

NBC's *Today*

01/10/23

7:01:09 a.m. [TEASE]

16 seconds

[ON-SCREEN HEADLINE: Documents Discovered]

HODA KOTB: Documents discovered. The Justice Department reviewing classified documents found in a private office in Washington used by President Biden after serving as Vice President. Republicans outraged, calling for a special prosecutor to be appointed. We'll have a live report from the White House.

(...)

7:08:01 a.m.

3 minutes and 49 seconds

[ON-SCREEN HEADLINE: DOJ Reviews Classified Docs Found in Biden Office]

SAVANNAH GUTHRIE: Also this morning the Justice Department has launched a review into classified documents from the Obama administration that were discovered in an office in Washington tied to President Biden. NBC's chief White House correspondent Peter Alexander joins us with the details. Peter, good morning.

PETER ALEXANDER: Savannah, good morning. The White House says he is cooperating with the Justice Department review of those classified documents that date back to Mr. Bidens's time as Vice President. They were found two months ago in offices that President Biden occasionally used in between his vice presidency and his return here to the White House. A source familiar with the matter tells me overnight that President Biden only became aware that the classified documents were there when he was informed by his lawyers immediately after they found them. As President Biden meets in Mexico for the North American leaders summit, the Justice Department is reviewing the discovery of what one of the President's attorney calls "a small number of documents with classified markings" found last November in Mr. Biden's former office at the Penn Biden Center. The White House says the documents from Mr. Biden's time as Vice President were found when his personal lawyers were packing files in a locked closet at the University Academic Center in Washington before moving out of the space. In a statement the White House says its counsel's office notified the National Archives on November 2nd, the same day the documents were found and that they were turned over the next day. Officials have not said what kind of information was in the documents or detailed their level of classification. Republicans quickly pounced on the revelation.

CONGRESSMAN BYRON DONALDS (R-FL) [on CNN's *The Situation Room*, 01/09/23]: I'm wondering why the Vice President of the United States had classified documents outside of the hands of the intelligence community.

ALEXANDER: Republicans are also drawing comparisons to former President Trump, who's under investigation for taking hundreds of classified documents when he left the White House and resisting repeated requests to return the materials even after being subpoenaed. The FBI ultimately recovered the materials after carrying out a court-ordered search of the former President's Mar-a-Lago estate. Overnight, Mr. Trump posting on his social media site, "when is the FBI going to raid the many homes of Joe Biden, perhaps even the White House? These documents were definitely not declassified." Last fall, President Biden criticized Mr. Trump when asked on *60 Minutes* about this FBI photograph of the seized documents spread out by agents on the floor at Mar-a-Lago.

PRESIDENT JOE BIDEN [on CBS's *60 Minutes*, 09/18/22]: How that could possibly happen, how anyone could be that irresponsible?

ALEXANDER: President Biden did not respond to a reporter's shouted question about the issue last night. [REPORTERS SHOUTING] But the White House says the circumstances are far different than those in the Trump case, emphasizing that the recently discovered documents were not the subject of any request or review by the Archives and that once found, they were turned over immediately. Attorney General Merrick Garland looking to avoid the appearance of a potential conflict of interest has assigned a U.S. attorney in Illinois appointed by former President Trump to review how the documents ended up at the Penn Biden Center, Savannah.

GUTHRIE: Alright. We'll keep an eye on that one and also, the Biden administration facing other investigations as House Republicans now have the gavel.

ALEXANDER: Yeah, you're right. So, House Republicans — they were already vowing to investigate the Biden administration over a series of issues. They are now adding the discovery of these classified documents to the list. Congressman James Comer, he's the Kentucky Republican set to become the chairman of the House Oversight Committee, he said yesterday that he plans to send letters to the White House and to the National Archives within days demanding answers. Comer also said he thought it was unlikely president Biden did anything wrong by taking the documents, but that he was more concerned Mr. Trump may have been treated unfairly. Savannah?

GUTHRIE: Alright, Peter, thank you very much.