's why -- one of the reasons.

14 I also have a problem with Tony Bobulinski's veracity because Mr. Bobulinski gave
15 in to you and said that he never had a meeting with Mark Meadows at a rally for
16 President Trump and wore a ski mask. And it seems as if Ms. Hutchinson came up with a
17 picture of Mr. Bobulinski in a ski mask at a rally for Mr. Trump.

18 That's why I question the veracity of anything that Tony Bobulinski has said,
19 among other things.

20 ██████████: We're at time.

21 ██████████: We're up for our time.

22 Mr. Jordan. Mr. Biden, I think we have one Member with one other question. I
23 understand the scope and the rules. Would you be willing to allow --

24 The Witness. And that's it, we're done?

25 Mr. Jordan. -- Mr. Fallon to ask a question?

1 The Witness. I know, but is that -- are we done for the day?

2 ██████████: Why don't we turn around and let the Democrats go and --

3 The Witness. No, if we're done for the day -- we had intended this to have three
4 rounds.

5 [Crosstalk.]

6 Mr. Lowell. Hold on. Hold on. Hold on.

7 We had intended, as the agreement says, to have three rounds. We're going to
8 let -- we let this go further than your last round's time. That's fine. If you have
9 another Member to do that --

10 Mr. Jordan. We have a couple Members with a question.

11 Mr. Lowell. Let's do that, but then I want to talk to counsel about when we're
12 going to conclude this.

13 Mr. Jordan. Fair enough. I understand.

14 Mr. Fallon. Very short questions.

15 Mr. Lowell. Okay.

16 Mr. Jordan. And do we want to allow -- I think we should -- our hour is up -- let
17 the Democrats go, and we have a couple more questions from Republicans.

18 ██████████: Yeah, we want to let the Democrats ask their questions, if they have
19 questions.

20 Mr. Lowell. No, you said you have a couple of Republicans.

21 ██████████: We do, but --

22 ██████████: If you guys have a few more to wrap up, I think you guys can go
23 ahead.

24 ██████████: Yeah, I don't think we're going to have --

25 Mr. Lowell. If this is the wrap-up, yes.

1 Mr. Raskin. We're not going to have many questions at all.

2 [REDACTED]: But if you need a break --

3 The Witness. No.

4 Mr. Lowell. We don't need a break.

5 The Witness. Let's wrap it up.

6 Mr. Lowell. Majority members -- oh, you have one? Please.

7 Mr. Fallon. Just a couple, yeah.

8 Mr. Lowell. Please, go ahead.

9 Mr. Fallon. Thank you.

10 Mr. Biden, just as far as addiction goes, my father was an alcoholic for 30 years.

11 He passed away 2 years ago. His best 30 years were his last 30, when he conquered it in

12 '92. So I'm very sympathetic with --

13 The Witness. Appreciate that.

14 Mr. Fallon. -- your plight.

15 The Witness. Yeah.

16 Mr. Fallon. And I did think it was rather demeaning for a colleague across the
17 aisle to say that, in questioning you or bringing this up, trying to investigate, that we want
18 to force you into -- push you into relapse. I think that's just beyond the pale, and that's
19 exactly the opposite of what any of us want.

20 Mr. Raskin. But I was quoting a prior witness who said that.

21 Mr. Fallon. Okay.

22 Mr. Raskin. We can read the transcript back to you.

23 Mr. Fallon. That's fine.

24 So you said at 11:59 a.m. today that "the purpose of my life is to be an example
25 for others" and that you have to make amends. And being familiar via my dad with

1 atonement and amends, in 2014 -- which is an important part of the 12-step process -- in
2 2014, did you pay your taxes in full?

3 Mr. Lowell. I'm sorry, Congressman. One of the areas that is part of our
4 agreement is that you're not going to be able to have him address issues that are a
5 subject to litigation that is occurring. And, consequently --

6 Mr. Fallon. Counsel, I believe that's a --

7 Mr. Lowell. I am sorry. Let me finish --

8 Mr. Fallon. Okay. Go ahead.

9 Mr. Lowell. -- my point, because this is something I specifically talked to your
10 counsels about.

11 So, if you want to ask him how much money he made, if you want to ask him how
12 he made his money, if you want to ask him any questions about the underlying facts,
13 that's fine.

14 If you're asking him about when he paid his taxes, how he paid his taxes, whether
15 or not he ever bought a gun, whether he didn't buy a gun, that's outside the scope of our
16 agreement.

17 Mr. Fallon. In 2014, this is -- that's beyond the statute of limitations.

18 Mr. Lowell. And your point is?

19 Mr. Fallon. So he cannot be -- he cannot be tried for that. So --

20 Mr. Lowell. I'm not doing this on the basis or whether or not he could or could
21 not be charged, because your view of the statute of limitations is not something I can
22 take to court, I bet. I will tell you, though, that it's part of the agreement that we made.

23 Ask him about what he made. Ask him about how he made it. Ask him --

24 Mr. Fallon. Well, I -- okay. So --

25 Mr. Lowell. -- about what he did with his money.

1 Mr. Fallon. All right, counsel, I get it. I get it.

2 Mr. Lowell. But if you're asking him about taxes --

3 Mr. Fallon. You're not going to direct my inquiry. I understand.

4 So I'm just saying that if someone is outside the statute of limitations, you're not
5 going to be tried for it, but there were back taxes owed, part of that amends or
6 atonement would be to pay those taxes. I think that would be moral.

7 Mr. Lowell. Is that your statement, or is that a question?

8 Mr. Fallon. Both.

9 Would you agree with that?

10 The Witness. My intention in everything that I do is to make amends for where I
11 hold responsibility and make good where I can.

12 Mr. Fallon. Okay. Thank you.

13 Would you agree -- I think we can agree on a lot of this stuff -- that it's a fact that
14 your dad became Vice President of the United States January 20th, 2009?

15 The Witness. I would agree with that.

16 Mr. Fallon. Okay. That part of his portfolio with the --

17 The Witness. I also agree that he became President on January 20th, 2020,
18 which I think a number of you don't agree with.

19 Mr. Fallon. I didn't like to see it, but I agree it happened.

20 The Witness. Yeah. Okay.

21 Mr. Fallon. It's a fact that part of his portfolio as Vice President in the Obama
22 administration was Ukraine? Would --

23 The Witness. Yes.

24 Mr. Fallon. -- you agree on that? Okay.

25 That Burisma, as you mentioned -- and I think we agree on this, because you had it

1 in your testimony -- that it's a large energy company in Ukraine? In fact, you stated it
2 was one of the two largest.

3 The Witness. Yes.

4 Mr. Fallon. Okay. That that same energy company hired you on the board for, I
5 think you said, roughly \$65,000 a month for 5 years was the original agreement?

6 The Witness. Yes.

7 Mr. Fallon. Okay.

8 It's a fact that, in 2015, U.S. Ambassador Geoffrey Pyatt gave a speech in Odessa
9 where he talked about corruption and that he by name mentioned Mykola Zlochevsky?

