

DONALD J. TRUMP

January 18, 2022

The Honorable David S. Ferriero
Archivist of the United States
U.S. National Archives and Records Administration
Washington, D.C.

Mr. Ferriero,

I write concerning requests for documents and records sent to the National Archives and Records Administration (“NARA”) on March 25, 2021 and August 25, 2021, by the Select Committee to Investigate the January 6th Attack on the United States Capitol (the “Committee”). The Committee requested an extremely broad set of documents and records, potentially numbering in the millions, which unquestionably contain information protected from disclosure by the executive and other privileges, including but not limited to the presidential communications, deliberative process, and attorney-client privileges.

On December 8, 2021, NARA noticed the first set of Vice Presidential records for review (the “First VP Notification”). Following a review of such records, pursuant to the Presidential Records Act, Executive Order 13489, and 36 CFR 1270.44, I have determined that the following records contain information subject to executive privilege, including the presidential communications and deliberative process privileges, and I hereby formally assert executive privilege over these records:

079VP-N000009129
079VP-N000009129.0001
079VP-N000009129.0002
079VP-N000009130
079VP-N000009131
079VP-N000009134
079VP-N000009134.0001
079VP-N000009135
079VP-N000009135.0001
079VP-N000009144
079VP-N000009144.0001
079VP-N000009145
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079VP-N000009146
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079VP-N000009147
079VP-N000009147.0001
079VP-N000009149
079VP-N000009149.0001
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079VP-N000009160
079VP-N000009160.0001
079VP-N000009181
079VP-N000009181.0001
079VP-N000009198
079VP-N000009198.0001
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079VP-N000009199.0001
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079VP-N000009201.0001
079VP-N000009202
079VP-N000009202.0001
079VP-N000009259
079VP-N000009259.0001
079VP-N000009260
079VP-N000009260.0001
079VP-N000009261
079VP-N000009261.0001
079VP-N000009420
079VP-N000009432
079VP-N000009432.0001
079VP-N000009432.0002
079VP-N000009433
079VP-N000009433.0001
079VP-N000009433.0002
079VP-N000009434
079VP-N000009434.0001
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079VP-N000009435.0001

079VP-N000009437
079VP-N000009437.0001
079VP-N000009458
079VP-N000009458.0001
079VP-N000010167
079VP-N000010167.0001
079VP-N000010168
079VP-N000010168.0001
079VP-N000010277
079VP-N000010278
079VP-N000010280
079VP-N000010281
079VP-N000010284
079VP-N000010285
079VP-N000010286
079VP-N000010468
079VP-N000010468.0001
079VP-N000010469
079VP-N000010469.0001
079VP-N000010470
079VP-N000010472
079VP-N000010476
079VP-N000010476.0001
079VP-N000010479
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079VP-N000010481.0001
079VP-N000010483
079VP-N000010483.0001
079VP-N000010484
079VP-N000010485
079VP-N000010486
079VP-N000010487
079VP-N000010503
079VP-N000010503.0001
079VP-N000010506
079VP-N000010506.0001
079VP-N000010507
079VP-N000010507.0001
079VP-N000010606
079VP-N000010606.0001

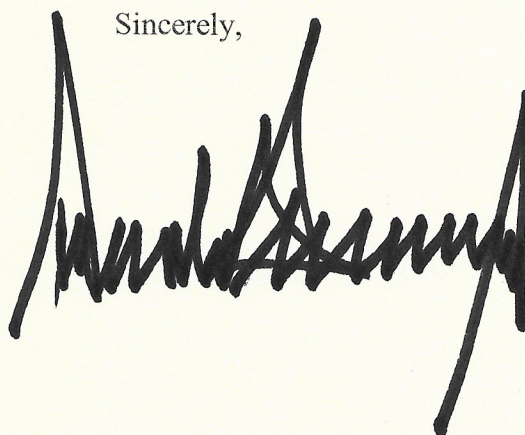
079VP-N000061530
079VP-N000061530.0001
079VP-N000061533
079VP-N000061533.0001
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079VP-N000061534.0001
079VP-N000061535
079VP-N000061535.0001
079VP-N000061556
079VP-N000061556.0001
079VP-N000061632
079VP-N000061632.0001
079VP-N000061635
079VP-N000061934
079VP-N000061934.0001
079VP-N000061949
079VP-N000061950

Certain documents included in the First VP Notification may be subject to other privileges, including without limitation the attorney-client and work-product privileges. To the extent required, any attorney-client or other privilege is not waived and a further review may be required depending on the outcome of the process provided for under the Presidential Records Act, 36 CFR 1270.44, and Executive Order 13489.

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Finally, pursuant to the Presidential Records Act, Executive Order 13489, and 36 CFR 1270.44, I hereby make a protective assertion of constitutionally based privilege with respect to all additional records following the First VP Notification. In cases like this, where Congress has declined to grant sufficient time to conduct a full review, there is a longstanding bipartisan tradition of protective assertions of executive privilege designed to ensure the ability to make a final privilege assertion, if necessary, over some or all of the requested material. See *Protective Assertion of Executive Privilege Regarding White House Counsel's Office Documents*, 20 Op. O.L.C. 1 (1996) (opinion of Attorney General Janet Reno). This protective assertion is intended to ensure that I have the ability to make a final assertion of executive privilege, if necessary and appropriate, following a full review of the requested materials. See *Letter for the President from William P. Barr, Attorney General*, at 1–2 (May 8, 2019).

Sincerely,

A handwritten signature in black ink, appearing to be "Donald Trump", written in a cursive style. The signature is positioned below the word "Sincerely,".