

From: (b) (6)
Subject: Re: Draft Letter
To: Evers, Austin (ODAG)
Cc: Atkinson, Lawrence (ODAG)
Sent: August 13, 2022 6:07 PM (UTC-04:00)
Attached: 2022.08.13 MAL Draft Response (CFU) (ARE).docx

Thanks

On Aug 13, 2022, at 5:41 PM, Evers, Austin (ODAG) <(b) (6)> wrote:

This is a very preliminary draft of what OLA is considering to send in response to congressional requests. We have more to do on it but if you have any strong initial reactions, please let me know so we can adjust course. Obviously it will come back to you after OLA settles on an official first draft, and we'll have to clear it with others.

From: Evers, Austin (ODAG)

Duplicative Records

From: (b) (6)
Subject: Re: Draft Letter
To: Evers, Austin (ODAG)
Cc: Atkinson, Lawrence (ODAG)
Sent: August 13, 2022 6:09 PM (UTC-04:00)
Attached: 2022.08.13 MAL Draft Response (CFU) (ARE).docx

Thanks. I might (b) (5) — but appreciate the preview and all the work on it.

On Aug 13, 2022, at 5:41 PM, Evers, Austin (ODAG) <(b) (6)> wrote:

Duplicative Records

From: Miller, Marshall (ODAG)
Subject: Re: Chairman Warner/Vice Chairman Rubio Letter to DNI Haines and AG Garland - COMMITTEE SENSITIVE
To: (b)(6) DAG Monaco Account
Cc: Newman, David A. (ODAG)
Sent: August 14, 2022 6:04 PM (UTC-04:00)
Attached: odni-briefing-request.pdf, 220814 - C-VC Letter to DNI-AG.pdf

Great

Sent from my iPhone

On Aug 14, 2022, at 5:57 PM, (b)(6) DAG Monaco Account wrote:

Will call you shortly on this

Sent from my iPhone

On Aug 14, 2022, at 4:24 PM, Miller, Marshall (ODAG) <(b) (6)> wrote:

These two letters came in over the weekend. Happy to discuss at any time.

From: Evers, Austin (ODAG) <(b) (6)>

Duplicative Records

From: ODAG INFO COPIES
Subject: FW: ECATS-2022-105090 Ltr from RMM Johnson/Permanent Subcomte on Investigations to the AG and FBI/Director Wray dated 08/10/2022.
To: Newman, David A. (ODAG); Atkinson, Lawrence (ODAG); Lan, Iris (ODAG); Evers, Austin (ODAG)
Cc: (b) (6) (ODAG); (b) (6) (ODAG)
Sent: August 15, 2022 4:49 PM (UTC-04:00)
Attached: ECATS-2022-105090 Summary Sheet.docx, ECATS-2022-105090 - Incoming Ltr RMM Johnson.pdf, ECATS-2022-105090 OLA's Email guidance.pdf, ECATS-2022-105090 with related 2022-100147.docx

From: (b) (6) (JMD) (b) (6)
Sent: Friday, August 12, 2022 2:28 PM
To: InfoCopies <InfoCopies@usdoj.gov>; ODAG INFO COPIES (b) (6)
Subject: ECATS-2022-105090 Ltr from RMM Johnson/Permanent Subcomte on Investigations to the AG and FBI/Director Wray dated 08/10/2022.

Respectfully,

(b) (6)
Correspondence Management Analyst
Executive Secretariat
(w) (b) (6)
(M) (b) (6)
(b) (6)

From: (b) (6) (ODAG)
Subject: FW: ECATS-2022-105792 - OLA - Ltr from RMM Jordan and 17 others to the AG dated 08/15/2022.
To: Evers, Austin (ODAG); Atkinson, Lawrence (ODAG); Shanker, Vijay (ODAG); Lan, Iris (ODAG); Newman, David A. (ODAG); Weinsheimer, Bradley (ODAG); (b) (6) (ODAG); (b) (6) (ODAG); (b) (6) (DAG); (b) (6) (ODAG); (b) (6) (ODAG); (b) (6) (ODAG); (b) (6) (ODAG);
Sent: August 17, 2022 8:05 AM (UTC-04:00)
Attached: ECATS-2022-105792 Summary Sheet.docx, ECATS-2022-105792 - Incoming Ltr re MC Jordan and 17 Others.pdf, ECATS-2022-105792 OLA's Email guidance.pdf

FYI.