10 The Witness. That who did? Oh, that Pyatt? Yes.

11 Mr. Fallon. Geoffrey Pyatt.

12 The Witness. Yes. Yes.

13 Mr. Fallon. And Zlochevsky, for the record, was the -- was he the head of
14 Burisma, the CEO?

15 The Witness. Yes.

16 Mr. Fallon. Okay.

17 And then the fact that Viktor Shokin was a Ukrainian prosecutor, we agree on
18 that?

19 The Witness. Yes.

20 Mr. Fallon. He was investigating Zlochevsky?

21 The Witness. I do not --

22 Mr. Fallon. Whether or not you think he did it well, he was investigating
23 Zlochevsky?

24 The Witness. I do not know whether he was investigating Zlochevsky.

25 Mr. Fallon. Okay.

1 That it's a fact that the Vice President, your dad, advocated for Shokin's firing?
2 He gave a speech indicating that he wanted him fired and that he indeed got him fired?

3 The Witness. I think that that is public knowledge, yes.

4 Mr. Fallon. Public record. All right.

5 And it's a fact that Shokin was fired. It's a fact that, since he was fired,
6 Zlochevsky was never investigated again and he was charged with no crimes?

7 So we agree on all that?

8 The Witness. Yes.

9 Mr. Fallon. Okay. Do you see how that could be viewed as a conflict of
10 interest?

11 The Witness. As I pointed out before, is that one of the things that, in everything
12 that I do, every area that my father has influence over, which is almost ubiquitous, is that
13 I try to minimize the conflict that there could possibly be.

14 And the way that I did that was, number one, making certain that I never had any
15 discussions with my father or anyone in his administration or asking them to do things on
16 my behalf --

17 Mr. Fallon. The best way --

18 The Witness. -- for my -- for the benefit --

19 Mr. Fallon. I'm sorry. I apologize.

20 The Witness. -- yeah -- for the benefit of anyone that I was working for or any
21 board that I was serving on.

22 Mr. Fallon. I think the best way to avoid that conflict would've been not to take
23 the job at all.

24 Mr. Lowell. He didn't say it was a conflict.

25 Mr. Swalwell. Thank you for sharing.

1 Mr. Fallon. Would we agree that, in February of 2014, Yelena Baturina, the wife
2 of the former mayor of Moscow, gave \$3.5 million to the companies you were involved
3 with?

4 Mr. Lowell. No, wait, wait. I'm sorry. Last piece? Companies he was
5 involved with?

6 Mr. Fallon. You want me to get the --

7 The Witness. No, I got it. It's --

8 Mr. Fallon. Rosemont Partners, Seneca --

9 The Witness. Yeah. Listen, I had nothing to do with Rosemont-whatever entity,
10 the realty or whatever it is. That was Devon's. I never received a dime from
11 Ms. Baturina. I didn't have any involvement with her in any way.

12 Mr. Fallon. Okay.

13 The Witness. That was Devon's relationship. And I think that she made an
14 investment into, according to Devon, into actual commercial property --

15 Mr. Fallon. Okay. So I can rephrase the question. She gave \$3.5 million to
16 Devon Archer, one of your --

17 The Witness. She did not give \$3.5 million to --

18 Mr. Fallon. Invested -- whatever -- wired, transferred --

19 The Witness. I know, but the words matter.

20 Mr. Fallon. Okay.

21 The Witness. They really do matter --

22 Mr. Fallon. Wired --

23 The Witness. -- because no one was given anything for not anything --

24 Mr. Fallon. Well, that's what you said.

25 The Witness. According to Devon, in his testimony, I believe, was that she sent

1 Devon \$3.5 million to invest in commercial property in Brooklyn and then received the
2 return on those investments. She didn't give him anything. It was not some --

3 Mr. Fallon. And Devon was one of your business partners, correct?

4 The Witness. Yes.

5 Mr. Fallon. Okay.

6 And then a few months, or a few weeks, months, after that, Yelena Baturina
7 attended a dinner at Cafe Milano and your dad was there?

8 The Witness. I don't know the timing of it, but I do know that she was at a
9 dinner, and I do believe that --

10 Mr. Fallon. Okay. Because I remember you -- a couple hours ago, you said
11 that.

12 The Witness. -- stopped over at the dinner that was there. I think it was my
13 birthday, and my dad stopped --

14 Mr. Fallon. And then Kenes, Kenes Rakishev, the fellow from Kazakhstan, wired
15 to Devon \$142,300, and then Devon happened to wire that, transfer that to you, and then
16 you happened to buy a Porsche the very next day for \$142,300?

17 Mr. Lowell. I think that misstates the record. Devon Archer sends money to a
18 car dealer and not to Mr. Biden --

19 The Witness. Yeah.

20 Mr. Lowell. -- if you look at the record.

21 Mr. Fallon. Okay. But then you kept the car?

22 The Witness. Regardless, is that -- yes, I kept the car.

23 Mr. Fallon. Okay. And then Kenes Rakishev had dinner with your father shortly
24 thereafter?

25 The Witness. I don't know whether it happened before that or after that. I

1 have no knowledge of that. Again, I would say to you, is that Kenes Rakishev was a
2 guest at the dinner that I had for the presentation about the World Food Programme.
3 My dad stopped by. I never did anything on behalf of Kenes Rakishev or asked anyone
4 to do anything on behalf of Kenes Rakishev.

5 Mr. Fallon. And, then, the spring of 2014, one of the Burisma executives, Vadym
6 Pozharsky -- who you'd already been working for now on the board. Then, after they
7 hired you, Vadym Pozharsky had dinner with your father as well?

8 The Witness. He did not have dinner with my father. I said this --

9 Mr. Fallon. He did not have dinner with your father?

10 The Witness. -- many times before.

11 My dad did not come for dinner. He came and sat down at the presentations.
12 He sat down next to Father Alex, who he's known for almost 42 years, who was a close
13 family friend. And I believe that he probably had a Coca-Cola and a bowl of spaghetti,
14 maybe, and then got up and gave Xanthi a hug and Michael a hug, walked out, shook
15 hands to the people that were sitting on the table.

16 Mr. Fallon. So he ate there. Most people would define that as having dinner.

17 Mr. Lowell. Well, he said he's not sure that he ate.

18 The Witness. I'm not sure that he ate. I'm not sure he ate.

19 Mr. Fallon. Okay. Well, he said spaghetti. I --

20 Mr. Lowell. He said he might've had a bowl of spaghetti.

21 Mr. Fallon. So he might've had dinner. Okay.

22 The Witness. My bottom line is this: is that, yes, my dad attended, in one form
23 or another, was -- he stopped by, whatever way you want to characterize it, but for
24 nothing other than to say hello to the people around the table and particularly those
25 related to the World Food Programme.

