

**Remarks on Department of Justice Special Counsel Robert K. Hur's Report on the President's Handling of Classified Documents From His Tenure as Vice President and Senator and an Exchange With Reporters**

*February 8, 2024*

*The President.* Hey, everybody.

*Q.* Good evening.

*Q.* Good evening, Mr. President.

*The President.* Let me say a few things before I take your questions.

As you know, the Special Counsel released its findings today about their look into my handling of classified documents. I was pleased to see he reached the firm conclusion that no charges should be brought against me in this case.

This was an exhaustive investigation going back more than 40 years, even into the 1970s, when I was still a new United States Senator.

And the Special Counsel acknowledged that I cooperated completely, I did not throw up any roadblocks, I sought no delays. In fact, I was so determined to give the Special Counsel what he needed, I went forward with a 5-hour in-person—5-hour in-person interview over 2 days on October the 8th and 9th of last year, even though Israel had just been attacked by Hamas on the 7th and I was very occupied. It was in the middle of handling an international crisis.

I was especially pleased to see Special Counsel make clear the stark distinction and difference between this case and Mr. Trump's case. The Special Counsel wrote, and I quote, "Several material distinctions between Mr. Trump's case and Mr. Biden's are clear."

Continuing to quote: "Most notably, after given multiple chances to return classified documents to avoid prosecution, Mr. Trump allegedly did the opposite. According to the indictment, he not only refused to return the documents for many months, he also obstructed justice by enlisting others to destroy evidence and then to lie about it."

"In contrast," it went on to say, "Mr. Biden turned in classified documents to the National Archives and the Department of Justice; consented to the search of multiple locations, including his home; sat for a voluntary interview; and in other ways cooperated with the investigation," end of quote.

I've seen the headlines since the report was released about my willful retention of documents. This—these assertions are not only misleading, they're just plain wrong. On page 215, if you had a chance—I know it's a long—it's a thick document. On page 215, the report of the Special Counsel found the exact opposite. Here's what he wrote: "There is, in fact, a shortage of evidence" that I willfully retained classified materials related to Afghanistan.

On page 12, the Special Counsel also wrote for another documents, "The decision to decline criminal charges was straightforward . . . the evidence suggests that Mr. Biden did not willfully retain these documents." The evidence said I did not willfully retain these documents.

In addition, I know there's some attention paid to some language in the report about my recollection of events. There's even a reference that I don't remember when my son died. How in the hell dare he raise that. Frankly, when I was asked the question, I thought to myself, it wasn't any of their damn business.

Let me tell you something. Some of you have commented—I wear, since the day he died, every single day, the rosary he got from our Lady of—every Memorial Day, we hold a service remembering him, attended by friends and family and the people who loved him. I don't need anyone—I don't need anyone—to remind me when he passed away or if he passed away.

The simple truth is, I sat for a 5-hour interview, over 2 days, of events going back 40 years. At the same time, I was managing an international crisis.

Their task was to make a decision about whether to move forward with charges in this case. That was their decision to make. That's the Counsel's decision to make. That's his job. And they decided not to move forward.

For any extraneous commentary, they don't know what they're talking about. It has no place in this report.

The bottom line is: The matter is now closed. And we can continue what I have always focused on: my job of being President of the United States of America.

I thank you, and I'll take some questions.

#### *Comments on the President's Age and Memory Contained in the Special Counsel's Report*

*Q.* President Biden, something the Special Counsel said in his report is that one of the reasons you were not charged is because, in his description, you are a "well-meaning, elderly man with a poor memory."

*The President.* I am well meaning, and I'm an elderly man, and I know what the hell I'm doing. I've been President. I put this country back on its feet. I don't need his recommendation. That's totally out——

*Q.* How bad is your memory? And can you continue as President?

*The President.* My memory is so bad, I let you speak. [*Laughter*] That's the——

*Q.* Do you——

*The President.* That's what——

#### *The President's Memory*

*Q.* Do you feel your memory has gotten worse, Mr. President?