Respectfully,

(b) (6)
Department of Justice • Office of the Deputy Attorney General
950 Pennsylvania Ave, NW | 4208 | Washington, DC 20530 | (b) (6)
📞: (b) (6) Desk; (b) (6) Mobile

From: (b) (6) (JMD) (b) (6)
Sent: Tuesday, August 16, 2022 5:17 PM
To: InfoCopies <InfoCopies@usdoj.gov>; ODAG INFO COPIES (b) (6)
Subject: ECATS-2022-105792 - Ltr from RMM Jordan and 17 others to the AG dated 08/15/2022.


Respectfully,

(b) (6)
Correspondence Management Analyst
Executive Secretariat
(b) (6)

From: (b) (6) (ODAG)
Subject: FW: ECATS-2022-107216 -- OLA -- Ltr from RMM Michael Turner dtd 08/19/2022
To: Evers, Austin (ODAG); Atkinson, Lawrence (ODAG); Lan, Iris (ODAG); Newman, David A. (ODAG); (b) (6) (ODAG); (b) (6) (ODAG); (b) (6) (DAG); (b) (6) (ODAG); (b) (6) (ODAG); (b) (6) (ODAG); (b) (6) (ODAG)
Sent: August 22, 2022 10:47 AM (UTC-04:00)
Attached: ECATS-2022-107216 - ES Summary Sheet.docx, ECATS-2022-107216 - Incoming - AG Garland from Senator Michael Turner (1).pdf

FYI.

Respectfully,

(b) (6)
Department of Justice • Office of the Deputy Attorney General
950 Pennsylvania Ave, NW | 4208 | Washington, DC 20530 | (b) (6)
 : (b) (6) Desk; (b) (6) Mobile

From: (b) (6) (JMD)(b) (6)
Sent: Monday, August 22, 2022 9:37 AM
To: InfoCopies <InfoCopies@usdoj.gov>; ODAG INFO COPIES (b) (6)
Cc: (b) (6) (OLA)(b) (6)
Subject: ECATS-2022-107216 -Ltr from RMM Michael Turner dtd 08/19/2022

Respectfully,

(b) (6)
Correspondence Management Analyst
Justice Management Division/Executive Secretariat
Correspondence and Communications Control Team
Office: (b) (6)
Cell: (b) (6)

Michael R. Turner, Ohio
Ranking Member

Brad R. Wenstrup, Ohio
Chris Stewart, Utah
Rick Crawford, Arkansas
Elise M. Stefanik, New York
Markwayne Mullin, Oklahoma
Trent Kelly, Mississippi
Darin LaHood, Illinois
Brian Fitzpatrick, Pennsylvania
Mike Gallagher, Wisconsin

Kevin McCarthy, California
Republican Leader

UNCLASSIFIED
U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE MINORITY

HVC-304, The Capitol
Washington, DC 20515
202-225-4121

Adam Howard
Minority Staff Director

August 19, 2022

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

Dear Attorney General Garland:

On Monday, August 8, 2022, the Federal Bureau of Investigation (FBI) conducted a court-authorized search of former President Trump's Mar-a-Lago residence and removed at least 45 enumerated items (27 boxes and 18 items grouped with imprecise labeling such as various, miscellaneous and or binders). The recently unsealed search warrant and receipt for property seized during this search includes at least 11 enumerated items purportedly containing classification markings.

I request an immediate briefing by you to Members of the House Permanent Select Committee on Intelligence concerning your perceived risk to national security that mandated your selection of the most aggressive use of authority to resolve your concerns. Additionally, a detailed description of the materials and documents that were confiscated, a determination of their classification status, and the potential or perceived risks to national security posed by storage of these materials inside a guarded facility.

Both the unprecedented nature of this search and the assertions of national security threats posed by the alleged mishandling of the seized documents requires immediate Congressional attention and review. Thus, I also request your assistance in providing Members of this Committee the opportunity to review all seized documents used in support of the search warrant application and affidavit of probable cause, as well as all documents containing classification markings seized by the FBI.

Thank you for your attention to this matter.

Sincerely,



Michael R. Turner
Ranking Member

From: Evers, Austin (ODAG)
Subject: Letters
To: Coley, Anthony D. (PAO)
Sent: August 26, 2022 9:14 AM (UTC-04:00)
Attached: 2022.08.24 MAL Draft Response - SSCI (edit) v2.docx, ODNI Response Draft (25 August 2022) v3.docx