1 Mr. Fallon. Do you see the pattern here, though? I mean, people give money
2 to either you or your business associates and then they have access to your dad?

3 All right, last question. Thank you for indulging me. Are you aware that your
4 uncle --

5 The Witness. The pattern that I see is that you literally have no evidence
6 whatsoever --

7 Mr. Fallon. Well, I'm getting to that too.

8 The Witness. -- of any corruption on the part of my father. And, therefore,
9 what you're trying to do --

10 Mr. Fallon. There's no question.

11 The Witness. -- is you're trying to make every single thing in business that I was
12 ever involved in somehow corrupt. That's what I see.

13 Mr. Fallon. Are you aware of a canceled check that your uncle, Jim Biden --

14 The Witness. No.

15 Mr. Fallon. -- gave to your father for \$200,000?

16 The Witness. No.

17 Mr. Fallon. All right. It's out in the public.

18 The Witness. I have no knowledge of it.

19 Mr. Lowell. Do you have --

20 Mr. Fallon. Yeah, we have a copy of it.

21 Mr. Lowell. I'd like to see it.

22 Mr. Fallon. All right.

23 Mr. Lowell. I mean, if you're going to ask him about it. Or is the question, does
24 he know about it?

25 The Witness. No. I have no knowledge about it. Never mind.

1 Mr. Lowell. Okay. If he has no knowledge about it, I don't need to see it.

2 The Witness. Yeah.

3 Mr. Fallon. All right.

4 There's a canceled check for \$200,000 from Jim Biden to Joe Biden. It says --

5 Mr. Lowell. What's the date?

6 Mr. Fallon. March 1st, 2018. It was from Americore, wired \$200,000 to Jim
7 Biden, your uncle. That very same day, your uncle cut your father a check for \$200,000,
8 the exact same amount.

9 The Witness. I've seen the public reporting, and my --

10 Mr. Fallon. It said "loan repayment." And I believe there's another one for
11 \$40,000, same thing, "loan repayment."

12 So my question to you would be: If that's indeed a loan, which is what's been
13 claimed by the administration, why wouldn't the President just produce the original loan,
14 the check? It's a check. If I loaned my sister 200 grand and she pays me back, I would
15 produce the \$200,000 and we will all eat crow. Why do you --

16 The Witness. You guys --

17 Mr. Fallon. -- think that's never happened?

18 The Witness. -- have to be kidding me. He has released 27 years of his tax
19 returns. You defend a man that won't release his tax returns and is the least
20 transparent human being on the face of the Earth, in Mr. Trump, and you're saying that
21 he should bow to you because of this improper process and somehow bend to you and do
22 what no other President, let alone your President, your supposed President, would ever
23 do? I don't --

24 Mr. Fallon. To produce a check?

25 The Witness. Look, I do not --

1 Mr. Fallon. To produce a canceled check?

2 The Witness. -- speak for my father. I do not speak for my father. I do not
3 speak for the administration. I do not speak for his lawyers. I can only speak for
4 myself. I have no knowledge or understanding or any view into this whatsoever. None
5 of it. I have no idea. Whatever it was was between my uncle and my dad.

6 And all I know from the public reporting is my dad loaned my uncle money, and
7 supposedly my uncle paid him back that money. That's all I know.

8 Mr. Jordan. We're over our hour. We'll take a little break, and then we'll let
9 the Democrats have their hour.

10 [REDACTED]. Off the record.

11 [Recess.]

12 [REDACTED]. We are back on the record.

13 Mrs. Spartz?

14 Mrs. Spartz. I'll just be brief. For the timeline --

15 Voice. Shh.

16 Mr. Swalwell. For the record, can we get the order so that it's clear and there's
17 no more --

18 Mr. Lowell. Yes. It's --

19 [REDACTED]. Yeah, I just said it.

20 Mr. Swalwell. Not on the record.

21 Mr. Lowell. [REDACTED], will you say it on the record, so we can finish this,
22 please?

23 [REDACTED]. We're not doing it on the record.

24 Mrs. Spartz, go ahead.

25 Mr. Swalwell. No, say it on the record, because we're afraid you're not going to

1 stick to it.

2 Mrs. Spartz. No, it's okay.

3 [REDACTED]. Mrs. Spartz, go ahead, please.

4 Mrs. Spartz. Okay.

5 Just for the timeline, Mr. Biden, when was the time when you first met Mykola
6 Zlochevsky?

7 The Witness. The first time that I met Mr. Zlochevsky is at the, I believe, after
8 joining the board, the first board meeting. I can't remember when it was, but if
9 you -- do you know the --

10 Mrs. Spartz. When was the time of the first board meeting?

11 The Witness. Do you mind if I ask?

12 Mrs. Spartz. Yeah.

13 [Discussion off the record.]

14 The Witness. I believe May of 2014.

15 Mrs. Spartz. May of 2014.

16 The Witness. I believe so. I believe.

17 Mrs. Spartz. Okay.

18 The Witness. I'm not positive.

19 Mrs. Spartz. Were you aware that Mykola Zlochevsky was, in 2010, after
20 President Yanukovich, who is right now residing under Putin's protection in Russia, he
21 was the natural resources minister, ecology minister in charge of overseeing energy
22 ministry, including Burisma? Were --

23 The Witness. Yes.

24 Mrs. Spartz. -- you aware of that?

25 The Witness. And I also am aware that he resigned in protest from that

1 administration.

2 Mrs. Spartz. Well, he actually wasn't resigned. He had another position in that
3 administration as security advisor. And, actually, his allegations -- a lot of corruption
4 allegations were connected to licenses that Burisma was getting at the time when he was
5 minister.

6 You ever heard of that or not? And including some of the licenses in Crimea and
7 other areas.

8 The Witness. And, again, those were -- your characterization of them is not my
9 understanding of them, but I --

10 Mrs. Spartz. So you don't acknowledge that he was working in the
11 administration of President Yanukovych?

12 The Witness. No. What I know is that he resigned in protest, and that's what I
13 was told, and that's what he said, that he resigned in protest in the Yanukovych
14 administration.

15 Mrs. Spartz. So he -- okay.

16 What about when you were actually getting with this board meeting, were you
17 aware that Burisma was under investigation in U.K. for money-laundering investigations
18 and including some of the \$23 million of assets were frozen? Were you aware of that?

19 The Witness. When I joined the board, I was not aware of it. And I think we
20 went through this question before. And what I know: There were two reports done by
21 multinational security firms. One of them was a Crowe report, and one of them was a
22 Nardello report. Neither of those reports, at the time that I joined the board --

23 Mrs. Spartz. So you were not aware of this investigation? And regardless --

24 The Witness. Not when I joined the board. Based upon --

25 Mrs. Spartz. But later on you will become aware of this?

1 The Witness. Well, then it became public.

2 Mrs. Spartz. Did you take any actions? Did you talk about that with anyone in
3 the United States, with your father, or any one of those related to that situation?

