

# Fact check: Biden makes three false claims about his handling of classified information

By Daniel Dale, CNN News  
CNN —

President Joe Biden gave a press conference Thursday night after the release of a [report](#) from special counsel Robert Hur, who announced that Biden would not face charges over his handling of classified information from prior to his presidency.

Biden was [combative](#), forcefully rejecting Hur's claims that he has a poor memory. But the president was also repeatedly inaccurate, making three claims that were clearly contradicted by Hur's report.

Here is a fact check.

## Where the classified material was stored

Biden sought to contrast his handling of classified material with that of former President Donald Trump, who faces [felony charges for willfully retaining classified documents](#). (Hur [agreed that there were major distinctions between the two cases](#).) But while Biden correctly noted that the documents were in a private home that is very different from the Mar-a-Lago social club where Trump lives, Biden embellished his argument with a false claim.

Biden said: "All the stuff that was in my home was in filing cabinets that were either locked or able to be locked."

**Facts First:** *Biden's claim is not true. The special counsel's report says that while some of the classified documents were found in cabinet drawers in Biden's Delaware home, other classified documents, about Afghanistan, were found in an "unsealed" and "badly damaged" box sitting in his garage alongside an assortment of other items the special counsel described as "household detritus." The report includes a photo of the box.*

Hur wrote that investigators looked into the possibility that the Afghanistan-related documents found in the box were previously stored in a filing cabinet when Biden lived in a rented home in Virginia before moving out in 2019. Hur called that line of inquiry "inconclusive." Regardless, Biden's Thursday claim that "all" of the

documents in his home were in locked or lockable filing cabinets is not true of his current home.

According to the special counsel, even classified documents Biden was storing elsewhere in his home were insufficiently secure. Hur wrote that Biden notebooks containing classified information from his vice presidency were found by investigators in “unlocked drawers in the office and basement den” of the home. Hur wrote that Biden “should have known” that as a private citizen as of 2017, “he was not permitted to keep handwritten notes about the President’s Daily Brief and other classified information in unlocked drawers in his home.”

### The classification level of the documents Biden had in his possession

Biden claimed of the documents he possessed: “None of it was high classified. It didn’t have any of that red stuff on it, you know what I mean, around the corners? None of that.”

**Facts First:** *Biden’s claim that none of the classified material found in his possession was highly classified is false, according to details provided by the special counsel. Hur reported the discovery of documents in Biden’s possession that had markings identifying them as [“Top Secret/Sensitive Compartmented Information,”](#) a very high level of classification – plus handwritten notebooks from Biden’s time as vice president that weren’t marked as classified but that “contain information that remains classified up to the Top Secret/Sensitive Compartmented Information level.”*

It’s not clear whether any of the marked classified documents found in Biden’s possession had the colored borders [seen on some of the marked classified documents found in Trump’s possession](#), which is what Biden appeared to be referring to when he spoke about “that red stuff...around the corners.” Regardless, Hur explained at length that some of the documents were marked as Top Secret and some with other notations identifying them as highly classified.

For example, Hur wrote, the open box in Biden’s garage contained an Afghanistan-related memo from the National Security Adviser to President Barack Obama in 2009 marked “TOP SECRET/SCI” (Sensitive Compartmented Information). Hur wrote that experts in the intelligence community said the document contains “highly sensitive information about the military programs of the United States and a foreign government. The unauthorized disclosure of this information, both today

and in 2017 when Mr. Biden was no longer vice president, reasonably could be expected to cause exceptionally grave damage to the national security.”

Hur wrote that the box in the garage contained another 2009 memo from the National Security Adviser to Obama marked “TOP SECRET WITH TOP SECRET/NOFORN/CODEWORD ATTACHMENTS” with attachments, one of which was marked “TOP SECRET//HUMINT/COMINT//ORCON/NOFORN//FISA.” Hur wrote that experts said “portions of this document contain national defense information about sensitive intelligence sources and methods.”

In addition, Hur wrote that notebooks with handwritten notes Biden took during his vice presidency contained information on “U.S. intelligence sources, methods, and capabilities,” “U.S. intelligence activities” and “the activities of foreign intelligence services,” among other things. Hur wrote that when investigators looked into a sampling of 37 excerpts from Biden’s handwritten materials that appeared to be classified, they found that “eight are Top Secret with Sensitive Compartmented Information, seven of which include information concerning human intelligence sources,” while six are Top Secret alone, 21 Secret and two Confidential.

“Mr. Biden wrote down obviously sensitive information discussed during intelligence briefings with then President Obama and meetings in the White House Situation Room about matters of national security and military and foreign policy,” Hur wrote.

### What Hur said Biden said to his ghostwriter

Hur said in the report that Biden disclosed classified material from his notebooks to the ghostwriter, Mark Zwonitzer, who worked with him on a 2017 memoir called “Promise Me, Dad.” But Biden categorically denied that he had shared classified information with the ghostwriter, saying he can “guarantee” he didn’t.

When a reporter responded that the special counsel said he did, Biden responded, “No, they did not say that. He did not say that.”

**Facts First:** Biden’s claim is false. *Hur did say that, writing explicitly that “Mr. Biden shared information, including some classified information, from those notebooks with his ghostwriter.” He elaborated that Biden shared classified information with his ghostwriter by reading “nearly verbatim” from his notebooks*

*“on at least three occasions,” including his “notes from meetings in the Situation Room.”*

Hur did find, however, that Biden “at times” tried to avoid sharing classified information, by stopping at or skipping over certain material from the notebooks. And he wrote that “the evidence does not show that when Mr. Biden shared the specific passages with his ghostwriter, Mr. Biden knew the passages were classified and intended to share classified information.”

Hur wrote that in one recorded conversation with the ghostwriter in 2017, at the Virginia home where Biden then lived, Biden read from his notebook about a National Security Council meeting about Iraq in 2015, then told the ghostwriter about a 2009 memo he had written to Obama arguing against the deployment of more troops to Afghanistan – and then said, “I just found all the classified stuff downstairs.” Hur noted that more than five years later, investigators found classified documents about the Afghanistan troop surge in Biden’s Delaware garage.

Hur wrote that he has not heard of any allegations that classified material actually appeared in Biden’s 2017 memoir.