Drafts

Austin R. Evers

Office of the Deputy Attorney General

U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

From: Evers, Austin (ODAG)
Subject: Letters
To: Bruck, Andrew (ODAG)
Sent: August 26, 2022 1:12 PM (UTC-04:00)
Attached: 2022.04.11-OUT-Maloney-NARA PRA SIGNED.pdf, 2022.08.08_FBI Director_Mar-a-Lago Raid Briefing.pdf, 2022.08.09_FBI Director_Records Production and Preservation.pdf, 2022.08.12_FBI Director_Request for Response on Informant.pdf, 2022.08.19_DNI Haines_Mar-A-Lago.pdf, 2022-02-24.CBM to Ferriero-NARA re Document Request (5) (002).pdf, 2022-08-10 RHJ to DOJ FBI re Mar a Lago raid.pdf, 2022-08-13.CBM Schiff to Haines-DNI re Damage Assessment.pdf, 2022-08-15 HJC GOP to Garland re Trump raid.pdf, 220814 - C-VC Letter to DNI-AG.pdf, 08122022 SRS Ltr to DOJ and FBI.pdf

Key letters:

- 8/14 – Warner, Rubio to Haines & Garland
- 8/13 - Schiff and Maloney to Haines
- 4/11 – Letter to Maloney re 15 Boxes

Other background letters

- 2/24 – Maloney to NARA
- 8/8 – Turner request to Wray for briefing
- 8/9 – Turner request to Wray for documents
- 8/10 – Johnson to Garland and Wray
- 8/12 – Turner to Wray questions
- 8/12 – Scott to Garland & Wray
- 8/15 – Jordan et al to Garland
- 8/19 – Turner to Haines briefing request

Austin R. Evers

Office of the Deputy Attorney General
U.S. Department of Justice

(b) (6) (m)
(b) (6) (o)

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>

February 24, 2022

The Honorable David S. Ferriero
Archivist of the United States
National Archives and Records Administration
700 Pennsylvania Avenue, N.W.
Washington, D.C. 20408

Dear Mr. Ferriero:

The Oversight Committee is seeking additional documents about former President Donald Trump's removal of classified documents and presidential records from the White House, President Trump's attempt to destroy records by tearing them into pieces, and other presidential records from the Trump Administration that are missing. In response to a request from the Committee, the National Archives and Records Administration (NARA) provided new details of what appear to be the largest-scale violations of the Presidential Records Act since its enactment. I am deeply concerned that former President Trump may have violated the law through his intentional efforts to remove and destroy records that belong to the American people. This Committee plans to get to the bottom of what happened and assess whether further action is needed to prevent the destruction of additional presidential records and recover those records that are still missing.

On February 9, 2022, the Committee sought information related to the 15 boxes of presidential records recovered from the former president's Mar-a-Lago residence and recent reports that Mr. Trump attempted to destroy documents while serving as president.¹ On February 18, 2022, you sent two letters constituting a partial response and identifying significant potential violations of the Presidential Records Act and other federal laws governing the preservation of federal records, but you did not provide all the information the Committee requested.²

¹ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to David S. Ferriero, Archivist of the United States (Feb. 9, 2022) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2022-02-09.CBM%20to%20Ferriero-NARA%20re%20Trump%20Mar-a-Lago%20FINAL.pdf>).

² Letter from David S. Ferriero, Archivist of the United States, to Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform (Feb. 18, 2022) (responding in part to the Committee's February 9, 2022, letter) (online at www.archives.gov/files/foia/ferriero-response-to-02.09.2022-maloney-letter.02.18.2022.pdf); Letter from David S. Ferriero, Archivist of the United States, to Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform (Feb. 18, 2022) (describing the Trump Administration's failure to capture social media records) (online at www.archives.gov/files/foia/ferriero-letter-to-maloney-on-trump-presidential-records-on-social).

Your response confirmed that “NARA has identified items marked as classified national security information within the boxes” recovered at Mar-a-Lago, and that “NARA staff has been in communication with the Department of Justice” regarding this discovery. In response to the Committee’s request for an inventory of the contents of the 15 boxes, you stated the inventory should be completed by February 25 and that the Committee could request the inventory under Section 2205(2)(C) of the PRA.³

Your response also provided concerning new information about Mr. Trump’s destruction or attempted destruction of documents while serving as president. You stated that following press reports in 2018 that President Trump was tearing up records, NARA wrote to the Deputy Counsel for the President requesting information and that “[t]he White House Counsel’s Office indicated that they would address the matter.” However, you wrote that after this incident, “NARA learned that additional paper records that had been torn up by former President Trump were included in the records transferred to us.” You also wrote that White House staff had “taped together some of the torn-up records” but that “a number of other torn-up records that were transferred had not been reconstructed by the White House.”⁴

Your response also indicated that the Trump Administration failed to preserve other presidential records, and that NARA is continuing to search for missing records from the Trump Administration. You explained:

NARA has identified certain social media records that were not captured and preserved by the Trump Administration. NARA has also learned that some White House staff conducted official business using non-official electronic messaging accounts that were not copied or forwarded into their official electronic messaging accounts, as required by section 2209 of the PRA.⁵

On February 18, 2022, you also sent me a detailed description of the Trump Administration’s failure to capture and preserve presidential records on social media platforms. Among other information, your letter indicated that:

- The Trump Administration failed to adequately capture and preserve all tweets that the former president posted in the course of his official duties, including deleted tweets, despite being warned by NARA as far back as March 2017;
- The Trump Administration failed to preserve deleted content from the former president’s other social media accounts, and failed to preserve the former president’s Facebook, Instagram, and SnapChat accounts after he was suspended or banned from those platforms;

media-platforms.02.18.2022.pdf).