*The President.* No, look, my memory has not gotten—my memory is fine. My memory—take a look at what I've done since I've become President. None of you thought I could pass any of the things I got passed. How did that happen?

You know, I guess I just forgot what was going on.

*Q.* Mr. President—Mr. President——

#### *The President's Age*

*Q.* Should voters have concerns about your age? How are you going to assuage them? And do you fear that this report is only going to fuel further concerns about your age—[*inaudible*]?

*The President.* Only by some of you.

[*At this point, several reporters began asking questions at once.*]

*Q.* Mr. President——

#### *The President's Prior Handling of Classified Information*

*Q.* Mr. President, you were—Mr. President, you were cleared of criminal liability today, but do you take responsibility for at least being careless with classified material?

*The President.* I take responsibility for not having seen exactly what my staff was doing. That—goes in and points out things that appeared in my garage, things that came out of my home, things that were moved were moved not by me, but my staff—but my staff. And——

*[Several reporters asked questions at once.]*

*Q.* Mr. President, why did you share classified information with your ghostwriter?

### *Public Perception of the President's Age*

*Q.* Mr. President, for months when you were asked about your age, you would respond with the words "Watch me."

*The President.* Watch me.

*Q.* Many American people have been watching, and they have expressed concerns about your age. They——

*The President.* That is your judgment.

*Q.* They——

*The President.* That is your judgment.

*Q.* This is according to public polling.

*The President.* That is not the judgment——

*Q.* They express concerns——

*The President.* ——of the press.

### *2024 Presidential Election*

*Q.* They express concerns about your mental acuity. They say that you are too old.

Mr. President, in December, you told me that you believe there are many other Democrats who could defeat Donald Trump. So why does it have to be you now? Why—what is your answer to that question?

*The President.* Because I'm the most qualified person in this country to be President of the United States and finish the job I started.

*[Several reporters asked questions at once.]*

*Q.* Do you believe that——

*Q.* Mr. President, why are you confusing the names of world leaders?

### *The President's Prior Handling of Classified Information*

*Q.* Mr. President, why did you share classified information with your ghostwriter?

*The President.* I did not share classified information. I did not share it.

*Q.* With your ghostwriter?

*The President.* With my ghostwriter, I did not. Guarantee you, I did not. What the——

*Q.* But the Special Counsel said that——

*The President.* Well, no, they did not say that.

Q. Okay, okay.

*The President.* He did not say that.

Q. But, Mr. President——

*The President.* No, let—let me answer your question. The fact of the matter is, what I didn't want repeated—I didn't want him to know, and I didn't read it to him—was I had written a long memorandum to President Obama why we should not be in this—in Afghanistan. And I was of the—multiple pages.

And so what I was referring to—I said "classified"—I should have said it was—should be private because it was a contact between the President and the Vice President as to what was going on. That's what he was referring to. It was not classified information in that document. That was not classified.

[Several reporters asked questions at once.]

Q. Mr. President——

### *The President's Prior Handling of Classified Information*

Q. I—okay, all right. He called on me.

When you look back at this incident, is there anything you would do differently now? And do you think that a Special Prosecutor should have been appointed in the first place in both of these cases?

*The President.* First of all, what I would have done is oversee the transfer of the material that was in my office—in my offices. I should have done that. If I had to go back—and I didn't have the responsibility to do that. That was—my staff was supposed to do that, and they referenced that in the report.

And my staff did not do it in the way that—for example, I didn't know how half the boxes got in my garage until I found out staff gathered them up, put them together, and took them to the garage in my home. And all the stuff that was in my home was in filing cabinets that were either locked or able to be locked. It was in my house. It wasn't out in—like in Mar-a-Lago, in a public place where—and none of it was high classified. Didn't have any of that red stuff on it—you know what I mean?—around the corners. None of that.

