

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

April 26, 2024

The Honorable Damian Williams  
United States Attorney  
Southern District of New York  
26 Federal Plaza, 37<sup>th</sup> Floor  
New York, NY 10278

Dear Mr. Williams:

On March 5, 2024, pursuant to the House’s ongoing impeachment inquiry and our legislative oversight authorities,<sup>1</sup> the Committee on the Judiciary (“Judiciary Committee”), along with the Committee on Oversight and Accountability (“Oversight Committee”), requested a narrow and specific set of materials relating to claims of unfair treatment of Hunter Biden’s business associate Jason Galanis.<sup>2</sup> As we explained, Mr. Galanis alleges that he has been targeted for “retribution” to suppress his testimony about the Biden family’s influence peddling scheme.<sup>3</sup> To date, you have failed to respond to these requests.

Since Mr. Galanis’s transcribed interview earlier this year, the Committees have received additional information that strongly suggests the U.S. Attorney’s Office for the Southern District of New York (SDNY) has been retaliating against Mr. Galanis for his cooperation with the Committees’ inquiry. On February 4, 2023, Mr. Galanis applied to the Bureau of Prisons (BOP) for home confinement pursuant to the CARES Act.<sup>4</sup> His application proceeded through the process as normal. In March 2023, the U.S. Probation Office serving the San Diego location of the Southern District of California approved Mr. Galanis’s post-confinement residence.<sup>5</sup> The warden of the BOP facility where Mr. Galanis resided at the time, FPC Pensacola, later signed off on the application, and Mr. Galanis’s application went on to the Residential Reentry Management (RRM) center in Long Beach, California.<sup>6</sup> On June 9, 2023, the Long Beach RRM

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<sup>1</sup> See H. Res. 918, 118th Cong. (2023); Memorandum from Hon. James Comer, Chairman, H. Comm. on Oversight & Accountability, Hon. Jim Jordan, Chairman, H. Comm. on the Judiciary, & Hon. Jason Smith, Chairman, H. Comm. on Ways & Means, to H. Comm. on Oversight & Accountability, H. Comm. on the Judiciary, & H. Comm. on Ways & Means. Re: Impeachment Inquiry (Sept. 27, 2023) (hereinafter Impeachment Inquiry Memorandum); February 12 Letter, *supra* note 1.

<sup>2</sup> Letter from Rep. James Comer, Chairman, H. Comm. on Oversight & Accountability, et al., to Negar Tekeei, Assistant U.S. Attorney, US. District Court of the Southern District of New York (Mar. 5, 2024); Letter from Rep. James Comer, Chairman, H. Comm. on Oversight & Accountability, et al., to Collette S. Peters, Director, Federal Bureau of Prisons (Mar. 5, 2024).

<sup>3</sup> *Id.*

<sup>4</sup> Transcribed Interview with Jason Galanis at 13-14 (Feb. 23, 2024).

<sup>5</sup> *Id.*

<sup>6</sup> Transcribed Interview with Jason Galanis at 13-14 (Feb. 23, 2024).

approved Mr. Galanis's request for home confinement and reached out to SDNY regarding the application's approval.<sup>7</sup>

On June 12, 2023, the Oversight Committee announced that it had subpoenaed Mr. Galanis's business partner, Devon Archer, to testify about his relationship with Hunter Biden and the Biden family's business activities.<sup>8</sup> Around the same time as the Oversight Committee's announcement, an SDNY Assistant U.S. Attorney, Negar Tekeei, responded to the Long Beach RRM with her "strongest objection," and threatened to go "hard on this" to the BOP Director if Mr. Galanis's application went any further.<sup>9</sup> On June 22, 2023, a BOP official informed Mr. Galanis that his application had been denied on June 13—the day after the Oversight Committee's announcement.<sup>10</sup>

On August 8, 2023, Mr. Galanis appealed the denial of his home confinement to the warden of FPC Pensacola, who subsequently denied his appeal on the erroneous grounds that the "amount of time" he requested on home confinement "was not appropriate." On September 22, 2023, Mr. Galanis appealed the warden's denial to the Southeast Regional RRM and, after receiving no response, he appealed to the BOP Central Office.

On February 8, 2024, the Committees informed BOP that they intended to interview Mr. Galanis at the BOP facility where he presently resides, FPC Montgomery.<sup>11</sup> The next day, the BOP Central Office sent Mr. Galanis its denial of his appeal, which was dated January 4, over a month earlier. In this denial, BOP changed its reasoning from an "inappropriate amount of time" for home confinement to the "CARES Act has expired." This reason, however, is also not a proper basis for denial. Per BOP practice, and consistent with basic due process, anyone who applied for home confinement prior to expiration of the CARES Act—and whose appeal rights have not been exhausted—remained eligible to be considered under the Act.<sup>12</sup> In fact, Mr. Galanis initially applied for home confinement on February 4, 2023, well before the May 31 expiration of the CARES Act.<sup>13</sup> Three days after Mr. Galanis sat for a transcribed interview with the Committees, BOP gave Mr. Galanis its final denial of his home confinement application under the CARES Act.

