

# President Interviewed On Records

### Special counsel Hur is investigating classified papers found at Biden home

By SADIE GURMAN

WASHINGTON—President Biden has been interviewed by the special counsel probing why classified documents ended up at his home and an office he once used, the White House said Monday, a sign the investigation is entering its late stages as the 2024 presidential campaign heats up.

"The voluntary interview was conducted at the White House over two days, Sunday and Monday, and concluded Monday," White House spokesman Ian Sams said.

Attorney General Merrick Garland appointed the special counsel, Robert Hur, to lead the inquiry in January, after the disclosure that aides found classified records, likely dating from Biden's time as vice president, at a Wilmington, Del., garage and at an office he used at the Penn Biden Center for Diplomacy and Global Engagement, a Washington-based think tank connected to the University of Pennsylvania.

Hur had been negotiating for weeks with Biden's lawyers over the contours of an interview with the president, according to people familiar with the matter. The two sides until recently were still discussing many details of the interview, including what the scope of questions would be.

Sams didn't say what the president was asked, only that Biden and the White House were cooperating. He referred other questions to the Justice Department, where a spokesman declined to comment.

"We have provided relevant updates publicly, being as transparent as we can consistent with protecting and preserving the integrity of the investigation," Sams said.

The investigation into Biden's handling of classified documents, proceeding as a separate special counsel is prosecuting former President Donald Trump for his retention of such material after he left the White House, has been a political liability for the White House. It also strained Biden's relationship with Garland and stirred distrust of the Justice Department among some White House aides.

Those aides pointed out that prosecutors closed within

months an inquiry into classified documents found at former Vice President Mike Pence's Indiana home but assigned a special counsel—with wider latitude and more independence—to examine similar issues for Biden.

The Federal Bureau of Investigation searched the Penn Biden Center shortly after Nov. 2 of last year, when Biden aides found classified material there and surrendered it to the National Archives. Agents later also searched Biden's homes in Rehoboth and Wilmington Del., where they turned up further classified documents.

The interview with Biden signals that Hur's probe is nearing its end. It took place after the special counsel spoke to a number of aides and officials who would have insight into how Biden and his staff handled and moved the documents before and after their discovery.

Before taking the sensitive step of seeking an interview and questioning a sitting president, Hur and his team likely would have first established confidence in their general understanding of how classified documents turned up at Biden's home and office following his time as vice president.

Hur is expected to draft a report of his findings, which he will likely seek to release months before the 2024 election to avoid any perception of the Justice Department attempting to influence the presidential race.

Garland's January appointment of Hur, who Trump had earlier named as a U.S. attorney, heightened political pressure on the White House and Justice Department, which now finds itself in an unprecedented scenario in which three different special counsels are investigating the president, his son and Trump, who is likely the president's chief rival for the 2024 campaign.

Special counsel Jack Smith has charged Trump with improperly withholding classified documents and separately conspiring to illegally overturn his 2020 election loss. Trump has pleaded not guilty in both cases.

In August, Garland named Delaware U.S. Attorney David Weiss as a special counsel to continue his prosecution of Hunter Biden, the president's son, after plea talks broke down. Earlier this month Weiss filed felony gun charges against Hunter Biden, who pleaded not guilty.

—C. Ryan Barber contributed to this article.



Former House Speaker Kevin McCarthy on Monday declined to answer directly if he was joining the race for speaker.

## Republicans Meet About Speaker

By KATY STECH FEREC AND SIOBHAN HUGHES

WASHINGTON—House Republicans returned to Capitol Hill on Monday night for a closed-door meeting to discuss how to move forward on replacing former Speaker Kevin McCarthy (R., Calif.), who was ousted last week.

Reps. Steve Scalise of Louisiana and Jim Jordan of Ohio are competing for the position, each saying they are the best person to unite a fractured party. Lawmakers headed into the meeting without a clear plan to rally support behind a replacement. In a twist, McCarthy, who previously said he wouldn't join the race to win back his job, didn't rule out the

idea at a press conference.

Republicans have been trying to quickly elect a new speaker to heal deep wounds over McCarthy's ouster last week, when eight rebel GOP lawmakers and all Democrats voted against him. Lawmakers also face a mid-November deadline to fund the government, and the weekend attack on Israel underlined the urgency of picking a new leader. The House is effectively frozen until it elects a speaker.