4 The Witness. No, no discussions with anybody in the United States or anybody
5 in -- officials whatsoever about that.

6 Mrs. Spartz. Okay. Did you meet with President Poroshenko or any of the
7 prosecutors? Have you met with them on these issues in Ukraine?

8 The Witness. I've never traveled to Ukraine. I've never met with any --

9 Mrs. Spartz. Okay.

10 The Witness. -- Ukrainian officials.

11 Mrs. Spartz. What about Yuriy Evenushin (ph), Konstantin Korchemko (ph), or
12 Andriy Kicha? Have you ever --

13 The Witness. No.

14 Mrs. Spartz. None of this name?

15 So were you aware that Prosecutor Shokin opened investigation of Burisma in
16 2015? Were you aware of that?

17 The Witness. I'm aware that -- that Prosecutor Shokin -- no, I'm not aware that
18 he opened --

19 Mrs. Spartz. You're not aware of that?

20 The Witness. No.

21 Mrs. Spartz. And were you aware that, when all of those investigations were
22 abruptly closed -- at least one of them was settled through tax evasion in 2016, but a lot
23 of them, it was an enormous amount of investigations, were closed -- the director of
24 Anti-Corruption Action Center said, the proceedings led by the Prosecutor General's
25 Office were not just shut, they were intentionally botched.

1 Were you aware of that anti-corruption agency in Ukraine was shocked on closing
2 all of this investigation?

3 The Witness. Again, I'm not aware of your characterization of that, and I know
4 that I have a very different characterization of that, but yes.

5 Mrs. Spartz. So you still believe that, you know, Mykola Zlochevsky is fighting for
6 freedoms against Putin and is really a high-integrity person, from your understanding?

7 The Witness. No. That's your --

8 Mrs. Spartz. You said it was your word that you said.

9 The Witness. That's your characterization of it.

10 Mrs. Spartz. No, that's what your characterization was earlier. I just tried to
11 clarify.

12 Mr. Lowell. I'm sorry, Congresswoman --

13 Mrs. Spartz. So what is your characterization?

14 Mr. Lowell. -- that's not his characterization.

15 The Witness. It's okay. It's okay. I understand. Yes?

16 Mrs. Spartz. So what is your characterization, then, of Mykola Zlochevsky?

17 The Witness. I don't -- at this point, after 6 hours here, my characterization was
18 made clear in the 3,000 other answers that I gave. I can't speak to it.

19 And I would never, ever challenge -- and I mean this sincerely -- your deep
20 knowledge of what has happened in Ukraine, what is happening in Ukraine, and the
21 struggle that Ukraine is having right now against Vladimir Putin. And I appreciate the
22 way that you speak about it on other things, so I appreciate your opinion about that.

23 That was not my characterization.

24 Mrs. Spartz. [Inaudible.] What do you think was the main function you were
25 hired by Mykola Zlochevsky to do, really?

1 The Witness. I think I've answered that question a number of times.

2 Mrs. Spartz. Was it to help with Ukraine? Do you have a deep understanding
3 of Ukraine? What was the main reason you believe he hired you?

4 The Witness. Oh, I think that I have a deep understanding of Ukraine as many
5 people in this room. I studied the region my entire life.

6 Mrs. Spartz. But you don't even understand all of this corruption investigation --

7 The Witness. That's your characterization --

8 Mrs. Spartz. -- so maybe it's not as deep.

9 The Witness. Congresswoman, I don't --

10 Mrs. Spartz. Sorry. Okay.

11 The Witness. These are statements that you're making. I disagree with your
12 statements. But I want you to --

13 Mrs. Spartz. Well, these are statements of fact.

14 The Witness. -- to know that I respect your --

15 Mrs. Spartz. Maybe we'll have interaction on more facts next time. Thank you,
16 though.

17 ██████████. Mr. Gaetz?

18 Mrs. Spartz. Thank you for being here.

19 The Witness. Maybe we can work on the same time next -- same side.

20 Mrs. Spartz. Thank you.

21 The Witness. I appreciate it.

22 ██████████. Mr. Gaetz?

23 The Witness. Thank you.

24 Mr. Gaetz. Mr. Biden, have you ever received a payment from Russia or any
25 Russian business entities?

1 meeting occur?

2 The Witness. If Vadym was in D.C., he was in D.C. on Burisma business or for
3 other reasons, and of course I would've met with him. He was the secretary to the
4 board and basically the translator.

5 Mr. Gaetz. I'm just asking if you recall this particular coffee --

6 The Witness. No. Again --

7 Mr. Gaetz. -- meeting that's referenced.

8 The Witness. -- this is over almost 10 years ago. I don't specifically remember
9 that coffee. But I have no reason to suspect that this isn't accurate.

10 Mr. Gaetz. And since Vadym is literally writing you about meeting with your
11 father -- and, at this time, they were paying you a million bucks a year, right?

12 The Witness. I don't know, again, the timing of this, but I think that -- again, I've
13 gone over this and over this and over this.

14 What Vadym is talking about is that, the night before, he attended the World Food
15 Programme dinner at Cafe Milano. My dad came to that and stopped by to say hello to
16 people that were there that he had a longstanding relationship with. Vadym was one of
17 the people sitting at the table, and he said hello to them.

18 They did not have a meeting; they met, which is a very, very important distinction
19 with a difference.

20 Mr. Gaetz. Please tell me the difference between meeting and having a meeting.

21 The Witness. Okay. So, out in the hall, when I went to the room, I shook hands
22 with one of the Capitol Hill Police. I met that Capitol Hill Police officer. The next day,
23 there may be someone who'll say, "It was nice to meet you." It does not mean that we
24 had a meeting.

25 Do you understand that now?

1 Mr. Gaetz. I understand that --

2 The Witness. And that's what I'm talking about.

3 Mr. Gaetz. -- that's your appreciation for it. And so --

4 The Witness. That's not my appreciation for it. It's the exact definition of what
5 it would mean to say that I met someone. I've met many people in this room, but we
6 haven't had a meeting.

7 Mr. Gaetz. Yeah. And so, coffee or no coffee, do you recall --

8 The Witness. With Vadym? I'm sure that I probably had coffee with Vadym.
9 Afterwards, I probably saw Vadym more than one time when he was there.

10 Mr. Gaetz. Okay. And what did you discuss?

11 The Witness. I have no idea. It was 9 years ago. At a particular meeting, at a
12 coffee? I have no clue. But what I'm sure --

13 Mr. Gaetz. You don't think that this email talking about your dad from someone
14 paying --

15 The Witness. I just told you exactly what it is.

16 Mr. Gaetz. Excuse me, Mr. Biden. I'm asking the question.

17 The Witness. I thought you were making a statement again. I just was --

18 Mr. Gaetz. No.

19 The Witness. -- going to answer it.

20 Mr. Gaetz. No. My question is, like, do you believe that this writing which
21 references meeting your father, the word m-e-e-t --

22 The Witness. No, it doesn't say a meeting with my father, Mr. Gaetz.

23 Mr. Gaetz. Okay. Opportunity to meet your father.

24 The Witness. It says meet with my father. I just explained to you the
25 difference between meeting someone and having a meeting with someone.

