



THE WHITE HOUSE  
WASHINGTON

December 17, 2021

David Ferriero  
Archivist of the United States  
National Archives and Records Administration  
700 Pennsylvania Ave., N.W.  
Washington, D.C. 20001

Dear Mr. Ferriero,

I write in response to your notification of October 22, 2021, regarding a set of documents requested by the House Select Committee to Investigate the January 6<sup>th</sup> Attack on the United States Capitol (the “Select Committee”) that you have provided to the White House for review pursuant to the Presidential Records Act (the “Documents”). As you know, the Documents included 40 pages of Trump presidential records from the Office of Records Management, and 511 pages of Trump presidential records from the National Security Council (the “NSC”).

On November 15, 2021, former President Trump asserted executive privilege over six pages of records from the Office of Records Management. President Biden declined to uphold that assertion and instructed you to release the records 30 days after providing notice to the former President, unless prohibited by court order. That 30-day period is set to expire on December 19, 2021 and production would take place the next working day, December 20, 2021. In light of recent developments in the ongoing litigation brought by former President Trump, President Biden instructs you to delay production by an additional 30 days to afford the former President an opportunity to consider further action.

As for the 511 pages of NSC records, the review period was extended for both the incumbent and former Presidents. The White House has now completed its review and, as explained in the attached letter, has reached an accommodation with the Select Committee, wherein the Select Committee has agreed to withdraw or defer its request for a significant portion of those records. The records subject to the parties’ accommodation are listed in the exhibit to the letter. Separately, I understand that NARA has determined that Bates numbers P000448 and P000449 are not responsive to the Select Committee’s request and have been removed from the notification.

Should you notify us that former President Trump has asserted executive privilege as to any of the remaining documents (i.e., those not subject to the parties' accommodation, and not removed from the notification by NARA), we will respond accordingly, following appropriate consideration and consultation.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dana Remus', written in a cursive style.

Dana A. Remus  
*Counsel to the President*