³ 44 U.S.C. § 2205(2)(C).

⁴ Letter from David S. Ferriero, Archivist of the United States, to Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform (Feb. 18, 2022) (responding in part to the Committee’s February 9, 2022, letter) (online at www.archives.gov/files/foia/ferriero-response-to-02.09.2022-maloney-letter.02.18.2022.pdf).

⁵ *Id.*

- The Trump Administration appears to have failed to preserve the former president's direct or private messages on social media accounts; and
- The Trump Administration failed to capture presidential records from the Twitter accounts of seven White House aides, including Ivanka Trump, Mark Meadows, Peter Navarro, and others.⁶

The information in your response suggests that former President Trump and his senior aides may have repeatedly violated the Presidential Records Act and other federal laws, which could severely impact the preservation of records from the Trump Administration. The Committee needs additional documents and information uniquely available from NARA to investigate the full extent of this conduct and determine what additional steps, including potential legislative reforms, may be needed to ensure the preservation of presidential records for the American people.

The Committee on Oversight and Reform is the principal oversight committee of the House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. The Committee has legislative jurisdiction over the Presidential Records Act and the Federal Records Act and has a long history of conducting oversight related to compliance with these laws.⁷

For all these reasons, pursuant to the Presidential Records Act,⁸ please provide by March 10, 2022:

1. A detailed description of the contents of the boxes recovered from Mar-a-Lago, including any inventory prepared by NARA of the contents of the boxes, and identification of any items that are classified and the level of classification including, if necessary, a classified index;

⁶ *Id.*

⁷ See, e.g., Committee on Oversight and Government Reform, *Press Release: Chaffetz, Cummings Urge Compliance with Federal Recordkeeping Laws* (Mar. 17, 2017) (online at <https://oversight.house.gov/news/press-releases/chaffetz-cummings-urge-compliance-with-federal-recordkeeping-laws>); Letter from Chairman Trey Gowdy and Ranking Member Elijah E. Cummings, Committee on Oversight and Government Reform, to Donald F. McGahn II, White House Counsel (Sept. 25, 2017) (online at <https://republicans-oversight.house.gov/wp-content/uploads/2017/09/2017-09-25-TG-EEC-to-McGahn-WH-Presidential-Records-Act-due-10-9.pdf>); Committee on Oversight and Reform, *Press Release: Committee Approves Subpoena to White House for Emails Sent on Personal Accounts in Violation of Federal Law* (July 25, 2019) (online at <https://oversight.house.gov/news/press-releases/committee-approves-subpoena-to-white-house-for-emails-sent-on-personal-accounts>); Committee on Oversight and Reform, *Press Release: Chairwoman Maloney Seeks Details from National Archives on the Trump Administration's Compliance with Presidential Records Act* (Dec. 21, 2020) (online at <https://oversight.house.gov/news/press-releases/chairwoman-maloney-seeks-details-from-national-archives-on-the-trump>); Committee on Oversight and Reform, *Hearing on Examining Preservation of State Department Federal Records*, 114th Cong. (Sept. 13 and Sept. 22, 2016) (H. Rept. 114-161) (online at www.govinfo.gov/content/pkg/CHRG-114hhrg26120/pdf/CHRG-114hhrg26120.pdf).

⁸ 44 U.S.C. § 2205(2)(C).

2. A detailed description of any reviews conducted by other federal agencies of the information in the recovered boxes since the boxes were obtained by NARA, including with respect to classified information; the findings from these reviews; and the anticipated completion date of any reviews that are ongoing;
3. All presidential records transferred to NARA that NARA learned former President Trump had torn up, destroyed, mutilated, or attempted to tear up, destroy, or mutilate;
4. Any written responses from Deputy Counsel to the President Stefan Passantino, or any other White House official to NARA's June 14, 2018, letter to the Trump Administration; and
5. All letters sent by NARA to the Trump Administration related to the Presidential Records Act not already provided to the Committee and any responses from the Trump Administration to those letters.

