

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM
2157 RAYBURN HOUSE OFFICE BUILDING
WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5051
MINORITY (202) 225-5074
<https://oversight.house.gov>

August 30, 2022

Ms. Debra Steidel Wall
Acting Archivist of the United States
700 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Dear Ms. Wall:

This is in response to your letter dated August 16, 2022, and to inquire as to whether you would like to amend the representations made in that letter regarding the events leading up to, and the National Archives' (NARA) involvement in, the FBI search of Mar-a-Lago. Specifically, in that letter you stated:

Since that time, [the point at which NARA referred the matter of classified documents to the Department of Justice] DOJ has been exclusively responsible for all aspects of this investigation, and NARA has not been involved in the DOJ investigation or any searches that it has conducted. **Accordingly, NARA is unable to provide a briefing or any documents in response to your letter,** and we refer you to the DOJ.¹

The accuracy of this statement has been called into question in recent days.

On August 22, 2022, *Just the News* published a letter demonstrating robust negotiations between NARA and former President Trump's attorney, Evan Corcoran.² Also on August 22, 2022, the *New York Times* reported: "...the material in the boxes prompted archives officials to refer the matter to the Justice Department, which within months had convened a grand jury investigation."³ The article explains that NARA "spent much of 2021 trying to get back material from Mr. Trump," as well as noting NARA's role in preserving presidential records.⁴

¹ Letter from Ms. Debra Steidel Wall, Acting Archivist of the U.S. to Hon. James Comer, Ranking Member, H. Comm. on Oversight & Reform (Aug. 16, 2022) (emphasis added).

² Ben Whedon, *Full Text of National Archives Letter to Trump on Classified Documents*, JUST THE NEWS (Aug. 22, 2022). Also now available at: <https://www.archives.gov/files/foia/wall-letter-to-evan-corcoran-re-trump-boxes-05.10.2022.pdf>.

³ Maggie Haberman, Jodi Kantor, Adam Goldman, & Ben Protess, *Trump Had More Than 300 Classified Documents at Mar-a-Lago*, N.Y. TIMES (Aug. 22, 2022).

⁴ *Id.*

While your letter acknowledges the referral to the DOJ, it ignores the first two requests made in the August 10, 2022, letter to you.⁵ Specifically, that letter requested:

1. All documents and communications between any employee or agent of NARA and the FBI or Department of Justice, including the Offices of the United States Attorneys, regarding former President Trump;
2. All documents and communications between or among employees or agents of NARA regarding any documents in the possession of former President Trump.⁶

The time period covered by this request—as stated in the letter—is January 20, 2021, to the present.⁷ The letter to Mr. Corcoran, along with any other documents demonstrating negotiations with former President Trump’s team as reported on by the *New York Times*, would certainly be covered by the above requests. Moreover, the letter to Mr. Corcoran specifically mentions communications between NARA and the DOJ (e.g., “NARA informed the Department of Justice...”; “The Assistant Attorney General has advised me...”; “...which the Assistant Attorney General informs me...”). It is puzzling that you and your staff would blatantly deny the existence of such responsive documents or communications to Congress. It is implausible that there would be no internal communications by NARA employees regarding the subject matter of the letter to Mr. Corcoran, as your letter to us would indicate.

Transparency is particularly important in the post-pandemic era when Americans are lacking trust in our nation’s institutions. Congress, and particularly the Oversight Committee, has a duty to provide transparency and accountability for the American people. We request that you revisit your prior communications to Oversight Republicans and amend your prior statements as necessary. Likewise, we expect your office to provide a briefing and documents responsive to the August 10, 2022, letter signed by 20 Republican Members of the Oversight Committee.

