



Office of
General
Counsel

February 10, 2023

The Honorable James Comer
Chairman
Committee on Oversight and Accountability
2157 Rayburn House Office Building
U.S. House of Representatives
Washington, DC 20515-6143
By Email

Dear Chairman Comer:

Thank you for the opportunity to meet with you, your fellow Committee Members, and your staff, on January 31, 2023, to respond to your questions. I have also now had the opportunity to review the transcript of my interview, and I have shared with your staff some suggested corrections.

I wanted to take this opportunity to provide some additional information to supplement my responses to several questions that were asked by Chairman Jordan concerning whether NARA staff were present at the White House in the final weeks of the Trump Administration to assist with the move of physical records to NARA.

I stated at the interview that it was my recollection that NARA had not provided such assistance. Following the interview, I checked with my colleagues, and I was informed that, in fact, NARA did send staff members to the White House in the final weeks of the Trump Administration to assist with the move of the physical records (including artifacts), in coordination with the DOD team that NARA employed to transport the records from the White House complex to the National Archives. It is my understanding that this support was logistical in nature and did not involve providing records management guidance. In addition, NARA staff provided on-site transition support to the National Security Council. (The transfer of the electronic records was done by a different process that did not necessitate NARA staff to be onsite.)

In the three previous transitions of two-term Presidents, NARA also provided staff to assist the DOD team with the physical transfer from the White House complex to the National Archives (but again they did not provide records management guidance). NARA was also able to provide a number of staff to work on-site as formal detailees. Most of these detailees were hired by NARA specifically to work at the future Presidential Library after the end of each

administration; they were then detailed to the White House Office of Records Management, the White House Photo Office, and the National Security Council. In the cases of these official detailees, the NARA staff reported directly to the EOP organization to which they were assigned.

In addition, during the interview, your staff asked for copies of two NARA Notices that were referenced in one of the exhibits that they shared with me. I am including those notices with this letter.

I would also like to point out that, while NARA was able to respond to various questions from Committee on Oversight and Reform Chairwoman Maloney, NARA with did not provide that Committee with any Trump Presidential records in response to the seven categories listed on pages 4-5 of the Chairwoman's February 24, 2022, PRA special access request. Those records were still being reviewed by the incumbent Biden Administration when the 117th Congress expired.

Sincerely,

Gary M. Stern
General Counsel

cc: The Honorable Jamie B. Raskin, Ranking Member
The Honorable Jim Jordan, Chairman, House Judiciary Committee

Enc.