Republicans are set to attend a candidate forum on Tuesday and a conference vote Wednesday morning to pick their nominee. A vote of the whole House would then follow, requiring a majority of the chamber to back the new pick.

While some moderates have said they would back McCarthy, the big question is whether he would be able to convince any of the eight Republicans who voted to oust him to change their mind. Rep. Matt Gaetz (R., Fla.) who led the charge, reiterated on social media on Monday that McCarthy is unlikely to have enough votes to return. Gaetz has said he would support Jordan or Scalise as leader.

Neither Scalise, who is House Majority leader, nor Jordan, who leads the House Judiciary Committee, has established a clear lead.

Both Jordan and Scalise are more sharply conservative than McCarthy, which could win over some holdouts who

rejected McCarthy. But their ability to win moderate support is in question.

Several Republican moderates have told reporters in recent days that they hope McCarthy will reconsider the job.

Rep. Brian Fitzpatrick (R., Pa.), an influential moderate, said he supports a McCarthy comeback. "He's the best person for the job," he said Monday evening before the meeting began.

On Monday, McCarthy held a press conference about the Israel-Hamas war. Asked if he was jumping into the speaker race, he declined to answer directly, saying the decision on the next leader was up to his Republican colleagues.

## Ex-Rebel Now Wants to Run the House

By KRISTINA PETERSON

WASHINGTON—For years, Rep. Jim Jordan (R., Ohio) was a hard-right thorn in the side of House GOP leaders. Now he's touting his ability to wrangle the Republican Party's rebels as he vies to become House speaker himself.

Jordan, 59 years old, faces House Majority Leader Steve Scalise (R., La.) in the sprint to elect a new speaker after Rep. Kevin McCarthy (R., Calif.) was ousted from the post last week.

Neither candidate has emerged as the clear front-runner, and the race was further complicated by the weekend's attacks against Israel, which ignited calls from some centrist Republicans to reinstate McCarthy—and McCarthy declining to rule out the idea.

Jordan has picked up early endorsements, including from former President Donald Trump, and his supporters say he is best positioned to bring together the warring factions of the House GOP. Lawmakers said



Rep. Jim Jordan was once a tormentor of House GOP leaders and challenged McCarthy to lead the party in 2018.

they are eager to avoid a repeat of January, when it took McCarthy 15 ballots over four days to get elected as speaker.

"The members that were not helpful on the first 15 rounds, I think they would have a tendency to support Jim," said Rep. Mike Carey, a fellow Ohio Republican backing Jordan for speaker.

Republicans plan a candidate forum on Tuesday and a confer-

ence vote as soon as Wednesday morning to pick their nominee.

Jordan's run underscores the shift in the GOP in recent decades. Once seen as the primary instigator of the party's hard-line flank, Jordan in recent years reached a detente with McCarthy, who worked to bring his wing of the House GOP into the fold, including by supporting Jordan's ascent to chairman of the Judiciary

Committee.

Jordan, like Scalise, voted last week to keep McCarthy in office, but he has since argued that his conservative credentials have positioned him to win over the eight Republicans who joined with Democrats to oust the former speaker last week. Many of those members remain uncommitted, with ringleader Rep. Matt Gaetz (R., Fla.) saying he would back either Jordan or Scalise.

While having strong appeal for some conservatives, the Judiciary Committee chairman may be less palatable for more centrist Republicans.

Jordan in 2015 co-founded the House Freedom Caucus, a band of hard-liners willing to sink legislation they viewed as insufficiently conservative. Once a tormentor of House GOP leaders—former House Speaker John Boehner called him a "legislative terrorist"—Jordan unsuccessfully challenged McCarthy to lead the party in 2018. But they later developed a good working relationship.



# ★ Scalise Makes Pitch to Reunite a Party That Split Over McCarthy

By ANNIE KARNI

WASHINGTON — When Harriet M. Hageman announced her 2022 primary challenge against Representative Liz Cheney of Wyoming, House Republican leaders quickly endorsed her bid to oust a colleague whose condemnations of former President Donald J. Trump had made her a pariah in her own party.

But one member of leadership remained notably silent: Representative Steve Scalise of Louisiana, the No. 2 Republican. He viewed backing Ms. Hageman as a violation of what he calls his 11th Commandment, borrowed from President Ronald Reagan: “Thou shalt not speak ill of another Republican.” He waited until Ms. Hageman had defeated Ms. Che-

ney to throw his support behind her.

