

MIND THE GAP: IT WAS THE MUSICIAN, IN THE STORAGE CLOSET, WITH THE FIVE EYES SECRETS

The indictment against Trump and Walt Nauta reflects many of the public reports based off what witnesses or their lawyers have shared with journalists. For example:

- ¶12 describes that the Secret Service had no knowledge of or responsibility for protecting Trump's boxes of stolen classified documents, which is likely based in part on interviews of past and current Secret Service Agents
- ¶24 describes that Nauta helped Trump pack up in January 2021, something based on interviews of others who helped as well
- ¶34 provides a transcript of the meeting at which Trump boasted about an Iran document in an attempt to attack Mark Milley, about which Margo Martin was interviewed in March
- ¶35 describes how Trump showed someone from his PAC a classified map, another topic of interviews that got

reported to the press

Details of all these interviews have made press reports, and we can now understand some of why DOJ needed those interviews (though that doesn't explain why Trump wasn't charged for disseminating classified information in Bedminster).

But the indictment doesn't hint at *when* DOJ found gaps in surveillance footage, the topic of numerous recent interviews, or how those gaps got there. In fact, the maintenance guy who flooded the server room doesn't appear to be mentioned in the indictment at all (his actions are described in ¶61 and ¶72, without a label for him).

For key days, there aren't gaps, at least not for the storage room. These descriptions of movement into and out of the storage room, which come with time stamps, likely come from surveillance footage:

- May 22, 2022: After spending 34 minutes in the storage room, Nauta moves one box out
- May 24, 2022: Nauta moves three boxes out
- May 30, 2022: Nauta moves 50 boxes out
- June 1, 2022: Nauta moves 11 boxes out
- June 2, 2022: Nauta moves 30 boxes back
- June 2, 2022: Evan Corcoran conducts his review

These are the videos that led Nauta to revise his testimony last November. After that revised testimony, though, he refused further cooperation. Since Nauta got a target letter, the Trump camp has released a revised story

about why Nauta refused to cooperate, a story that Maggie and others dutifully parroted today without notice that it is a revised story, and therefore suspect.

So we still can't be sure whether those gaps were put there intentionally and if so what they serve to hide.

One potential gap is outside Trump's residence. The search warrant affidavit has a redaction that might obscure a request for a second location (or a more detailed description of the storage room). The only description in the indictment of boxes moving *from* Trump's residence is the June 2 move, which reportedly involved the maintenance guy, and so is based on witness testimony. Other descriptions of his residence were obtained from texts. We know the boxes were in there, for example, because a female family member texted Nauta about them on May 30 last year, but there are no time stamp descriptions of the boxes arriving.

If DOJ tried, and failed, to obtain surveillance footage from outside Trump's residence, it would have prevented them from learning how many boxes went with Trump to Bedminster that same day, which the indictment describes to be "several."

There's also no description of how and when the remainder of the boxes were moved back to the storage closet, even though the subpoena compliance should have gone through June 24. Again, that footage might help identify how many boxes went to Bedminster, only to disappear forever.

Just 12 of the boxes seized from the storage closet on August 8, 2022, had classified records in them, though, so Trump may have pulled any classified records from the remaining 22 boxes that were in his residence.

Date	Storage	Residence	Bedminster	USG	W/CLASS
6/24/21	80		?		
1/17/21	65			15	14
6/1/22	1	64			
6/2/22	30	34			
8/8/22	73				
8/9/22	47			26	12

There's another gap, though, that I find more interesting.

As I have noted, the first subpoena for surveillance footage requested footage starting on January 10, 7 days before Nauta and another employee loaded his personal car up with 15 boxes, 14 of which included classified records, to turn them over to a standard shipping company to return to NARA.

On January 13 and 15, Nauta and Employee 2 were still actively engaged in the two month process of helping Trump personally sort through upwards of 80 boxes to curate a set of 15 he was willing to send back.

44. On January 13, 2022, NAUTA texted Trump Employee 2 about TRUMP's "tracking" of boxes, stating, "He's tracking the boxes, more to follow today on whether he wants to go through more today or tomorrow." Trump Employee 2 replied, "Thank you!"

45. On January 15, 2022, NAUTA sent Trump Employee 2 four successive text messages:

One thing he asked

Was for new covers for the boxes, for Monday m.

