

Congress of the United States
House of Representatives
Washington, DC 20515-2504

January 12, 2023

Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530

Dear Attorney General Garland:

We write with extreme concern of recent reports that President Biden directly mishandled classified documents as Vice President of the United States and request your office fully investigate this matter by appointing a special counsel with the utmost urgency.

As you know, classified documents were discovered at the Penn Biden Center on November 2, 2022¹, only six days prior to the midterm elections, which decided the balance of power for the 118th Congress. Biden attorneys found the documents locked in a closet that then Vice President Biden used in his office from 2017 to 2020².

This discovery occurred shortly before you appointed special counsel, Jack Smith, to criminally investigate President Trump as part of the Mar-a-Lago raid, a central issue in the midterms for both Congressional Democrats and Joe Biden.

Further, in an interview with 60 Minutes on September 18, 2022³, President Biden criticized President Trump's handling of classified documents saying, "How could that possibly happen? How could anyone be that irresponsible? What data was in there that would maybe compromise sources and methods? And it's just – totally irresponsible." This totally hypocritical and reckless behavior from President Biden must be investigated by a neutral, non-partisan, special counsel.

Therefore, we request your response to the following questions immediately:

- Did the White House request to withhold this information prior to the midterm elections?

¹ Classified docs from Biden's VP days found in private office
<https://www.axios.com/2023/01/09/biden-classified-records-national-archives>

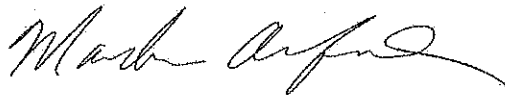
² Classified documents from Biden's time as vice president discovered at Penn Biden Center, White House says
<https://www.foxnews.com/politics/classified-documents-bidens-time-vice-president-discovered-penn-biden-center-white-house-says>

³ Biden Calls Trump 'Irresponsible' Over Mar-a-Lago Documents
<https://www.nytimes.com/2022/09/18/us/politics/biden-trump-covid.html>

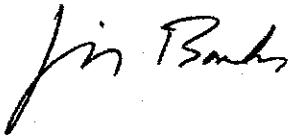
- Why did the Biden administration and your Department of Justice fail to disclose this information publicly?
- Why was a special counsel not appointed and will you appoint a special counsel to investigate President Biden?
- Was Congress ever notified? If yes, when were they notified?

The fact that President Trump is being criminally investigated for mishandling classified documents, while President Biden is not receiving the same level of scrutiny for his mishandling of classified documents, leads us to believe that the Justice Department's investigation of President Trump is nothing more than a partisan and politically motivated attack on President Trump. For the reasons outlined above, we urge your response to this letter immediately.


Sincerely,



Mark Alford
Member of Congress



Jim Banks
Member of Congress



Ron Estes
Member of Congress



Bill Johnson
Member of Congress



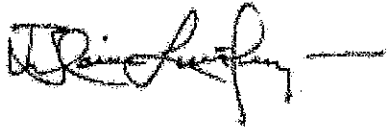
Brian Babin
Member of Congress



Guy Reschenthaler
Member of Congress



Darrell Issa
Member of Congress



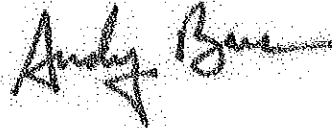
Blaine Luetkemeyer
Member of Congress



Michael Waltz
Member of Congress



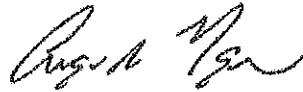
Dan Crenshaw
Member of Congress



Andy Barr
Member of Congress



Michael Guest
Member of Congress



August Pfluger
Member of Congress



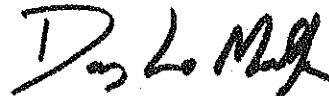
Joe Wilson
Member of Congress



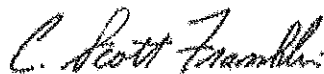
Daniel Webster
Member of Congress



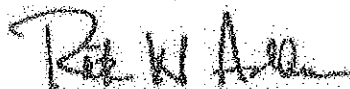
Russell Fry
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Doug LaMalfa
Member of Congress



Scott Franklin
Member of Congress



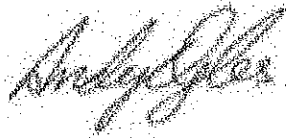
Rick Allen
Member of Congress



Austin Scott
Member of Congress



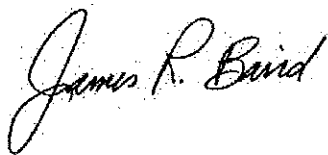
Mike Kelly
Member of Congress



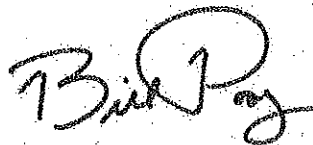
Andy Ogles
Member of Congress



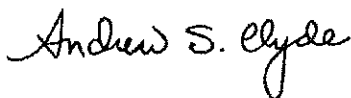
Eric Burlison
Member of Congress



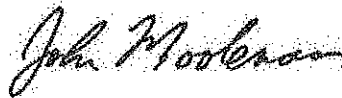
Jim Baird
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Bill Posey
Member of Congress



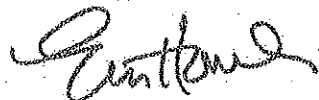
Andrew S. Clyde
Member of Congress




John R. Moolenaar
Member of Congress



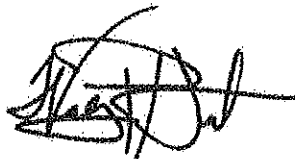
Monica De La Cruz
Member of Congress



Erin Houchin
Member of Congress



Troy E. Nehls
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Wesley Hunt
Member of Congress



Morgan Luttrell
Member of Congress



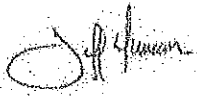
Nathaniel Moran
Member of Congress

/S/

Diana Harshbarger
Member of Congress

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Doug Lamborn
Member of Congress



Jeff Duncan
Member of Congress



Tracey Mann
Member of Congress



Keith Self
Member of Congress

/S/

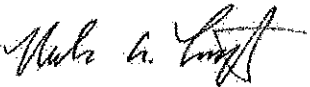
Anthony D'Esposito
Member of Congress




Mike Ezell
Member of Congress



Burgess Owens
Member of Congress



Nick Langworthy
Member of Congress



Brandon Williams
Member of Congress

/S/
Rich McCormick
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