Mr. Scalise, a longtime rival to former Speaker Kevin McCarthy, is now mounting his own bid for the post. He has pitched himself as the man uniquely positioned to unite Republicans at a moment when they are deeply divided and demoralized after Mr. McCarthy’s historic ouster last week.

“We’re so divided; he can unite this Congress,” Representative Lance Gooden of Texas said of Mr. Scalise.

His candidacy is the culmination of a steady political climb for a deeply conservative Republican who once described himself, according to a local columnist, as “like David Duke without the baggage.” ?

In Louisiana, Mr. Scalise repre-

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KENNY HOLSTON/THE NEW YORK TIMES

Representative Steve Scalise, a longtime rival to former Speaker Kevin McCarthy, is one of two leading candidates to replace him.



mary between Mr. DeSantis and Ms. Haley as they compete for the role of chief rival to Mr. Trump.

For the first half of 2023, the position of second to Mr. Trump had

Carolina, Ms. Haley has taken the second spot. As he retools his campaign, Mr. DeSantis recently

Opportunity Alliance, to convince those contributors of their path forward against Mr. Trump.

than anyone else in the field — and have created a robust infra-

becomes the Republican nominee.

## Scalise Makes His Pitch To Bring Together a Party That Split Over McCarthy

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sents the First Congressional District, a place where the fossil fuel industry is king, and where conservatism is rooted in the myth of rugged individualism — and, at least in some quarters, a politics of racial resentment. It is where Mr. Duke, the former Ku Klux Klan leader, was elected to the State Legislature in 1989.

Mr. Scalise has suggested that his life and political career have been influenced by those forces. He made the remark comparing himself to Mr. Duke to Stephanie Grace, now a columnist for The Times-Picayune/New Orleans Advocate newspaper, when she first met Mr. Scalise in the 1990s. She wrote that Mr. Scalise's point "was that the actual governmental philosophy Duke espoused isn't far off from what was becoming mainstream conservative thought, what with its suspicion of taxes, set-asides and safety net programs such as welfare."

(Over the weekend, Ms. Grace made a qualified endorsement of Mr. Scalise for speaker.)

Decades later, those views are as powerful as ever in the Republican Party as Mr. Scalise faces off for the speakership against Representative Jim Jordan of Ohio, a founder of the ultraconservative House Freedom Caucus.

Mr. Scalise is making the run despite having been diagnosed only weeks ago with blood cancer, for which he has been undergoing treatment. His supporters insist it has not diminished his capacity for the job.

A key plank of Mr. Scalise's pitch to his colleagues is that he is a fund-raising powerhouse, second only to Mr. McCarthy. He has raised nearly \$170 million over the course of his congressional career to help Republicans win elections. In the 2022 midterm elections, Mr. Scalise spent 112 days on the road campaigning for members and candidates. Over the last five years, his office said, he has given \$7.2 million directly to Republican members and candidates and transferred \$50 million to the National Republican Congressional Committee.

"Kevin McCarthy was fabulous at raising the resources our conference needed," said Representa-

tive Ann Wagner of Missouri. "The only person second to that is Steve Scalise." Ms. Wagner, a longtime ally of Mr. Scalise, said she had accompanied him on fund-raising swings in which he visited more than a dozen districts in three days.

Over the last year, Mr. Scalise has been marginalized by Mr. McCarthy, who has privately described him to colleagues as ineffective, checked out and reluctant to take positions, and cut him out of all major decision making.

The dynamic was frustrating for Mr. Scalise at the time. But now, his allies believe that the fact that he was not involved in the debt ceiling negotiations with President Biden, which ultimately proved to be a catalyst for Mr. McCarthy's downfall, could make him a viable option for the hard-right members who rebelled against the former speaker.

While most far-right Republicans are expected to back Mr. Jordan on Wednesday when they are scheduled to choose a nominee for speaker, Mr. Scalise is imploring them to support him as a second choice. Under the current rules of the Republican conference, whoever receives a majority in that secret-ballot vote will be the party's nominee when the full House meets to elect a new speaker, now expected on Wednesday.

