

# DOJ Stonewalls Over Audio Of Biden Interview With Special Counsel Hur

BY TYLER DURDEN

MONDAY, APR 08, 2024 - 08:40 PM

The Department of Justice (DOJ) has **reused to provide audio tapes** of President Biden's interview with special counsel Robert Hur, **defying a subpoena by the House GOP.**



In an April 8 letter to the House Oversight Committee and House Judiciary Committee, Assistant AG Carlos Felipe Uriarte complained that **despite cooperating with other aspects of the Feb. 27 subpoena**, "the committees have responded with escalation and threats of criminal contempt."

"We urge the committees to avoid conflict rather than seek it," he added - while working for the same DOJ that has specifically sought conflict by launching investigations and lawsuits against former President Trump.

"**It is not too late for the committees to choose a different path**, to take an offramp towards the 'spirit of dynamic compromise' that the Constitution requires of us both," the letter continues.

The Feb. 27 subpoena requested copies of **notes, audio files, video and transcripts** related to Hur's probe, and had a deadline of March 7, according to the *Epoch Times*, which has obtained a copy.

"Americans expect equal justice under the law and DOJ is allowing the Bidens to operate above it," House Oversight Committee Chairman James Comer (R-KY) said in a statement. "Special Counsel Hur's report outlined that classified documents Joe Biden stashed for years relate to countries where his family cashed in on the Biden brand."

In response to a request for **audio of what author Mark Zwonitzer recorded while interviewing Biden**, whose two memoirs he wrote, Uriarte said there is no need for the department to hand it over because the committees also have transcripts of the interviews.

"To go further by producing the audio files would compound the likelihood that future prosecutors will be unable to secure this level of cooperation," Uriarte wrote.

"They might have a harder time obtaining consent to an interview at all. It is clearly not in the public interest to render such cooperation with prosecutors and investigators less likely in the future."

Uriarte then reiterated that the DOJ has provided ample evidence to the committees.

"The department is willing to hear more from the committees, but **at this time your further requests appear attenuated from the committees' stated purposes**—with today's production, you now have the information you requested. Given the extraordinary executive branch confidentiality interests implicated here, a specific and adequate showing of need for any additional information, tethered to the authority under which the committees purport to act, is critical," he wrote.

Uriarte then hilariously asked the committees **not to make DOJ materials public**, writing "To ensure an adequate opportunity to review these materials for suitability for public release, **we respectfully request that the committees not disseminate or otherwise disclose the documents or information therein** without prior consultation with the department."

As the [\*Epoch Times\*](#) notes further;

### **'The Evidence Does Not Establish' Biden's Guilt**

Mr. Hur announced on Feb. 8 that President Biden would not be charged.

“Our investigation uncovered evidence that **President Biden willfully retained and disclosed classified materials** after his vice presidency when he was a private citizen,” Mr. Hur wrote in a 388-page report to Attorney General Merrick Garland.

The materials, the report stated, included “marked classified documents about military and foreign policy in Afghanistan, and notebooks containing Mr. Biden’s handwritten entries about issues of national security and foreign policy implicating sensitive intelligence sources and methods.” The FBI collected these items during a search of President Biden’s residence in Wilmington, Delaware, last year.

**The FBI last year also searched the president’s home in Rehoboth Beach, Delaware, where they also found classified materials.**

Nonetheless, Mr. Hur said that “the evidence does not establish Mr. Biden’s guilt beyond a reasonable doubt” and that “**prosecution of Mr. Biden is also unwarranted based on our consideration of the aggravating and mitigating factors** set forth in the Department of Justice’s Principles of Federal Prosecution.”

The classified documents are from President Biden’s more than four-decade political career, including the Senate, the vice presidency, and now the presidency.

Mr. Hur interviewed President Biden over the span of two days last year.

In deciding not to charge the president, Mr. Hur said that a jury likely wouldn’t convict him, in part due to his cognitive issues.

“We have also considered that, at trial, Mr. Biden would likely present himself to a jury, as he did during our interview of him, **as a sympathetic, well-meaning, elderly man with a poor memory,**” Mr. Hur wrote.

“Based on our direct interactions with and observations of him, he is someone for whom many jurors will want to identify reasonable doubt. It would be difficult to convince a jury that they should convict him—by then a former president well into his eighties—of a serious felony that requires a mental state of willfulness.”

The Afghanistan documents, which had the highest level of classification in the United States, were from 2009. These papers were in a Virginia home that President Biden rented in 2019, where he met with Mr. Zwonitzer for his two books before the classified documents were sent to Delaware.

“Nevertheless, **we do not believe this evidence is sufficient, as jurors would likely find reasonable doubt for one or more of several reasons,**” Mr. Hur wrote.

“Both when he served as vice president and when the Afghanistan documents were found in Mr. Biden’s Delaware garage in 2022, his possession of them in his Delaware home was not a basis for prosecution because as vice president and president, he had authority to keep classified documents in his home,” he continued.

“The best case for charges would rely on Mr. Biden’s possession of the Afghanistan documents in his Virginia home in February 2017, when he was a private citizen and when he told his ghostwriter he had just found classified material.”