1 Mr. Gaetz. But does this --

2 The Witness. What don't you understand?

3 Mr. Gaetz. I guess I don't understand, and maybe you could help clarify, how
4 you can maintain that your father had nothing to do with your business ventures when
5 your business associate is talking about an interaction with your father and then wanting
6 to have coffee with you subsequently to discuss it.

7 The Witness. If my father was to sit down here today and he was to call me right
8 now and I was in and I put him on the speakerphone, does that mean that he had a
9 meeting with you, Mr. Gaetz? Does that --

10 Mr. Gaetz. Yeah.

11 The Witness. -- mean he discussed business with you? Do you believe that?

12 Mr. Gaetz. It depends on what's discussed.

13 The Witness. If he came in this room --

14 Mr. Gaetz. Okay, Mr. Biden --

15 The Witness. -- and shook everybody's hand, as he would, because, as you
16 know -- and you guys have to do it yourselves. You walk these halls, you go to events,
17 you go to dinners, you go to dinners for, you know, from everything under the sun, you sit
18 at a table, you are at a table with 14 other people; "It was nice to meet you," "It was nice
19 to meet you." Does it mean that you had a meeting?

20 Mr. Gaetz. It seems as though --

21 The Witness. If everybody that you've even been to dinner with --

22 Mr. Gaetz. -- you had a bribe --

23 The Witness. Excuse me?

24 Mr. Gaetz. -- if not a meeting. Is this -- does this consummate your bribe?

25 The Witness. Mr. Gaetz, do you have evidence of a bribe that --

1 Mr. Lowell. I'm sorry. Could you --

2 Mr. Gaetz. Does this writing consummate a bribe, Mr. Biden?

3 The Witness. I would love to see the evidence of that.

4 Mr. Gaetz. Okay. Let's --

5 The Witness. Show me the evidence of that.

6 Mr. Gaetz. Well, it --

7 The Witness. I think the only person --

8 Mr. Gaetz. I'll move on.

9 The Witness. -- that you believe that has evidence of that is a guy named
10 Alexander Smirnov, who's in lockup in L.A. right now, being charged and indicted for lying
11 on behalf of Russian intelligence.

12 Mr. Gaetz. Well --

13 The Witness. That's the only person that I know that has supposed evidence of a
14 bribe other than Mr. Gal Luft.

15 Mrs. Greene. While your father is President.

16 The Witness. Excuse me?

17 Mr. Gaetz. Hold on.

18 The Witness. Come forward, Ms. Greene.

19 Mrs. Greene. While your father is President.

20 The Witness. Okay.

21 Mrs. Greene. That's pretty interesting.

22 The Witness. Anyway. I apologize. It's the end of the day.

23 Mr. Gaetz. Maybe.

24 The Witness. I think that there's a distinction between meeting someone,
25 shaking their hand, saying hello, and having a meeting with someone. I think that, in my

1 world --

2 Mr. Gaetz. But when the someone is paying you a million bucks to facilitate their
3 goals --

4 The Witness. Okay.

5 Mr. Gaetz. -- it seems as though you are eager to involve your father. Is that
6 not what that email seems to demonstrate?

7 The Witness. No, I categorically disagree with your characterizations of that.

8 Mr. Gaetz. Okay. I'll move on.

9 We're going to go to exhibit 26 -- I'm sorry, 27.

10 [Biden Exhibit No. 27

11 was marked for identification.]

12 Mr. Gaetz. Let me know when you've had a chance to review it, Mr. Biden.

13 The Witness. I've seen -- I've reviewed it.

14 Mr. Gaetz. Okay. And do you -- what is this email?

15 The Witness. It looks like an email from Eric Schwerin. I have not seen this
16 email before, but it says -- the pages are blanked out. It's June 10th, 2010.

17 It says, "Your Dad's Delaware tax refund check came today. I am depositing it in
18 his account and writing a check in that amount back to you since he owes it to you.
19 Don't think I need to run it by him, but if you want to go ahead. If not, I will deposit
20 tomorrow."

21 Mr. Gaetz. Okay.

22 The Witness. Yeah.

23 Mr. Gaetz. So why did your dad owe you his refund check?

24 The Witness. I think that Mr. Schwerin testified to this at length over a period of,
25 I don't know, 4, 5, 6 hours, in which he handled the, basically, bills for my dad for things.

1 And, in this instance, I think that Mr. Schwerin wasn't able to get in contact with
2 my dad over, I think, literally the -- whether it was to pay the people that take the
3 garbage from the House in Delaware or whether it was for the pool service, and they had
4 a back-due. He couldn't get in touch with my dad. They were going to end the service
5 or something, and so he asked me if I would just pay it.

6 I paid it. And then my dad's Delaware tax refund check came in for \$1,640, and
7 Eric said, I'll just send that to you in repayment because you paid the pool service guy.

8 Mr. Gaetz. Was it --

9 The Witness. Maybe the pool. I'm generalizing, but, yeah, something like that.

10 Mr. Gaetz. So, since you're just using pool service as an example, is it safe to say
11 that, in this instance, you're being paid back for having fronted some sort of costs for --

12 The Witness. I didn't say that, Mr. Gaetz.

13 Mr. Gaetz. Well, no, I'm trying to understand it.

14 The Witness. But I don't know. I don't know the exact details of it, but I know
15 that it was something as completely innocuous and -- I mean, what are you saying?

16 Number one, it's 2010. I have no involvement with anyone that you're talking
17 about here that has any relationship with --

18 Mr. Gaetz. You have no involvement with Mr. Schwerin?

19 The Witness. I am involved with Mr. Schwerin. I'm saying --

20 Mr. Gaetz. Okay.

21 The Witness. -- of any of the other questions I've received today about any of
22 the foreign business --

23 Mr. Gaetz. But I'm asking you this question, Mr. Biden. Just let's focus on this
24 question.

25 The Witness. Okay.

1 Mr. Gaetz. What --

2 The Witness. I just answered the question.

3 Mr. Gaetz. Okay. So --

4 The Witness. I answered the question to the best of my ability. I have nothing
5 else to say on it.

6 Mr. Gaetz. And so how often did you pay for your father's --

7 The Witness. I have no idea.

8 Mr. Gaetz. -- pool service or other types of expenses?

9 The Witness. I believe far, far, far and few between, and just like a normal son
10 would take care of something for their dad or their dad would take care of something for
11 their son. I mean, literally, it is --

12 Mr. Gaetz. Yeah, I think there's a whole lot of the dad taking care of --

13 The Witness. Well, listen, Mr. Gaetz --

14 Mr. Gaetz. -- stuff for his son.

15 The Witness. -- if you do --

16 Mr. Gaetz. But I'm asking about this tax return.

17 The Witness. -- if you do, then point to me in other places where you see that I
18 am somehow paying my dad. But I am telling you --

19 Mr. Gaetz. I'm just wondering why he owes you money.

20 The Witness. What?

21 Mr. Gaetz. I'm wondering why Mr. Schwerin thought your dad owed you money
22 and --

23 The Witness. Have you ever gone out to dinner with your dad and paid?

24 Mr. Gaetz. This is not about me and my dad.

25 The Witness. I'm asking you, have you ever been out to dinner with your dad

1 and paid?