Morning

*can we get new box covers before giving these to them on Monday?

They have too much writing on them..I marked too much Trump

Employee 2 replied, "Yes, I will get that!"

If Nauta or Employee 2 were in the storage closet at all on those days, it should have shown up on surveillance footage.

Maybe it did and it just wasn't that interesting. Maybe MAL doesn't keep surveillance

footage that long.

But that's why I'm interested in how DOJ *did* learn about that curation process (which, after all, is what the lie Nauta is charged with covered up – that first post-presidential curation process). Indeed, that first curation process is critical to ten of the Espionage Act charges, documents 22 through 31, the ones that were turned over in response to the May 11 subpoena. The former spooks who've done the most work trying to reverse engineer these documents have suggested this set of documents (all but one of which are from fall 2019, amidst impeachment) might be related; Matt Tait has speculated that three of them pertain to Turkey's invasion of Syria and Trump's decision to withdraw from most of Syria. You couldn't charge those documents without solid proof that Trump affirmatively chose to hold onto them after he returned a first set in January 2022. So this sorting process is key to doing so.

In addition to interviews, the information about how the boxes moved around Mar-a-Lago came from text messages between Nauta, Employee 1, and Employee 2. A picture taken on June 24, 2021 shows how the boxes looked that day, when any boxes that weren't spending the summer at Bedminster got moved there. Employee 2 took a picture on November 12, 2021 to show Trump how many boxes were there, then sent the picture to Nauta five days later, which seems to have been the beginning of their mutual effort to facilitate Trump's personal sort of these documents.

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n December 7, 2021 that I find particularly interesting – especially since Trump raised it yesterday at one of his rallies:

Somehow somebody turned over one of the boxes. Did you see that? I said, I wonder who did that. Did the FBI do that?

The FBI didn't do it.

Walt Nauta discovered the box overturned with this document sticking out, which now makes up one of the 31 documents charged, long before the FBI had gotten involved.

Document dated October 4, 2019, concerning military capabilities of a foreign country (SECRET//REL TO USA, FVEY)

He took two pictures and sent them to Employee 2, the other person involved in facilitating this curation process.

On December 7, 2021, NAUTA found **several of TRUMP's boxes fallen** and their

contents spilled onto the floor of the Storage Room, including a document marked "SECRET//REL TO USA, FVEY," which denoted that the information in the document was releasable only to the Five Eyes intelligence alliance consisting of Australia, Canada, New Zealand, the United Kingdom, and the United States. NAUTA texted Trump Employee 2, "I opened the door and found this..." NAUTA also attached two photographs he took of the spill. Trump Employee 2 replied, "Oh no oh no," and "I'm sorry potus had my phone." One of the photographs NAUTA texted to Trump Employee 2 is depicted below with the visible classified information redacted. TRUMP's unlawful retention of this document is charged in Count 8 of this Indictment. [my emphasis]

That person's phone at first said, "Oh no oh no." But then explained that "potus had my phone."

I'm not sure what to make of either of those comments.

Though the indictment said the boxes fell, of their own accord, Trump, in front of his mob, seems to think someone knocked them over. In fact he made a point of blaming others, the FBI.

Because the indictment puts the picture in the initial section about how the boxes got placed in this storage room, before things like the guitar and coat rack visible in the December 7 picture got added, and not the section describing how Nauta and Employee 2 were moving boxes back and forth from the storage room to Trump's residence so he could sort them, it obscures that Nauta would have discovered the spill during the time when he and Employee 2 were already starting this sorting process. All this movement had to have attracted a good deal of attention. And as I noted, as part of helping Trump sort through these documents, Nauta took

notes on the boxes, which necessitated swapping out lids for those that ultimately did get sent back to NARA. So if anyone was in that storage closet to put a guitar there, or if someone wanted to use this item that was in the room in June 2021, or if someone decided to go in to see what all the fuss was about, then the boxes with the good stuff might be easily found.



This is the kind of thing the FBI would have wanted to check with surveillance footage – whether someone was in that closet and either inadvertently knocked over the boxes with a guitar or something else, or dug into the boxes themselves.

Those are the kinds of gaps that might lead Trump to preemptively blame the FBI.