On August 24, 2022, the *New York Times* again reported on communications between NARA general counsel, Gary Stern, and former President Trump’s White House attorneys.⁸ While these documents are undoubtedly covered by request number two, above, since NARA employees were courtesy copied and likely received earlier draft copies, to be abundantly clear, please provide the following documents and information related to former President Trump’s records no later than September 13, 2022, for the time period January 1, 2021 and present:

⁵ Letter from Hon. James Comer & nineteen other Republican Members of the H. Oversight & Reform Comm. to Ms. Debra Steidel Wall, Acting Archivist of the U.S., (Aug. 10, 2022) available at <https://republicans-oversight.house.gov/wp-content/uploads/2022/08/2022-08-10-NARA-MAL567537660.pdf>.

⁶ *Id.*

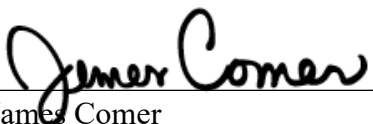
⁷ *Id.*

⁸ Alan Feuer & Maggie Haberman, *Email Shows Early Tension Between Trump & National Archives*, N.Y. TIMES (Aug. 24, 2022) (article notes that John Laster, a NARA official, was copied on the correspondence to former President Trump’s attorneys).

1. All documents and communications between employees or agents of NARA and President Trump, his representatives, and/or counsel.
2. All documents and communications between employees or agents of NARA and any White House official(s).

To make arrangements to schedule the briefing or ask any related follow-up questions, please contact Committee on Oversight and Reform Republican Staff at (202) 225-5074. Documents may be provided electronically by the same means you have been producing to Committee Democrats over the course of this Congress. The Committee on Oversight and Reform is the principal oversight Committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Ranking Member
Committee on Oversight and Reform



Jody Hice
Ranking Member
Subcommittee on Government
Operations



Glenn S. Grothman
Ranking Member
Subcommittee on National Security



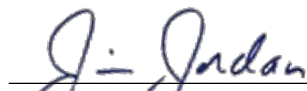
Michael Cloud
Ranking Member
Subcommittee on Economic and
Consumer Policy



Nancy Mace
Ranking Member
Subcommittee on Civil Rights and
Civil Liberties




Yvette Herrell
Ranking Member
Subcommittee on Environment



Jim Jordan
Member of Congress



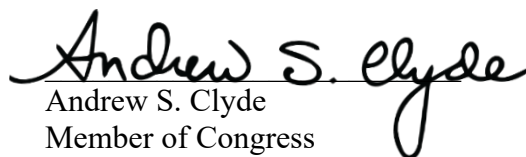
Bob Gibbs
Member of Congress




Ralph Norman
Member of Congress



Fred Keller
Member of Congress



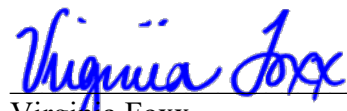
Andrew S. Clyde
Member of Congress



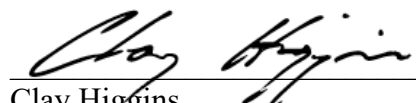
Jake LaTurner
Member of Congress



Byron Donalds
Member of Congress



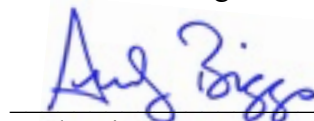
Virginia Foxx
Member of Congress



Clay Higgins
Member of Congress



Pete Sessions
Member of Congress



Andy Biggs
Member of Congress



C. Scott Franklin
Member of Congress



Pat Fallon
Member of Congress



Mike Flood
Member of Congress

cc: The Honorable Carolyn Maloney, Chairwoman
Committee on Oversight and Reform

Acting Archivist Wall

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The Honorable Gerald E. Connolly, Chairman
Subcommittee on Government Operations

The Honorable Stephen F. Lynch, Chairman
Subcommittee on National Security

The Honorable Raja Krishnamoorthi, Chairman
Subcommittee on Economic and Consumer Policy

The Honorable Ro Khanna, Chairman
Subcommittee on Environment

The Honorable Jamie Raskin, Chairman
Subcommittee on Civil Rights and Civil Liberties