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U.S. HOUSE OF REPRESENTATIVES

PERMANENT SELECT COMMITTEE  
ON INTELLIGENCE MINORITY

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

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August 9, 2022

The Honorable Christopher A. Wray  
Director  
Federal Bureau of Investigation  
935 Pennsylvania Avenue, N.W.  
Washington, DC 20535

Dear Director Wray:

Yesterday, agents with the Federal Bureau of Investigation (FBI) conducted a search of former President Trump's Mar-a-Lago residence, purportedly based upon a referral from the National Archives and Records Administration (NARA) to investigate former President Donald Trump's handling of classified White House records.<sup>1</sup> Former Archivist David Ferriero confirmed that NARA had been in communication with the Department of Justice over records that were previously transferred from President Trump because classified information was allegedly found within those boxes.<sup>2</sup> In addition, press reports indicate that Jay Bratt, the chief of the counterintelligence and export control section of the Department of Justice (DOJ) held a meeting in June with President Trump's attorneys about any additional materials being stored in Mar-a-Lago.<sup>3</sup>

I would assume that an escalation of this magnitude – for the Bureau to obtain a court ordered-search warrant and conduct an unannounced search, for the first time in our country's history, to seize documents stored at a former President's residence – would indicate that the Federal government perceived something in those documents posed a serious, ongoing threat to our national security. As such, the evidentiary basis presented to the court to justify the necessity of this warrant is of keen interest to the investigative and legislative activities of this Committee.<sup>4</sup> Other matters of interest to this Committee include whether any formal criminal referral was made by NARA related to what was ultimately seized by the FBI yesterday. In addition, to understand the severity of the risk to our national security posed by the seized materials, this Committee is interested in a complete inventory of all documents seized by the FBI, including a statement for each confirming that the document is accurately categorized as a presidential record, and is not of a personal, business, or political nature, and the classification of the information contained in the document.

Please produce all documents and communications responsive to these matters to the Committee no later than August 24, 2022.

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<sup>1</sup> Caroline Linton, *Trump says Mar-a-Lago was 'raided' by FBI*, CBS News (Aug. 9, 2022), <https://www.cbsnews.com/news/donald-trump-mar-a-lago-fbi-search-warrant-raid/>.

<sup>2</sup> Letter from David Ferriero, Archivist of the United States, to Carolyn B. Maloney, Chairwoman, H. Comm. on Oversight & Reform (Feb. 18, 2022).

<sup>3</sup> Kaitlan Collins et al., *FBI Executes Search Warrant at Trump's Mar-a-Lago in Document Investigation*, CNN (Aug. 9, 2022), <https://www.cnn.com/2022/08/08/politics/mar-a-lago-search-warrant-fbi-donald-trump/index.html>.

<sup>4</sup> H. Rule X, clause 11(c)(2).

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In addition, it is therefore necessary that you preserve all relevant documents and communications that may refer or relate to this matter, including those on official governmental accounts and on personal, non-governmental accounts. Specifically, this preservation request should be construed as an instruction to preserve all documents, communications, and other information, including electronic information and metadata, that is or may be potentially responsive to a congressional inquiry, request, investigation, or subpoena that may be initiated or otherwise undertaken by a committee of Congress or any other investigative entity.

For purposes of this request, “preserve” means securing and maintaining the integrity of all relevant documents, communications, and other information, including electronic information and metadata, by taking reasonable steps to prevent the partial or full destruction, alteration, testing, deletion, shredding, incineration, wiping, relocation, migration, theft, mutation, or negligent or reckless handling that could render the information incomplete or inaccessible. This includes preserving all compilations of documents that have already been gathered in response to requests, even if copies of individual documents may still exist elsewhere in the agency. I further request that you or your designee:

1. Exercise reasonable efforts to identify and notify all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants who may have had access to potentially relevant information that they should preserve and return such information to the FBI;
2. Exercise reasonable efforts to identify, recover, and preserve any potentially relevant electronic information that has been deleted or marked for deletion but is still recoverable;
3. Remind all relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, and consultants that any federal records sent or received using a nonofficial account must be forwarded to the agency for proper archiving, and forward all such material in your possession; and
4. If it is the routine practice of yours, or any relevant individuals, including current and former employees, officials, detailees, contractors, subcontractors, or consultants to destroy or otherwise alter potentially relevant information, either halt such practices as they relate to the potentially relevant information or arrange for the preservation of complete and accurate duplicates (including metadata) of such documents, communications, or other information.

Please advise in writing as to how you will ensure all records relevant to this matter will be preserved. Thank you for your attention to this request.

Sincerely,



Michael R. Turner  
Ranking Member