

From: (b) (6) (OLA)" (b) (6)

To: Undisclosed recipients.;

Subject: OLA Correspondence 2/9/24

Date: Fri, 09 Feb 2024 17:40:41 -0500

Importance: Normal

Attachments: 2024-02-08-IN- -Tenney- SC Hur report.pdf; Not Responsive by Agreement

Good evening,

Please find today's incoming correspondence attached and summarized below.

Incoming:

1. **Letter from Representative Claudia Tenney to the Attorney General** regarding the confidential report provided by Special Counsel Robert Hur, stating concerns and requesting the Attorney General begin proceedings to remove the President pursuant to the 25th Amendment.

Not Responsive by Agreement

No priority outgoing correspondence.

Best,

- (b) (6)

Office of Legislative Affairs
U.S. Department of Justice



Congress of the United States
House of Representatives

Washington, DC 20515-3222

February 8th, 2024

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, DC 20530-0001

Dear Attorney General Garland:

I write to you today with grave concerns regarding the confidential report provided to you by Special Counsel Robert K. Hur. After concluding that President Biden knowingly and willfully removed, mishandled, and disclosed classified documents repeatedly over a period of decades, Mr. Hur nevertheless recommended that charges not be brought against him.

Special Counsel's reasoning was alarming. He recited numerous instances in which President Biden exhibited dramatically compromised mental faculties and concluded that a jury would be likely to perceive President Biden as a sympathetic and forgetful old man.

I need not tell you that selective prosecution is morally, ethically, and legally prohibited. We don't prosecute or decline to prosecute people based on their personalities, or on the public's anticipated perception of them. If Special Counsel finds that the evidence forms a reasonable basis to bring charges, he must do so. The Department of Justice cannot ethically bring charges against former president Trump because he has mental acuity and a forceful personality and decline to bring charges against President Biden because of his cognitive decline. President Biden needs to be charged.

Unless he is not mentally competent to stand trial.

Candidly, the Special Counsel's report makes a reasonable case that he is not. Being unable to remember what position he held, and when, is exceptionally concerning. Being unable to remember when one's child died - even within a time frame of several years - is perhaps more frightening. He may not be competent to stand trial.

And he most assuredly lacks the ability to execute his presidential responsibilities. Accordingly, it is incumbent upon you to begin proceedings to remove the President pursuant to the 25th Amendment of the United States Constitution.

President Biden needs to be charged, or he needs to be removed. There is no middle ground.

Sincerely,

CLAUDIA TENNEY
Member of Congress

From: (b) (6) (OLA)" (b) (6)

To: Undisclosed recipients.;

Subject: OLA Weekly Report - Week of February 12

Date: Fri, 09 Feb 2024 20:58:20 -0500

Importance: Normal

Attachments: OLA_Weekly_Report_2-12-2024.pdf

Good evening,

Please find the OLA weekly report attached.

Best,

(b) (6)

(b) (6)

Office of Legislative Affairs

U.S. Department of Justice

Cell: (b) (6)

(b) (6)



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, DC 20530

February 9, 2024

MEMORANDUM FOR THE ATTORNEY GENERAL & DEPUTY ATTORNEY GENERAL

FROM: Carlos Felipe Uriarte, Assistant Attorney General

SUBJECT: Report for the Week of February 12, 2024

Not Responsive by Agreement

Not Responsive by Agreement

L. Congressional Correspondence

Incoming

Not Responsive by Agreement

Not Responsive by Agreement

Letter from Representative Claudia Tenney to the Attorney General regarding the confidential report provided by Special Counsel Robert Hur, stating concerns and requesting the Attorney General begin proceedings to remove the President pursuant to the 25th Amendment. (February 9, 2024)

Not Responsive by Agreement

From: (b) (6) (OLA)" (b) (6)

To: Undisclosed recipients.;

Subject: OLA Correspondence 7/22/2024

Date: Mon, 22 Jul 2024 18:21:11 -0400

Importance: Normal

Attachments: 7.22.2024_25th_Amendment_Letter_-_Justice.pdf;
Not Responsive by Agreement

Good evening,

Please find today's incoming and outgoing correspondence attached and summarized below.

Incoming:

1. **Letter from Senator Eric Schmitt to the Attorney General** requesting the Attorney General submit to the President pro tempore of the Senate and the Speaker of the House of Representatives a written declaration that President Biden is unable to discharge the powers and duties of his office.

Not Responsive by Agreement

Best,

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(b) (6)

Office of Legislative Affairs
U.S. Department of Justice

United States Senate

July 22, 2024

The Honorable Merrick Garland
Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

Dear General Garland:

Yesterday, July 21, 2024, President Biden announced he would no longer seek the Democratic Party's nomination for the Presidency. This decision came after a weeks-long pressure campaign by the Democrat elite to push out President Biden following the first Presidential Debate—where those party elites' dirty secret was unveiled, a truth those of us in Real America had known for years: President Biden is unable to discharge the powers and duties of his office, including, but not limited to, his ability to serve as the Commander in Chief of our armed forces.¹

If President Biden is willing to admit he is unable to continue to stand as the Democratic Party nominee for President after the primary process due to his health, he is unable to continue to serve as President until January 20, 2025.

As the Democrats scramble to find a new nominee, it is with a sober awareness of the gravity of my request that I ask that you, as a principal officer of the executive department, discharge your constitutional duty under the 25th Amendment, working with Vice President Harris and rest of the Cabinet to submit to the President pro tempore of the Senate and the Speaker of the House of Representatives a written declaration of the truth we now all see—President Biden is unable to discharge the powers and duties of his office. If President Biden is unwilling to resign, for the sake of our great nation, you must do your duty to relieve him of his constitutional powers and duties.