2 Mr. Gaetz. Me and my dad aren't involved in international bribes, Mr. Biden.

3 The Witness. It's a normal question.

4 Mr. Swalwell. Hey, hey, hey. Come on.

5 The Witness. Well, I am not involved in international bribes. That literally is
6 slander.

7 Mr. Swalwell. Just ask the question.

8 Mr. Gaetz. I am asking the question.

9 The Witness. We've already determined that.

10 Mr. Swalwell. You're making statements.

11 Mr. Lowell. I would like everybody to stop and let a question be asked and an
12 answer be given, and that includes you, Congressman Gaetz. Please, let him answer a
13 question.

14 And if you're going to make a speech or make an allegation of bribery, you can do
15 that, you can do it on the floor, you can do it today, but it's not really a question, and you
16 know the point.

17 So why don't you keep going.

18 Mr. Gaetz. Happy to.

19 How many times did you pay for your father's household expenses?

20 The Witness. I don't know. I can't answer that.

21 Mr. Gaetz. More or less than 10?

22 The Witness. I can't answer that here.

23 Mr. Gaetz. More or less than 20?

24 The Witness. I am under oath, and I'm not going to answer with any specificity
25 or generality whatsoever. I do not know.

1 Mr. Gaetz. More or less than 50?

2 The Witness. Again, Mr. Gaetz, I cannot answer with any specificity --

3 Mr. Lowell. Why don't you go to 100 or 200 or 500, because the answer will be
4 the same.

5 The Witness. I do not know. Yeah.

6 Mr. Gaetz. Okay.

7 More or less than 500 times have you paid expenses for your dad?

8 Mr. Lowell. Go to 1,000. He just said he doesn't know. Take any number you
9 want.

10 Mr. Gaetz. I did. I picked 500.

11 Mr. Lowell. Okay.

12 Mr. Gaetz. Can I get an answer?

13 The Witness. I think I already answered it. I'm not --

14 Mr. Gaetz. No, you didn't answer as to 500.

15 The Witness. Five million. I don't have any recollection, no matter how large
16 you make the number or how small you make the number. I don't have, with any
17 specificity, without any documentation in front of me, to be able to quantify how many
18 times over the course of my 54 years of life and my adulthood in which I paid an
19 incidental bill or dinner for my dad or, you know, the ski rentals when we went skiing
20 together. I don't know.

21 Mr. Gaetz. So it sounds like your finances were pretty interwoven.

22 Mr. Lowell. Will the record show that we're all laughing?

23 The Witness. I mean, are you kidding me? No. I don't -- again --

24 Mr. Gaetz. So do you --

25 The Witness. I'm sorry, Mr. Gaetz, I'll take you seriously. And it's hard to do --

1 Mr. Lowell. Why would you do that?

2 The Witness. -- but I will. I will take you seriously, but it's hard to do.

3 I disagree with your characterization of what you just said. No, our finances
4 aren't interwoven. What are interwoven is that we're a family. And I don't think that
5 it is any different than any other family in which you have adult children, you have
6 grandchildren that are adult children, and that, you know, sometimes I pay for dinner,
7 when I was earning enough money to be able to do it, but most of the time my dad would
8 pay for dinner, if he could pay for dinner, if he didn't forget his credit card, which
9 90 percent of the time he usually does.

10 Mr. Gaetz. Mr. Biden, I have not asked you any questions about dinner. I'm
11 asking questions about household expenses, which you say --

12 The Witness. I answered the question.

13 Mr. Gaetz. -- are the basis for this.

14 The Witness. No, I said -- I answered the question. There was never a time in
15 which I paid for something that my dad did not pay me back. There was never a time in
16 which I gave my dad money --

17 Mr. Gaetz. Did you keep receipts?

18 The Witness. You have all my receipts. You have every bank account that I've
19 ever had. You have every bank record that I've ever had. You've subpoenaed, I have
20 not objected to your subpoena, over 10,000 pages, 14,000 pages of bank records. You
21 have every transaction that I've ever made.

22 Do you see a transaction, Mr. Gaetz? It's not incumbent upon me to point to you
23 to something that doesn't exist. It's incumbent upon you to create something, to come
24 up with something based upon the voluminous evidence that you've collected, which
25 shows no involvement.

1

2 [4:09 p.m.]

3 Mr. Gaetz. Well, the email that we're discussing from Mr. Schwerin seems to
4 reflect your involvement in your father's personal finances. Are you disputing that?

5 The Witness. Yes, I am disputing that.

6 Mr. Lowell. What do you mean by "involvement"? What's the term you mean,
7 paying back his father for --

8 Mr. Gaetz. Mr. Lowell --

9 The Witness. Okay. I can answer. Is it -- I disagree with the way that you
10 characterize that, wholeheartedly, completely. I just state for the record one more
11 time, under oath and under penalty of perjury, my father has never been involved in my
12 business. I have never asked my father to be involved in my business. My father has
13 never benefited from my business, and I have never asked anyone -- or my father -- to do
14 anything for the benefit of anyone I've ever done business for.

15 Mr. Gaetz. If you're paying your father's household expenses, how would he not
16 be benefiting from your --

17 The Witness. I did not -- I did not pay my father's household expenses, and
18 you're taking one email completely out of context in 2010, over 14 years ago, that was
19 related to an incidental bill in which my father paid me back because -- because,
20 according to Eric, not even to me, that somehow he owed it to me.

21 Mr. Gaetz. Doesn't even look like Eric informed your father.

22 The Witness. So he paid me back -- so if -- under this, if you just take this for
23 what it is, and he paid me back, can you tell me exactly what is wrong with that?

24 Mr. Gaetz. I'm just asking questions.

25 The Witness. No. What's wrong with it? You're not just asking questions.

1 You're making an implication. You said things like "bribery" in this -- in this conversation
2 about this email.

3 Mr. Lowell. Wait. He bribed about a pool service?

4 The Witness. Yeah. If my dad -- if I -- if the pool guy was there and he said,
5 "Hey, I need payment before I go do this," and I said, "Here," and I paid him, and my dad,
6 2 days later, came and said, "Hey, thanks for getting the pool guy; it would've gone green
7 if you hadn't done that; here's the money that you just paid," you think that that's
8 bribery --

9 Mr. Gaetz. But that's not what happened, Mr. Biden.

10 The Witness. -- over this \$800?

11 Mr. Gaetz. That's not what's happening. What's happening here is, you're
12 fronting expenses for your dad, and Schwerin --

13 The Witness. I am not fronting expenses. You keep making things up,
14 Mr. Gaetz.

15 Mr. Gaetz. That was -- that was your testimony.

16 It's fine. We can go to -- we can go to the next one.

17 The Witness. I don't want to get in an argument with you, but it is absolutely
18 ludicrous. It literally makes no sense.