Lawmakers allied with Mr. Jordan are trying to raise that threshold to unanimity, which would put Mr. Scalise at a disadvantage. For now, however, Mr. Scalise has been telling right-wing lawmakers that while he wishes he could be their first choice, he hopes that if he emerges as the nominee, they will at least vote for him on the floor.

His pitch to other Republicans is more straightforward. Mr. Jordan, who has been endorsed for the speakership by Mr. Trump, would have a more difficult time helping vulnerable Republicans win in districts President Biden won in 2020, especially when Mr. Jordan supported primary opponents for 12 sitting members of Congress.

Mr. Scalise arrived on Capitol Hill in 2008, after winning a special election to replace Representative Bobby Jindal, who was elected governor.

A political animal since childhood, he came to Washington wanting to be a part of every-

thing: He joined the Bible study group and the congressional baseball team, where he would play in a Louisiana State University baseball jersey and buy tickets for all of his staff members and their kids. He pushed for a seat on the Energy and Commerce Committee, where he became a strong ally of the oil and gas industry. And he

### A proven fund-raiser appeals to House colleagues whom he helped to victory.

quickly rose to become the recruitment chair of the National Republican Congressional Committee and then chairman of the Republican Study Committee, then the largest group of conservative House Republicans.

Mr. Scalise, the first person in his family to graduate from college, grew up in Jefferson Parish, in the suburbs just outside of New Orleans, a region where the population ballooned in the latter half of the last century as white resi-

dents fled the desegregating city. Born into a family of Sicilian immigrants, Mr. Scalise used to tell staff members stories about how his ancestors worked in the sugar fields in Garyville, La.

His rise in Washington was rapid. By 2014, he had ascended to the No. 3 position in the House. Then a blogger broke the story that as a state legislator in 2002, Mr. Scalise had spoken at a meeting of a white nationalist group founded by Mr. Duke, a revelation that threatened to derail his political career.

Under intense pressure from Democrats to step down, Mr. Scalise said the speech was a "mistake I regret," claiming he did not realize what the group was when he accepted the invitation. At the time, he received a significant nod of support from his old friend Cedric Richmond, then a congressman from New Orleans, who is Black.

"I don't think Steve Scalise was a racist bone in his body," Mr. Richmond said then. (Mr. Richmond could not be reached for comment about Mr. Scalise's run for the speakership.)

In 2020, Mr. Scalise voted to remove Confederate statues from the U.S. Capitol, breaking with a majority of his party, including Mr. Jordan.

Still, Mr. Scalise most often sides with Republicans. He pushed hard for the passage of legislation in 2015 that resulted in the repeal of a 40-year ban on oil exports, handing the oil industry a huge victory. He also played a major role in 2017 in muscling through Republicans' \$1.5 trillion tax cut law, which primarily benefited big corporations, multimillionaires and other wealthy individuals. A supporter of Mr. Trump, he voted to overturn the 2020 election results and for months afterward steadfastly promoted the lie that the election had been stolen.

In 2017, Mr. Scalise was gravely wounded when a gunman, distraught over Mr. Trump's election, opened fire on members of the Republican congressional baseball team at a practice. The bullet tore up his internal organs, shattered bones and caused major internal bleeding, leaving Mr. Scalise in critical condition.

He had to undergo multiple surgeries and months of work at an inpatient rehabilitation center to relearn how to walk. He returned to the Capitol three months later, walking gingerly with two canes.

"I'm definitely a living example that miracles really do happen," he said at the time. Today, Mr.

Scalise appears almost fully healed. With the help of a shoe with a lifted sole, his gait is now normal.

In August, Mr. Scalise announced that he had been diagnosed with a rare form of blood cancer but planned to return to Washington to continue working as he underwent several months of treatment.

Colleagues said that part of his pitch to them over the last few days was that the treatment was going better than his doctors had anticipated and he was in shape to do the job.

They have changed his treatment and shortened into a three-month period of time, down from six," said Ms. Wagner, a close friend. Both Mr. Scalise's wife, Jennifer, and his doctors, she added, "have agreed that he's more than healthy enough for this challenge."

It is not clear precisely what toll his illness and treatment have taken on Mr. Scalise. He has taken to wearing a heavy-duty mask at news conferences and on the House floor, a striking change for a Republican who eschewed a face covering as the coronavirus pandemic raged, once calling federal mask mandates "Democrats' masking political theater."