Under the 25th Amendment to the Constitution:

Whenever the Vice President and a majority of either the principal officers of the executive departments or of such other body as Congress may by law provide, transmit to the President pro tempore of the Senate and the Speaker of the House of Representatives their written declaration that the President is unable to discharge the powers and duties of

¹Before the debate, the Democratic Party had called the numerous public episodes that caused millions of Americans to question President Biden's ability to discharge his constitutional powers and duties "cheap fakes." See Press Briefing by Press Secretary Karine Jean-Pierre (July 2, 2024) <https://www.whitehouse.gov/briefing-room/press-briefings/2024/07/02/press-briefing-by-press-secretary-karine-jean-pierre-july-2-2024/>. "The Party told you to reject the evidence of your eyes and ears. It was their final, most essential command." George Orwell, 1984, 81 (Penguin Classics, 2021). See George Clooney, *I Love Joe Biden. But We Need a New Nominee*, N.Y. TIMES (July 10, 2024) <https://www.nytimes.com/2024/07/10/opinion/joe-biden-democratic-nominee.html> ("[O]ur party leaders need to stop telling us that 51 million people didn't see what we just saw.).

his office, the Vice President shall immediately assume the powers and duties of the office as Acting President.²

While Vice President Harris may have deficiencies to effectively serve as the Acting President in any way that benefits the American people, she has not displayed a medical, incurable inability to discharge the powers and duties of the Presidency, unlike President Biden.

The founders knew the “necessity of an energetic Executive.”³ President Biden has admitted to needing an early bedtime and to having a limited work schedule.⁴ The American people and the American way of life cannot be guarded by a part-time President.

“A president's fitness for office must be determined by science and facts.”⁵ “[W]e are reminded by the necessity of action by the health of the current President.”⁶ These statements by former Speaker Nancy Pelosi, while misapplied to President Trump in 2020, ring true today. Former Speaker Pelosi likely has applied this line of thought to President Biden, causing her to mount an all-out pressure campaign to force President Biden out of his reelection campaign.⁷ There have been very troubling reports of a neurologist secretly visiting the White House physician earlier this year.⁸ There has also not been a full Cabinet meeting since October 2023, prompting additional concerns.⁹

It should be noted that the same Democrat elites that forced President Biden’s hand over the past several weeks did so long after the American people could see his inability to discharge his powers and duties. He should have never stood for reelection through the primaries. Rather than allow the voice of the people to speak through the democratic process of primary elections, the Democratic party insiders and megadonors will now have the opportunity to pick a new candidate in a crony-filled backroom of their convention. In 2024, the Democratic Party is anything but democratic.

For the sake of our nation, we cannot wait until January 20, 2025 for a mentally capable President. The stakes are too important given the domestic and foreign challenges the United

²U.S. Const. amend. XXV.

³The Federalist No. 70, p. 471 (J. Cooke ed, 1961) (A. Hamilton).

⁴See Alex Thompson, *Two Joe Bidens: The night America saw the other one*, AXIOS (Jun 29, 2024) <https://www.axios.com/2024/06/29/two-bidens-trump-debate-2024-president>; Michael Kaplan, *Joe Biden looks tired and exhausted – here are the tricks his team is using to obscure his blunders*, N.Y. POST (July 13, 2024) <https://nypost.com/2024/07/13/us-news/special-accommodations-go-only-so-far-in-hiding-biden-signs-of-age/>.

⁵Press Release, Pelosi Remarks at Press Conference on Introduction of Legislation to Establish a Commission on Presidential Capacity (Oct. 9, 2020) <https://pelosi.house.gov/news/press-releases/pelosi-remarks-at-press-conference-on-introduction-of-legislation-to-establish-a>.

⁶Ibid.

⁷Marianna Sotomayor et al., *Pelosi has told House Democrats that Biden may soon be persuaded to exit race*, WASH. POST. (July 18, 2024), <https://www.washingtonpost.com/politics/2024/07/18/nancy-pelosi-biden-close-to-dropping-out/>.

⁸Emily Baumgaertner and Peter Baker, *Parkinson’s Expert Visited the White House Eight Times in Eight Months*, N.Y. TIMES (July 8, 2024), <https://www.nytimes.com/2024/07/08/us/politics/parkinsons-expert-white-house.html>.

⁹MJ Lee et al., *Angry and stunned Democrats blame Biden’s closest advisers for shielding public from full extent of president’s decline*, CNN (July 11, 2024), <https://www.cnn.com/2024/07/11/politics/joe-biden-age-decline-democrats-angry/index.html>.

States is currently facing. We cannot afford a part-time President. I urge you to fulfill your constitutional duty and relieve President Biden of his constitutional powers and duties. If he is medically unable to be a candidate for Presidency (after he won the primary), then he is unable to discharge the powers and duties of the Presidency today.



Eric S. Schmitt
United States Senator

Mistry, Khira (ODAG)

From: Evers, Austin (ODAG)
Sent: Friday, July 26, 2024 10:46 AM
To: ODAG Submissions
Cc: Benson, Adrienne (ODAG)
Subject: Correspondence roundup

Attachments:

Not Responsive by Agreement

7.22.2024 25th Amendment Letter - Justice.pdf;

Not Responsive by Agreement

Roundup for this week:

Not Responsive by Agreement

4. Letter from Senator Eric Schmitt to the Attorney General requesting the Attorney General submit to the President pro tempore of the Senate and the Speaker of the House of Representatives a written declaration that President Biden is unable to discharge the powers and duties of his office.

Not Responsive by Agreement