19 Mr. Gaetz. We'll go to -- we'll go to exhibit 28.

20 [Biden Exhibit No. 28
21 was marked for identification.]

22 The Witness. It truly does not have any bearing, resemblance to reality. I
23 sometimes don't understand, what are you talking about?

24 Mr. Gaetz. Well, if you're paying things that you're then getting Schwerin --

25 The Witness. Getting repaid for?

1 Mr. Gaetz. Yeah, I'm trying to ascertain the dollar amount.

2 The Witness. If I'm paying for an incidental bill for my father and he's repaying
3 me for it, there's somehow bribery?

4 Mr. Gaetz. But you don't know what you paid for, why he's paying you back.

5 The Witness. -- Mr. Gaetz, it's because you do. I don't have -- you have --

6 Mr. Gaetz. Okay. Let's go to our next -- let's go to 28.

7 The Witness. -- 10 years of my bank records. Go through it.

8 Mr. Gaetz. Let me know when --

9 The Witness. You have gone through it, and you haven't found anything, and
10 that's why you can't point to anything except out-of-context, 14-year-old text messages.

11 Mr. Gaetz. Actually, Mr. Biden, we found, like, all this Ukrainian, Russian, and
12 Chinese money that you seem to make. Let me just ask you the question this way.

13 While your dad was Vice President, how much money from foreign --

14 Mr. Lowell. Hold on before you ask a question because it has nothing to do with
15 your question.

16 [Discussion off the record.]

17 The Witness. Okay. Okay. Yes.

18 Mr. Gaetz. Are you ready?

19 The Witness. Yes.

20 Mr. Gaetz. Okay. Great.

21 So, while your dad was Vice President, how much foreign money did you make?

22 The Witness. I don't know the exact money, and, again, what I would like to
23 say --

24 Mr. Gaetz. Well, was it in the millions?

25 Mr. Lowell. Are you going to let him answer the question, or are you going to do

1 your soap box?

2 The Witness. It's the same thing. It's the same thing. Okay? I'll give you the
3 same answer that I had. I had business relationships. I had business relationships with
4 individuals that were foreign nationals from several different places. I was paid for the
5 legitimate business that I conducted with those people, and so I don't know the exact
6 number, but, again --

7 Mr. Gaetz. Was it in the millions?

8 The Witness. -- again, you have all of my bank accounts. I did very well during
9 a period of my life, absolutely. I don't know the exact figure, but it's not a figure that
10 you continue to keep throwing around. But --

11 Mr. Gaetz. I'm just asking.

12 The Witness. -- you have that number.

13 Mr. Gaetz. Okay.

14 The Witness. I find it to be highly disingenuous because you have my bank
15 account; you have my tax returns. Unlike every other American, somehow you guys
16 were able to get my tax returns. I'm a private citizen. I don't think you have Jared
17 Kushner's tax returns, do you? But you have mine, and it has nothing to do with
18 anything that the IRS or anybody else is doing. It's because somehow I'm --

19 Mr. Gaetz. You're being prosecuted for violating tax laws.

20 The Witness. It doesn't make them --

21 Mr. Gaetz. No one else is being -- no one else here is throwing accusations that's
22 being prosecuted for violating tax laws. That's you, Mr. Biden. Let me know when
23 you've had a chance to review this exhibit.

24 The Witness. Want to talk about prosecutions?

25 Mr. Gaetz. Gladly.

1 The Witness. Okay. Let's move on to whatever you want to ask me. Okay?

2 Mr. Gaetz. Yeah. Just let me know when you've had a chance to review the
3 exhibit.

4 Mr. Lowell. And, again, where is this from? We've never seen it before.
5 Doesn't look like a complete back-and-forth.

6 The Witness. ██████ --

7 ██████. Yes, sir.

8 The Witness. -- we did have a deal. We did have a deal that there would
9 be -- that you would provide them -- just I want to make it clear, okay, just for the record.
10 I want to the record to make it clear that you made a deal with us -- you personally -- that
11 no documents that were not presented to us beforehand would be used. And don't tell
12 me that if they came in through Mr. Gaetz or somebody else --

13 ██████. Well --

14 The Witness. -- I'm just saying in terms of -- in terms of --

15 ██████. What the understanding was, that --

16 The Witness. I don't want to argue about it, but okay --

17 ██████. Well, we're certainly not arguing.

18 The Witness. -- so let's leave it alone.

19 Mr. Swalwell. Just tell us where it's from. That's all he's saying.

20 ██████. I didn't -- I didn't --

21 Mr. Swalwell. Okay. Just tell us where it's from, we'll move on.

22 Mr. Lowell. Yeah.

23 Mr. Gaetz. I'm just asking -- I'm asking --

24 Voice. Where does this come from?

25 Mr. Swalwell. Where did you get it though?

1 Mr. Gaetz. Well, I'm going to lay foundation and ask the witness to -- if he recalls
2 sending it or receiving it.

3 Mr. Lowell. If you lay the foundation, let's just move on. Go ahead.

4 Mr. Gaetz. Yeah.

5 Do you recall receiving this email -- these messages?

6 The Witness. I do not recall because I don't know whether this email -- I don't
7 have any verification. It's a printout of something, and so I don't know.

8 But I do know this, is that -- well, ask me the question that you wanted to ask me
9 about it.

10 Mr. Gaetz. Yeah. So the email reads, "You, me, we have to deal with this now,
11 exclamation point, exclamation point, exclamation point, exclamation point, exclamation
12 point. I'm not kidding. They, Joe, have the Buccinis being called by your landlord. It
13 get much more outrageous. You have to let me in to help. I'm with you a hundred
14 percent."

15 Does that ring a bell?

16 Mr. Lowell. Is this purporting to be --

17 The Witness. I can answer the question.

18 Mr. Lowell. No, Mr. -- it says "James Biden" on top. Did you ask Mr. James
19 Biden about this?

20 Mr. Raskin. When he was here?

21 Mr. Lowell. Yeah.

22 Mr. Raskin. That's the funny -- I don't remember this coming up.

23 Mr. Lowell. And it says it's James Biden, so I just don't know --

24 Mr. Gaetz. I'm not -- listen, Mr. Lowell, we're not --

25 The Witness. Okay. Well, anyway, I don't know -- let's lay the predicate for it.

1 What you put in front of me is something that simply says "James Biden," and it says,
2 "Archives, all email, October 1st, 2017." And then it purports to be a message, I don't
3 know who because there's no to and from line, and it just says "James Biden."