HAIYUN JIANG/THE NEW YORK TIMES

Representative Steve Scalise was marginalized by deposed Speaker Kevin McCarthy, who described him to colleagues as ineffective.

Richard Fausset contributed reporting from Atlanta.



# McCarthy Says He's Considering Being Considered for Job He Lost

By LUKE BROADWATER

WASHINGTON — Former Speaker Kevin McCarthy floated the possibility on Monday that he might be open to reclaiming the post from which he was ousted less than a week ago, even as two other Republicans vied to replace him in a contest that has highlighted the party's deep divisions.

With the House rudderless and paralyzed following Mr. McCarthy's removal last week, the California Republican worked to project normalcy and leadership in the face of the war unfolding in Israel, after an invasion by the Palestinian militant group Hamas that has led to hundreds of deaths and the capture of scores of civilian Israeli hostages. He summoned reporters to the Capitol to lay out a plan to defend Israel and rescue American captives.

The appearance had all the trappings of the job he just lost; Mr. McCarthy spoke from behind a podium in the Rayburn Room,

where the speaker often holds official ceremonies, and used the language of a party leader during a crisis.

"Now is the time for action," he said, adding, "We must be there for our friend Israel."

But Mr. McCarthy is no longer the speaker, and the event only underscored the disarray among House Republicans, who are set to gather on Tuesday to discuss whom to nominate as his successor. A party vote is scheduled for Wednesday, to be followed by a formal election on the floor.

The two leading contenders to replace Mr. McCarthy — Representative Steve Scalise of Louisiana, the No. 2 House Republican, and Representative Jim Jordan of Ohio, the Judiciary Committee chairman — have been vying to shore up support, but the party is fractured.

And there was little doubt from Mr. McCarthy's remarks that he remains angry and saddened by

his removal at the hands of rebels in his party, and still believes he should have the post. He lamented how just 4 percent of his party's members succeeded in effectively removing a speaker supported by 96 percent.

"Let's be honest about our conference," Mr. McCarthy told reporters. "Is our conference just going to elect somebody to throw them out in another 35 days?"

He singled out Representative Matt Gaetz of Florida and Representative Nancy Mace of South Carolina, two of the defectors who are known for their frequent media appearances, condemning "a few individuals that love a camera more than they love the American public."

The outbreak of the Israel-Gaza war has highlighted the dangers of a leaderless House. With the chamber under the control of a temporary speaker, lawmakers are questioning what power, if any, they have to take action as a

legislative body, including approving additional aid for Israel.

Mr. McCarthy appeared to be capitalizing on those concerns. His plan to respond to the Hamas attacks on Israel included strengthening America's borders

*Is the G.O.P. 'going to elect somebody to throw them out in another 35 days?'*

and a campaign against antisemitism. He called for freezing any money for Iran, and condemned what he called a new "evil axis of Iran, Russia and China."

But kicked out of his post, Mr. McCarthy noted that he was in no position to enact any plan.

"Unfortunately, the House can

do nothing without a speaker," he lamented.

Asked if he wanted to reclaim his gavel, Mr. McCarthy said that the decision was not up to him, and that he would support whatever his fellow Republicans wanted.

"I'll allow the conference to make any decision," he said.

In a reflection of the uncertainty roiling their conference, Republicans scheduled a closed-door listening session on Monday, returning to Washington on a federal holiday to meet in the House basement and hash out their disagreements.

That was to be followed on Tuesday evening by a candidate forum at which contenders for the speakership were expected to make their case. A closed-door vote of Republicans was scheduled for Wednesday morning to choose the party's nominee. If Republicans can coalesce around a candidate, the House could hold a

formal election as early as Wednesday afternoon, but given the rifts among G.O.P. lawmakers, the process could drag on.

Mr. McCarthy's allies made clear that they believed reinstating him would be the best option.

"A lot of people believe Kevin McCarthy is the right person to lead us," Representative Mike Lawler, Republican of New York, said on Monday at the Capitol.

Mr. Lawler said he was insisting that there be "accountability" for the eight Republicans who forced out Mr. McCarthy as speaker, joining Democrats in voting to remove him.

Mr. Gaetz and Ms. Mace fired back at their critics on the social media site X, formerly Twitter.

"If the former Speaker had spent as much time going after Chuck Schumer for not taking up our DoD military spending bill as he is attacking other Republicans, he wouldn't be the former Speaker," Ms. Mace wrote.