In addition, pursuant to the Presidential Records Act,⁹ the Committee requests that you produce by March 17, 2022, the following documents from the records of President Donald Trump's Executive Office of the President (EOP) in your possession, custody, or control:

1. Documents and communications received, prepared, or sent between January 20, 2017, and January 20, 2021, by employees or officials of EOP or any of its components, offices, or directorates, relating to the use of personal messaging accounts for official business;
2. Documents and communications received, prepared, or sent between January 20, 2017, and January 20, 2021, by employees or officials of EOP or any of its components, offices, or directorates, relating to the attempted or actual destruction, tearing up, taping together, relocation, or removal of any presidential records or materials;
3. Documents and communications received, prepared, or sent between January 20, 2017, and January 20, 2021, by employees or officials of EOP or any of its components, offices, or directorates, relating to communications with former President Trump about the Presidential Records Act or White House policies on recordkeeping;
4. Documents and communications received, prepared, or sent between January 20, 2017, and January 20, 2021, by employees or officials of EOP or any of its components, offices, or directorates, relating to White House employees or contractors finding paper in a toilet in the White House, including the White House residence;

⁹ 44 U.S.C. § 2205(2)(C).

5. Documents and communications received, prepared, or sent between January 20, 2017, and January 20, 2021, by employees or officials of EOP or any of its components, offices, or directorates, relating to missing records; and
6. Documents and communications received, prepared, or sent between January 20, 2020, and January 20, 2021, by employees or officials of EOP or any of its components, offices, or directorates, relating to determinations of whether to transfer records to NARA.

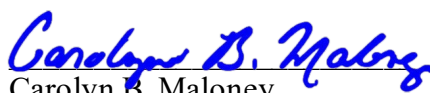
For requests 1 through 6, please prioritize producing records from the following custodians: Pat Cipollone; John Kelly; Nicholas Luna; Derek Lyons; Don McGahn; Mark Meadows; Stefan Passantino; Robert Porter; Reince Priebus; and Madeleine Westerhout.

7. Documents and communications received, prepared, or sent between January 20, 2017, and January 20, 2021, by employees or officials of EOP or any of its components, offices, or directorates, relating to the preservation or destruction of records from social media accounts, including direct messaging on social media accounts.

For request seven, please prioritize producing records from the following custodians: Andrew Giuliani, Chad Gilmartin, Ivanka Trump, Kayleigh McEnany, Kellyanne Conway, Mark Meadows, and Peter Navarro. Please also prioritize producing records related to methods of archiving social media accounts, including records related to the disconnection of the account @realDonaldTrump from ArchiveSocial.

An attachment to this letter provides additional instructions for responding to the Committee's request. Please contact Committee staff at (202) 225-5051 if you have any questions about this request.

Sincerely,


Carolyn B. Maloney
Chairwoman

Enclosure

cc: The Honorable James Comer, Ranking Member

Responding to Oversight Committee Document Requests

1. In complying with this request, produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. Produce all documents that you have a legal right to obtain, that you have a right to copy, or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party.
2. Requested documents, and all documents reasonably related to the requested documents, should not be destroyed, altered, removed, transferred, or otherwise made inaccessible to the Committee.
3. In the event that any entity, organization, or individual denoted in this request is or has been known by any name other than that herein denoted, the request shall be read also to include that alternative identification.
4. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, thumb drive, or secure file transfer) in lieu of paper productions.
5. Documents produced in electronic format should be organized, identified, and indexed electronically.
6. Electronic document productions should be prepared according to the following standards:
 - a. The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
 - b. Document numbers in the load file should match document Bates numbers and TIF file names.
 - c. If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
 - d. All electronic documents produced to the Committee should include the following fields of metadata specific to each document, and no modifications should be made to the original metadata:

BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH, PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE, SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM, CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE, DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,

INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,
BEGATTACH.

7. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, zip file, box, or folder is produced, each should contain an index describing its contents.
8. Documents produced in response to this request shall be produced together with copies of file labels, dividers, or identifying markers with which they were associated when the request was served.
9. When you produce documents, you should identify the paragraph(s) or request(s) in the Committee's letter to which the documents respond.
10. The fact that any other person or entity also possesses non-identical or identical copies of the same documents shall not be a basis to withhold any information.
11. The pendency of or potential for litigation shall not be a basis to withhold any information.
12. In accordance with 5 U.S.C. § 552(d), the Freedom of Information Act (FOIA) and any statutory exemptions to FOIA shall not be a basis for withholding any information.
13. Pursuant to 5 U.S.C. § 552a(b)(9), the Privacy Act shall not be a basis for withholding information.
14. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
15. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) every privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author, addressee, and any other recipient(s); (e) the relationship of the author and addressee to each other; and (f) the basis for the privilege(s) asserted.
16. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (by date, author, subject, and recipients), and explain the circumstances under which the document ceased to be in your possession, custody, or control.
17. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, produce all documents that would be responsive as if the date or other descriptive detail were correct.

18. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data, or information not produced because it has not been located or discovered by the return date shall be produced immediately upon subsequent location or discovery.
19. All documents shall be Bates-stamped sequentially and produced sequentially.
20. Two sets of each production shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2105 of the Rayburn House Office Building.
21. Upon completion of the production, submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control that reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

Definitions

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, data, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, communications, electronic mail (email), contracts, cables, notations of any type of conversation, telephone call, meeting or other inter-office or intra-office communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape, or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, mail, releases, electronic

message including email (desktop or mobile device), text message, instant message, MMS or SMS message, message application, or otherwise.

3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information that might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neutral genders.
4. The term “including” shall be construed broadly to mean “including, but not limited to.”
5. The term “Company” means the named legal entity as well as any units, firms, partnerships, associations, corporations, limited liability companies, trusts, subsidiaries, affiliates, divisions, departments, branches, joint ventures, proprietorships, syndicates, or other legal, business or government entities over which the named legal entity exercises control or in which the named entity has any ownership whatsoever.
6. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual’s complete name and title; (b) the individual’s business or personal address and phone number; and (c) any and all known aliases.
7. The term “related to” or “referring or relating to,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with, or is pertinent to that subject in any manner whatsoever.
8. The term “employee” means any past or present agent, borrowed employee, casual employee, consultant, contractor, de facto employee, detailee, fellow, independent contractor, intern, joint adventurer, loaned employee, officer, part-time employee, permanent employee, provisional employee, special government employee, subcontractor, or any other type of service provider.
9. The term “individual” means all natural persons and all persons or entities acting on their behalf.

From: Miller, Marshall (ODAG)
Subject: FW: non-intel letter
To: (b)(6) DAG Monaco Account
Sent: August 31, 2022 2:36 PM (UTC-04:00)
Attached: 2022.08.26-OUT-Johnson-FBI's execution search of former President - non-intel.docx

Checking to see if this letter is ok with you

From: Miller, Marshall (ODAG)
Subject: FW: non-intel letter
To: Klapper, Matthew B. (OAG)
Sent: August 31, 2022 5:11 PM (UTC-04:00)
Attached: 2022.08.26-OUT-Johnson-FBI's execution search of former President - non-intel.docx

From: Klapper, Matthew B. (OAG)
Subject: Re: non-intel letter
To: Miller, Marshall (ODAG)
Sent: September 1, 2022 10:30 AM (UTC-04:00)
Attached: 2022.08.26-OUT-Johnson-FBI's execution search of former President - non-intel.docx

Good.

Sent from my iPhone

On Sep 1, 2022, at 8:49 AM, Miller, Marshall (ODAG) <(b) (6)> wrote:

Tweaked #3 to say:

(b) (5)

Sent from my iPhone

On Sep 1, 2022, at 8:44 AM, Miller, Marshall (ODAG) <(b) (6)> wrote:

Added #1 and #3.

There's already a citation in #2 - in a footnote so you may not have been able to see on your phone

Sent from my iPhone

On Aug 31, 2022, at 7:32 PM, Klapper, Matthew B. (OAG) <(b) (6)> wrote:

Working from my phone so excuse the shorthand. Let me know if anything isn't clear.

(b) (5)

(b) (5)

Sent from my iPhone

On Aug 31, 2022, at 5:10 PM, Miller, Marshall (ODAG)
<(b) (6)> wrote:

From: (b) (6) (ODAG)
Subject: FW: ECATS-2022-110488 - OLA - Letter from The Honorable Kevin McCarthy dtd 9/2/2022
To: (b) (6) (ODAG)
Sent: September 8, 2022 5:36 PM (UTC-04:00)
Attached: ECATS-2022-110488 ES Summary Sheet.docx, ECATS-2022-110488 - Incoming to AG Garland from House Republican Leader Kevin McCarthy and 3 other RMs.pdf, ECATS-2022-110488 Email - Letter to Attorney General Garland.pdf

This is the letter (and response) that I saw. I don't think I've seen another one come through.

(b) (6)
Special Assistant
Office of the Deputy Attorney General
Phone: (b) (6)

From: Evers, Austin (ODAG) <(b) (6)>
Sent: Tuesday, September 6, 2022 3:06 PM
To: (b) (6) (ODAG) <(b) (6)>
Cc: (b) (6) (ODAG) <(b) (6)>, (b) (6) (ODAG) <(b) (6)>
Subject: Re: ECATS-2022-110488 - OLA - Letter from The Honorable Kevin McCarthy dtd 9/2/2022

I believe she saw Friday but no harm in sharing again. I will forward our response, which also went Friday.