And so I wish I had paid more attention to how the documents were being moved and where. I thought they were being moved to the Archives. I thought all of it was being moved. That's what I thought.

Now, what was the last part of your question?

### *Appointment of a Special Counsel To Investigate the President's Prior Handling of Classified Information*

Q. Whether a Special Counselor should have been appointed in this case and in the case of your rival, President—former President Trump.

*The President.* I think a Special Counsel should have been appointed. And the reason I think a Special Counsel should have been appointed is because I did not want to be in a position that they looked at Trump and weren't going to look at me, just like they looked at the Vice President.

And the fact is they made a firm conclusion: I did not break the law. Period.

Thank you all very, very much. Thank you. Thank you.

*[The President left the podium and began to exit the room as several reporters shouted questions at once.]*

*Hostages Held by Hamas in Gaza, Palestinian Territories/Status of Hostage Release Negotiations/Israeli Military Operations in Gaza/International Diplomatic Efforts*

*Q.* A question on Israel, sir——

*Q.* Can you provide an update on the hostage negotiations?

*Q.* On Israel, sir——

*Q.* The hostage negotiations—can you provide an update of the hostage negotiations in Israel?

*Q.* ——Netanyahu says that he has ordered an IDF——

*The President.* The hostage negotiation, look——

*[The President returned to the podium and spoke as follows.]*

I'm of the view, as you know, that the conduct of the response in Gaza—in the Gaza Strip has been over the top. I think that—as you know, initially, the President of Mexico [Egypt; White House correction], Elsisi, did not want to open up the gate to allow humanitarian material to get in. I talked to him. I convinced him to open the gate.

I talked to Bibi to open the gate on the Israeli side. I've been pushing really hard—really hard—to get humanitarian assistance into Gaza. There are a lot of innocent people who are starving, a lot of innocent people who are in trouble and dying, and it's got to stop, number one.

Number two, I was also in the position that I'm the guy that made the case that we have to do much more to increase the amount of material going in, including fuel, including other items. I've been on the phone with the Qataris, I've been on the phone with the Egyptians, I've been on the phone with the Saudis to get as much aid as we possibly can into Gaza.

There are innocent people—and innocent women and children—who are also in bad—badly in need of help. And so that's what we're pushing right now.

And I'm pushing very hard now to deal with this hostage cease-fire. Because, as I—you know, I've been working tirelessly in this deal—how can I say this without revealing?—to lead to a sustained pause in the fighting in—the actions taking place in the Gaza Strip.

And—because I think if we can get the delay for that—the initial delay, I think that we would be able to extend that so that we can increase the prospect that this fighting in Gaza changes.

There's also negotiations—you may recall, in the very beginning, right after—right before Hamas attacked, I was in contact with the Saudis and others to work out a deal where they would recognize Israel's right to exist, let them—make them part of the Middle East, recognize them fully, in return for certain things that the United States would commit to do.

And the commitment to—that we were proposing to do related to two items. I'm not going to go in detail. But one of them was to deal with the protection against their archenemy to the northwest—northeast, I should say. The second one, by providing ammunition and materiel for them to defend themselves.

Coincidentally, that's the timeframe when this broke out. I have no proof for what I'm about to say, but it's not unreasonable to suspect that the—Hamas understood what was about to take place and wanted to break it up before it happened.

Thank you.

*[Several reporters continued to ask questions.]*

NOTE: The President spoke at 7:59 p.m. in the Diplomatic Reception Room at the White House. In his remarks, he referred to writer and documentary filmmaker Mark Zwonitzer, who worked with the President on his memoirs; former Vice President Michael R. Pence; and Prime Minister Benjamin "Bibi" Netanyahu of Israel. The transcript was released by the Office of the Press Secretary on February 9.

*Categories:* Addresses and Remarks : Department of Justice Special Counsel Robert K. Hur, report on President's handling of classified documents from tenure as Vice President and Senator; Interviews With the News Media : Exchanges with reporters, White House.

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