



Archivist of the
United States

March 10, 2022

The Honorable Donald J. Trump

Dear President Trump:

After consultation with the Counsel to the President and the Assistant Attorney General for the Office of Legal Counsel, and as instructed by President Biden, I have determined to disclose to the House Select Committee to Investigate the January 6th Attack on the United States Capitol (“Select Committee”) the Presidential records from our January 31, 2022, Notification that you identified as privileged in your letter of February 15, 2022, with the following limitations: NARA has determined that certain records from the January 31 notification are non-responsive; and the White House has reached an accommodation with the Select Committee, wherein the Select Committee has agreed to defer its request for other records covered by the January 31 notification. My staff will provide a complete list of non-responsive records and records subject to the deferral agreement to your representatives.

Pursuant to President Biden’s subsequent instruction and my authority under 36 C.F.R. 1270.44(g), I will deliver these documents to the Select Committee 15 days after this notification (which is March 25, 2022), unless prohibited by court order. Consistent with past practice, we will produce to the Select Committee forthwith any documents you did not identify, with particularity, as subject to an assertion of privilege in your February 15 letter.

Because some of the documents in question involved litigation in which certain parties were represented by the Department of Justice, production of those records will be provided to the Select Committee *in camera*. Moreover, in appropriate circumstances, NARA may redact non-responsive content in otherwise responsive records.

Sincerely,

DAVID S. FERRIERO
Archivist of the United States