Austin R. Evers
(b) (6) (m)

On Sep 6, 2022, at 3:00 PM, (b) (6) M. (ODAG) <(b) (6)> wrote:

We should probably include a copy of this in the DAG's book for the end of this week (if the DAG hasn't received it already), but defer to Austin.

(b) (6)
Deputy Chief of Staff and Counsel
Office of the Deputy Attorney General
U.S. Department of Justice
(b) (6)

From: (b) (6) (ODAG) <(b) (6)>
Sent: Tuesday, September 6, 2022 2:46 PM
To: Evers, Austin (ODAG) <(b) (6)>, Lan, Iris (ODAG) <(b) (6)>, Newman, David A. (ODAG) <(b) (6)>, (b) (6) (ODAG) <(b) (6)>, (b) (6) (ODAG) <(b) (6)>, (b) (6) (ODAG) <(b) (6)>, (b) (6) (ODAG) <(b) (6)>
Subject: FW: ECATS-2022-110488 - OLA - Letter from The Honorable Kevin McCarthy dtd 9/2/2022

FYI,

Respectfully,

(b) (6)

Department of Justice • Office of the Deputy Attorney General

950 Pennsylvania Ave, NW | 4208 | Washington, DC 20530 | (b) (6)

📞: (b) (6) Desk; 2 (b) (6) Mobile

From: (b) (6) (JMD) <(b) (6)>

Sent: Friday, September 2, 2022 2:13 PM

To: InfoCopies <InfoCopies@usdoj.gov>; ODAG INFO COPIES (b) (6)

Subject: ECATS-2022-110488 Letter from The Honorable Kevin McCarthy dtd 9/2/2022

Please see attached documents for info.

Thank you,

(b) (6)

Correspondence Management Analyst

Correspondence and Communications Control Team

Departmental Executive Secretariat

(b) (6)

Congress of the United States
Washington, DC 20515

August 13, 2022

The Honorable Avril Haines
Director of National Intelligence
Office of the Director of National Intelligence
Washington, D.C. 20511

Dear Director Haines:

We write to request an immediate review and damage assessment following reports that former President Trump removed and retained highly classified information at his personal residence at the Mar-a-Lago Club in Palm Beach, Florida, in potential violation of the Presidential Records Act and laws protecting national security, including the Espionage Act.¹ Those entrusted with access to classified information have a duty and an obligation to protect it. Yet, a recently unsealed court-authorized search warrant and the inventory of property recovered at the Mar-a-Lago Club describe numerous classified documents held by former President Trump, including Top Secret/Sensitive Compartmented Information (TS/SCI) material—among the most sensitive and highly protected information in the U.S. Government.² Former President Trump’s conduct has potentially put our national security at grave risk. This issue demands a full review, in addition to the ongoing law enforcement inquiry.

On Monday, August 8, the Federal Bureau of Investigation (FBI) conducted a court-authorized search of former President Trump’s Mar-a-Lago Club and removed at least 27 boxes of materials.³ The search followed months of reported back-and-forth between federal investigators and the former President regarding U.S. Government property that may have been improperly retained following the end of the Trump Administration, some of which was reportedly kept in a storage area at the Mar-a-Lago Club.⁴

According to the search warrant and property log recently unsealed, the recovered materials span 45 categories, including 11 sets of classified documents ranging from

¹ Search and Seizure Warrant and Receipts for Property (Redacted), *In re Sealed Search Warrant*, No. 22-MJ-8332-BER (S.D. Fla. Aug. 11, 2022), Doc. 17; *see, e.g.*, 44 U.S.C. § 2203(g)(1); 18 U.S.C. § 793.

² Search and Seizure Warrant and Receipts for Property (Redacted), *In re Sealed Search Warrant*, No. 22-MJ-8332-BER (S.D. Fla. Aug. 11, 2022), Doc. 17; Executive Order 13526 (Dec. 29, 2009) (online at www.archives.gov/isoo/policy-documents/cnsi-eo.html).

