

Congress of the United States

House of Representatives

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Ranking Member Jamie Raskin Opening Statement “Hearing on the Report of Special Counsel Robert K. Hur” March 12, 2024

There are just three basic points that Americans need to understand about Mr. Hur’s report.

First, the Special Counsel’s report completely exonerates President Biden. The very first line of the report says it all: “We conclude that no criminal charges are warranted in this matter. We would reach the same conclusion even if Department of Justice policy did not foreclose criminal charges against a sitting president.”

Second, the report established that President Biden offered complete and unhesitating cooperation with the Special Counsel investigation.

The Justice Department and the National Archives were proactively notified of the classified documents and they were turned over. The President allowed the FBI to search his homes and he sat for a voluntary interview for more than five hours on October 8 and 9—even as he addressed Hamas’s vicious October 7 terror attack and was working hand-in-hand with our democratic allies around the world.

The report thus demonstrates President Biden’s devotion to the rule of law and his respect for a fair and independent Department of Justice—making every accommodation to allow Special Counsel Hur—who of course served as a political appointee in the Trump Administration—to freely conduct his investigation and render his own independent conclusions. **He did not assert Executive Privilege, he did not hide boxes of documents, he did not fight investigators, nor did he seek to redact a single word of Mr. Hur’s report. He consented to the search of numerous locations including his homes and did everything he could to cooperate, not obstruct.**

Third, Special Counsel Hur emphasized that President Biden’s conduct contrasted sharply with that of former President Trump.

Special Counsel Hur observed that, unlike President Biden, “the allegations set forth in the indictment of Mr. Trump, if proven, would clearly establish not only Mr. Trump’s willfulness but also serious aggravating factors.”

Mr. Hur sets forth these points of difference in detail: “Most notably, after being given multiple chances to return classified documents and avoid prosecution, Mr. Trump allegedly did the opposite. According to the indictment, he not only refused to return the documents for months, but he also obstructed justice by enlisting others to destroy evidence and then to lie about it.” He returned only a portion of subpoenaed documents and deliberately withheld the rest.

Unlike President Biden, Trump did not proactively alert the National Archives or Department of Justice of the documents nor did he turn over all the classified materials in his possession. He did not agree to sit

down for a voluntary interview with the Special Counsel. He never consented to a search of his home.

- **On the contrary, he suggested his attorney hide or destroy evidence requested by the FBI and the grand jury.**
- **He carefully instructed his aide to move boxes of classified documents to hide them from the FBI and the grand jury.**
- **He tried to delete incriminating security tape footage at Mar-a-Lago.**
- **He got his attorney to provide a false certification to the FBI saying he had produced all the documents in his possession.**

Given that this report is so damning in the contrast between President Biden—who has been exonerated and fully cooperative, and Donald Trump, who has been indicted and almost totally obstructionist—it is hard for me to see why this hearing advances their flailing and embarrassing quest to impeach the President.

What America sees today is evidence of one president who believes in the rule of law and works to protect it, and one president who has nothing but contempt for the rule of law and acts solely in pursuit of his own constantly multiplying corrupt schemes, endeavoring incompetently always to cover them up.

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