4 And, if you're asking me if he's calling me, I know exactly what my uncle is talking
5 about.

6 Mr. Gaetz. What is he talking about?

7 The Witness. He is -- he is greatly concerned about my -- me and my addiction.
8 He's trying to get me help.

9 Mr. Gaetz. Does this have anything to do with business?

10 The Witness. No, it has completely to do with the fact that he's really worried
11 about me, he's worried about me as my uncle, and he's saying that other people are
12 worried about me. He's saying that -- the Buccinis are old friends. They're -- you
13 know, they're getting calls from people about your behavior, and so forth and so on.

14 Again, if your intention was to embarrass me, Mr. Gaetz, you have once again
15 succeeded.

16 Mr. Gaetz. What is the "O" reference?

17 The Witness. I don't know if there's a typo or anything --

18 Mr. Gaetz. Okay.

19 The Witness. -- if he's meeting -- I have no idea. I don't know who the "he" is,
20 "the O," I don't know.

21 Mr. Gaetz. I'm just wondering if in your correspondence with your uncle, like,
22 the "O" meant something, like if it was a nickname or a place that you're familiar with?

23 The Witness. No. I think if you look at this particular email, there's about 13
24 other typos in there, including spacing, including other things, and I don't know who he's
25 talking about, and I certainly don't know now.

1 Mr. Gaetz. But -- but you're certain that it's personal related, not business?

2 The Witness. I'm not certain of anything about this email.

3 Mr. Gaetz. Okay.

4 The Witness. As I said to you before, it's not even an email. It's not even in any
5 form that I recognize as being a form of communication other than you put it in front of
6 me, Mr. Gaetz.

7 Mr. Gaetz. Do you recall on October 1st, 2017, what kind of shape you were in?

8 Mr. Lowell. On that particular day?

9 The Witness. No, I don't recall, but it -- again, I don't know the accuracy of this,
10 but I know that that's what my uncle is talking about if this, in fact, is my uncle.

11 Mr. Gaetz. Those are all my questions.

12 Mr. Lowell. Thank you.

13 [Recess.]

14 Mr. Lowell. Are we on the record?

15 [REDACTED]. Yeah.

16 BY [REDACTED]:

17 Q Mr. Biden, I just have a few very quick points. You were talking about the
18 voluminous bank records --

19 A Yes.

20 Q -- in the committee's possession. The committee has in its possession over
21 a 100,000 pages of records relating to this investigation.

22 A I was off by a factor of 10. Sorry.

23 Q You were asked about a check that your uncle wrote to your father marked
24 "loan repayment" for \$200,000.

25 A Yes.

1 Q Do you -- do you recall being asked about that?

2 A In this --

3 Q Yeah, in the previous hour.

4 A Oh, yes. Yes.

5 Q And I just -- there was a comment made that the committee did not have in
6 its possession the money going from your father to your uncle, and I just want to make
7 clear for the record that bank records received by the committee from PNC Bank on
8 October 17th, 2023, Bates No. PNC 00001219, show that, 6 weeks prior to that check, on
9 January 12th, 2018, a wire from the client trust account at the Monzack Law Firm, of
10 which Joe Biden is a client, wired \$200,000 to the joint account of Jim and Sara Biden.

11 And, as Jim Biden testified in his transcribed interview, that was the wire of his
12 brother loaning him the \$200,000 that he later repaid by check.

13 And, similarly, the \$40,000 loan, that same document, PNC 1219, shows the wire
14 from the Mel Monzack Firm to the joint account of Jim and Sara Biden.

15 A Thank you.

16 BY [REDACTED]:

17 Q Mr. Biden, exhibit, I think it was No. 27, the Eric Schwerin email that you
18 were asked about at length, Mr. Schwerin -- you're aware that Mr. Schwerin testified
19 before this committee?

20 A Yes, I am.

21 Q And he testified that this was actually -- he was asked about this email.

22 A Okay.

23 Q He testified that it was, actually, your father was paying you back for a joint
24 cell phone plan. Does that sound familiar?

25 A That very well could be.

1 Q Okay.

2 A That was the incidental bill, yes.

3 Q And you have no reason to dispute Mr. Schwerin's explanation that this is --

4 A No, I have no reason to dispute, no.

5 Q -- there was a family plan, and your father had a line that he paid you for?

6 A Okay, yeah. Yes.

7 Q In one of the earlier hours, there was an insinuation made that, because you
8 had created a number of LLCs or because you were involved in a number of LLCs, that
9 that was some kind of an effort to obfuscate your business dealings or to do something
10 nefarious. Are you familiar with the purpose of an LLC?

11 A Yes, I am.

12 Q What's your understanding?

13 A My understanding of the purpose of LLC is to protect an individual through
14 the law and precedent, particularly in the State of Delaware, so that you don't have
15 personal liability. The liability lies with the -- with the corporate entity, and so it's a
16 form of protection for individuals conducting business.

17 And so every time that you open up a business, you're most often recommended
18 to create an LLC so that you do not have personal liability -- or direct personal liability.

19 Q And, when you created LLCs, it was never your intent to conceal your
20 business dealings, correct?

21 A No, the exact opposite actually, is that the LLCs were publicly registered, and
22 it's -- some LLCs have public-facing names, like Rosemont Seneca Partners. Others
23 have -- are, you know, they operate -- the operating entity in which you -- income and
24 other things flow through and in and out of in order to be able to do it in a cogent way.

25 [REDACTED]. Thank you.

1 The Witness. Yeah.

2 Mr. Raskin. Mr. Swalwell? No questions.

3 Mr. Biden, I just wanted to go back to that last email that was sprung on us in the
4 last round of questioning. I don't know if it's an email, a text, a letter message
5 purportedly from James Biden.

6 It's not something that Mr. Biden, your uncle, brought to us when he testified
7 here. It's not anything that he was presented to. I don't remember ever seeing this
8 before, and I just -- I couldn't hear all of your answers.

9 You're not vouching for the veracity of this --

10 The Witness. No.

11 Mr. Raskin. -- document, are you?

12 The Witness. Not in any way, no.

13 Mr. Raskin. Okay. I mean, it's -- there's about 27 exclamation marks in there.
14 I haven't seen that particular affectation connected to you.

15 The Witness. Yeah.

16 Mr. Raskin. It looks more like a Donald Trump message to me with all the
17 exclamation marks, but -- okay. And so -- all right. In other words, you're not
18 authenticating or validating this in any way.

19 The Witness. No. No.

20 Mr. Raskin. Okay. Does anybody have any further questions?

21 All right. We thank you for your patience today.

22 The Witness. Thank you, everybody.

23 [REDACTED]. Off the record.

24 [Whereupon, at 4:23 p.m., the deposition was concluded.]

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Certificate of Deponent/Interviewee

I have read the foregoing ____ pages, which contain the correct transcript of the answers made by me to the questions therein recorded.

Witness Name

Date