³ *Id.*

⁴ *FBI Executes Search Warrant at Trump’s Mar-a-Lago in Document Investigation*, CNN (Aug. 9, 2022) (online at www.cnn.com/2022/08/08/politics/mar-a-lago-search-warrant-fbi-donald-trump/index.html); *FBI Search of Trump Property Prompted by Concerns over Sensitive Documents*, Wall Street Journal (Aug. 9, 2022) (online at www.wsj.com/articles/fbi-search-of-trumps-florida-home-mar-a-lago-is-criticized-by-republicans-11660049490); *Trump Search Said to Be Part of Effort to Find Highly Classified Material*, New York Times (Aug. 11, 2022) (online at www.nytimes.com/2022/08/11/us/politics/trump-fbi-subpoena.html).

“Confidential” to “Secret” to “Top Secret” and “TS/SCI documents.”⁵ The unauthorized disclosure of Top Secret information would cause “exceptionally grave damage to the national security.”⁶ In addition, at least one report indicates that FBI’s investigation focused in part on highly classified documents “relating to nuclear weapons,” which are among our nation’s most closely guarded secrets.⁷ If this report is true, it is hard to overstate the national security danger that could emanate from the reckless decision to remove and retain this material.

Both the Oversight Committee and the House Permanent Select Committee on Intelligence have conducted oversight of issues presented by the apparent mishandling of government records, both during and after the Trump Administration. In February, Chairwoman Maloney wrote to the National Archives and Records Administration (NARA) expressing serious concerns that records “appear to have been removed from the White House in violation of the Presidential Records Act” and that reports indicated that “President Trump repeatedly attempted to destroy presidential records.”⁸ While the former President returned 15 boxes of records to NARA earlier this year, recent developments show he continued to retain sensitive and classified materials belonging to the U.S. Government.

Under Intelligence Community (IC) directives issued by your office, damage assessments are used “to evaluate actual or potential damage to national security resulting from the unauthorized disclosure or compromise of classified national intelligence.” IC Directive 732 states:

In cases where the unauthorized disclosure or compromise involves classified national intelligence originating from or otherwise affecting more than one IC element or U.S. Government department or agency, there will be a Community damage assessment. Such damage assessments shall include participation and support from the affected IC elements and other representatives as directed by the DNI.⁹

The Directive charges DNI’s National Counterintelligence Executive to “[o]versee and coordinate equity reviews and formal damage assessments within the IC” and “[l]ead, when designated by the DNI, or facilitate damage assessment teams when the unauthorized disclosure

⁵ Search and Seizure Warrant and Receipts for Property (Redacted), *In re Sealed Search Warrant*, No. 22-MJ-8332-BER (S.D. Fla. Aug. 11, 2022), Doc. 17.

⁶ Executive Order 13526 (Dec. 29, 2009) (online at www.archives.gov/isoo/policy-documents/ensi-co.html).

⁷ *FBI Searched Trump’s Home to Look for Nuclear Documents and Other Items, Sources Say*, Washington Post (Aug. 12, 2022) (online at www.washingtonpost.com/national-security/2022/08/11/garland-trump-mar-a-lago/).

⁸ Letter from Chairwoman Carolyn B. Maloney, Committee on Oversight and Reform, to David S. Ferriero, Archivist of the United States, National Archives and Records Administration (Feb. 9, 2022) (online at <https://oversight.house.gov/sites/democrats.oversight.house.gov/files/2022-02-09.CBM%20to%20Ferriero-NARA%20re%20Trump%20Mar-a-Lago%20FINAL.pdf>).

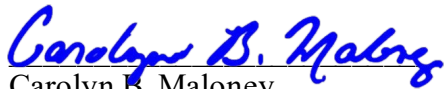
⁹ Office of the Director of National Intelligence, *Intelligence Community Directive 732* (June 27, 2014) (online at www.dni.gov/files/documents/ICD/ICD%20732.pdf).

or compromise involves classified national intelligence affecting more than one IC element or U.S. Government department or agency.”¹⁰

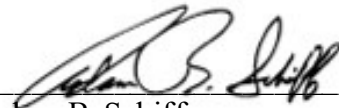
The facts that are now public make clear that a damage assessment is appropriate. If you have not already done so, we request that you instruct the National Counterintelligence Executive, in consultation with the Inspector General of the Intelligence Community and other Inspectors General as appropriate, to conduct a damage assessment. In addition, we ask that you commit to providing an appropriate classified briefing on the conduct of the damage assessment as soon as possible. Even as the Justice Department’s investigation proceeds, ensuring that we take all necessary steps to protect classified information and mitigate the damage to national security done by its compromise is critically important.

Thank you for your prompt attention to this urgent matter.

Sincerely,



Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform



Adam B. Schiff
Chairman
House Permanent Select
Committee on Intelligence

cc: The Honorable James Comer, Ranking Member
Committee on Oversight and Reform

The Honorable Michael Turner, Ranking Member
House Permanent Select Committee on Intelligence

¹⁰ *Id.*