



Written by [Steve Byas](#) on January 12, 2023

Garland Names Independent Counsel to Investigate Biden's Possession of Classified Documents

Attorney General Merrick Garland announced Thursday that Robert Hur, a former U.S. attorney in Maryland, will lead the investigation into the discovery of classified documents at President Joe Biden's home and former private office in his D.C. think tank.

Unlike the case with former President Donald Trump, who had documents at his Mar-a-Lago private home in Florida, Biden had no authority to declassify the documents at the time he left office as vice president under President Barack Obama in 2017. While there has been some question as to whether Trump did actually declassify all the classified documents he had at Mar-a-Lago, it would not matter in Biden's case, as he was vice president at the time, not president.



AP Images
Robert Hur

Documents were apparently found at a Biden-created think tank in D.C. before the November midterm elections last year, but this was not made public until over two months later. Now, it has been revealed that Biden had even more documents in a storage unit at his private home. Biden assured reporters that the unit was "locked." Of course, so was the place where Trump kept the documents seized by the FBI in the raid on his home.

Who is Robert Hur? Rod Rosenstein, former deputy attorney general under Donald Trump, told CNN, "Rob has been around long enough — he knows what he is getting into. I think he understands the needs to ignore politics and focus on what matters." Hur served as a senior advisor to Rosenstein in the Department of Justice (DOJ).

Before Hur went to work for the DOJ, he was a law clerk for Chief Justice William Rehnquist and for a federal appeals court judge, Alex Kozinski.

In 2018, Hur received unanimous confirmation by the Senate for the position as U.S. attorney in Maryland. The two Democratic senators in Maryland both supported the appointment.

Governor Larry Hogan of Maryland, a Republican, also supported the appointment. "Former Maryland US attorney Rob Hur is a prosecutor of the highest caliber and integrity. I have faith in his ability to get the facts and hold power to account. In this country, no one is above the law."

The documents discovered at the Biden office in D.C. contained 10 classified documents, including memos about Ukraine and Iran. That Biden would have taken documents specifically concerning Ukraine with him when he left the vice presidency in 2017 is exceptionally interesting, considering that Biden famously pressured the Ukrainian government to fire a prosecutor who was investigating a



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business that his son, Hunter, was serving at that time in a high-paying position on their board.

Those curious as to whether the investigation into Biden's illegal possession of classified documents will be serious should note that Hur worked as Rosenstein's "point person" under Special Counsel Robert Mueller on the investigation into Russian interference in the 2016 election. Despite knowing very early in his investigation that Trump had no collusion with Russian President Vladimir Putin to affect the outcome of that presidential election, Mueller continued the investigation for nearly two years. This clearly damaged Republican congressional hopes in the 2018 midterms, in which they lost control of the House of Representatives.

Rosenstein explained that Hur "was my point person and he had biweekly meetings with Mueller's team and then briefed me on the progress of the Russian special counsel investigation. So he has seen that firsthand and he knows that you need not to be influenced by politics and make decisions based on fact and the law and the Department of Justice policy, and I think we can count on Rob to do that."

Hur's clerkship under Chief Justice Rehnquist is a positive sign for those who wonder if he is part of the D.C. swamp, as is his support of President Trump's efforts to crack down on the MS-13 gang.

However, the fact that he was appointed by Attorney General Garland to lead the investigation is another thing. It is hard to believe that Garland would name anyone who would seriously investigate Biden, considering that Garland has demonstrated repeatedly that he is highly partisan in his prosecutorial decisions.

Garland said that he decided to name a special counsel following the investigation conducted by John Lausch, another Trump appointee, who was the leading federal prosecutor in Chicago.

It can be safely predicted that whatever Hur eventually recommends doing about Biden's illegal possession of government documents, it will probably be quick, and will not continue into next year's presidential campaign in which Biden has indicated he will run for reelection. Former President Trump has also announced that he is seeking the presidency next year.



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