The documents and testimony requested are directly relevant to both the impeachment inquiry and the Judiciary Committee's legislative oversight of the Department. Mr. Galanis's allegations suggest that the Biden Administration may have politically influenced BOP's internal procedures and decision making. Congress's authority to access information is broadest during

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<sup>7</sup> Transcribed Interview with Jason Galanis at 14 (Feb. 23, 2024).

<sup>8</sup> Letter from Rep. James Comer, Chairman, H. Comm on Oversight and Accountability to Matthew Schwartz, Boies Schiller Flexner (Jun. 12, 2023).

<sup>9</sup> Transcribed Interview with Jason Galanis at 14 (Feb. 23, 2024).

<sup>10</sup> *Id.*

<sup>11</sup> Mr. Galanis transferred to FPC Montgomery in August 2023; Transcribed Interview with Jason Galanis at 15 (Feb. 23, 2024).

<sup>12</sup> Press Release, Final Rule Issued for Home Confinement Under the Coronavirus Aid, Relief and Economic Security (CARES) Act, U.S. Dept. of Justice (Apr. 4, 2023).

<sup>13</sup> Transcribed Interview with Jason Galanis at 14 (Feb. 23, 2024).

an impeachment investigation,<sup>14</sup> a fact which even Presidents and other Executive Branch officials have traditionally recognized.<sup>15</sup> Indeed, conducting an impeachment inquiry based on anything less than all pertinent evidence would be an affront to the Constitution and irreparably damage public faith in the impeachment process.<sup>16</sup>

In addition, pursuant to the Rules of the House of Representatives, the Judiciary Committee has jurisdiction to consider potential legislative reforms to the Department of Justice and national penitentiaries.<sup>17</sup> Such potential legislative reforms may include, among other things, creating additional protections to safeguard the ability of those in BOP custody to cooperate with congressional investigations, ensuring the integrity of BOP's home release and confinement policies, and reforming the BOP's administrative practices.

Accordingly, please find the attached subpoena from the Judiciary Committee for the requested materials.

Sincerely,



Jim Jordan  
Chairman  
Committee on the Judiciary



James Comer  
Chairman  
Committee on Oversight and Accountability

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<sup>14</sup> TODD GARVEY, CONG. RSCH. SERV., LSB11083, IMPEACHMENT INVESTIGATIONS, PART II: ACCESS, at 1 (2023) (“[T]here is reason to believe that invocation of the impeachment power could improve the committees’ legal claims of access to certain types of evidence relevant to the allegations of misconduct against President Biden.”). See also *In re Application of Comm. on the Judiciary*, 414 F. Supp. 3d 129, 176 (D.D.C. 2019) (“[D]enying [the House Judiciary Committee] evidence relevant to an impeachment inquiry could pose constitutional problems.”), *aff’d*, 951 F.3d 589 (D.C. Cir. 2020), *vacated and remanded sub nom. on other grounds DOJ v. House Comm. on the Judiciary*, 142 S. Ct. 46 (2021); *In re Request for Access to Grand Jury Materials*, 833 F.2d 1438, 1445 (11th Cir. 1987) (concluding that “limit[ing] the investigatory power of the House in impeachment proceedings . . . would clearly violate separation of powers principles.”).

<sup>15</sup> See GARVEY, *supra* note 6, at 2 (“As a historical matter, all three branches have suggested that the House possesses a robust right of access to information when it is investigating for impeachment purposes.”); Jonathan David Schaub, *The Executive’s Privilege*, 70 DUKE L.J. 1, 87 (2020) (“[P]residents and others have recognized throughout the history of the country that their ability to withhold information from Congress disappears in the context of impeachment.”).

<sup>16</sup> See *In re Application of Comm. on the Judiciary*, 414 F. Supp. 3d at 176 (“Impeachment based on anything less than all relevant evidence would compromise the public’s faith in the process.”); *In re Request for Access to Grand Jury Materials*, 833 F.2d at 1445 (“Public confidence in a procedure as political and public as impeachment is an important consideration justifying disclosure.”); *In re Report and Recommendation of June 5, 1972 Grand Jury*, 370 F. Supp. 1219, 1230 (D.D.C. 1974) (“It would be difficult to conceive of a more compelling need than that of this country for an unswervingly fair [impeachment] inquiry based on all the pertinent information.”).

<sup>17</sup> Rules of the House of Representatives, R. X, 118th Cong. (2023).

The Honorable Damian Williams

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Andy Biggs

Chairman

Subcommittee on Crime and Federal

Government Surveillance

Committee on the Judiciary

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

The Honorable Jamie B. Raskin  
Ranking Member  
Committee on Oversight and Accountability

The Honorable Sheila Jackson Lee  
Ranking Member  
Subcommittee on Crime and Federal Government Surveillance  
Committee on the Judiciary

Enclosure