

TRUMP'S NUCLEAR DOCUMENTS WERE MIXED WITH POST-PRESIDENTIAL PRESS CLIPPINGS

Some of the most interesting documents from the exhibits released with Trump's motion to compel discovery yesterday pertain to the review of the original 15 documents returned in January 2022. This email thread within NARA describes an initial review of the documents. And these tables describe what the FBI found on initial review.

Together, they go a long way to describing why FBI had to pursue a criminal, rather than just a countrintelligence, investigation.

The initial review was written on January 18, the same day the 15 boxes arrived in DC. That initial review and a follow-up confirmed that NARA had received the things they had originally asked for: the weather map that Trump had altered, plus an accordian folder including the other documents they were seeking.

There was one accordian folder in the mess so it stood out. It contained, among other things, the Obama letter and North Korea correspondence. We need to verify that all of the correspondence is in there. But I think we are in good shape.

But even before discovering that, the person who wrote the memo described how an initial glance revealed classified documents, and a closer look after moving the boxes to a SCIF revealed news clippings that post-dated Trump's presidency.

My plan was to glance into each box before I shelved it so I could give

y'all a high level overview. As I fanned through the pile of newspapers at the top of the first box, I found several unfolded classified docs in between some of the newspapers. So I took all the boxes to the SCIF. The first box I picked up in the SCIF had a newspaper on top that was post 1/20/2021. At that point I decided to take a closer look in each box to see if there are other issues that you three, David, and Deb might want to know about sooner than later.

From the start then, NARA knew that someone else at Mar-a-Lago had been accessing classified information after the end of his presidency.

For comparison, the FBI found that there were post-VP *folders* in a box with the Afghan documents at the core of Robert Hur's investigation into Biden's classified documents, but those were separate folders.

The person described that most of those classified documents – as claimed by Trump's lawyers – were “state briefing papers and briefing cards” prepping Trump to talk to foreign leaders. But they “saw several docs that I think are PDBs” and “also found an incredibly sensitive SAP [Special Access Program] document.”

The person also found several things that Congress had requested.

I did see some material related to 1/6 and COVID. And at close glance I believe one of the classified docs is responsive to a third Congressional request. So we will need to review all of these boxes.

In other words, from the start there were two reasons for NARA to look more closely: the classified documents, but also the documents that Congress had already requested.

The FBI report, done a month later, provides three tables categorizing the classified documents found in those boxes. The single SAP document found by the NARA person, for example, is a 6-page memo dated to 2019.

In box 3, the FBI found three FRD (Formerly Restricted, an Atomic Energy Act designation that Presidents cannot override by themselves) documents totalling 57 pages.

121	Slide	11/14/19	1	S/NATO
123	Agenda	11/13/19	5	S
139	Briefing	7/24/19	6	S
153	Briefing	11/12/19	5	S/FRD
154	Agenda	11/12/19	27	S/FRD
156	Agenda	11/12/19	25	S/FRD

All the FRD documents date to November 12, 2019, so they may pertain to Iran's decision to resume enrichment at their Fordow facility announced on November 6.

Behrouz Kamalvandi, spokesman for the Atomic Energy Organization of Iran, said on Nov. 6 that 696 of the centrifuges allowed at Fordow would be used for enriching uranium up to 4.5 percent uranium-235, slightly above the 3.67 percent U-235 limit set by the deal. The remaining 348 machines will be used for medical isotope production, he said.

The International Atomic Energy Agency (IAEA) confirmed in its Nov. 11 report that Iran began enrichment at the site on Nov. 9.

This is the fourth step Tehran has taken in breach of its JCPOA commitments over the past six months. In May 2019, Rouhani said Iran would "reduce compliance" with its nuclear obligations under the deal in response to the Trump administration's withdrawal from the deal in May 2018 and its reimposition of sanctions in violation of the accord. (See *ACT*, June 2019.)

The other parties to the deal (China, France, Germany, Russia, the United Kingdom, and the European Union) criticized Iran's decision, but said they remain committed to preserving the nuclear deal.

In a Nov. 11 joint statement, the foreign ministers of France, Germany, the UK and the EU foreign chief said the Fordow decision "represents a regrettable acceleration of Iran's disengagement" from its commitments under the nuclear deal.

The FBI noted that the single NATO document, a slide dated two days after the FRD ones, would trigger treaty obligations.

I argued in October 2022 that Trump's strategy with these 15 boxes curated personally by Trump appear to mirror Trump's disinformation strategy generally: to bury his crimes behind literal and figurative press clippings. It sounds like these initial documents actually had a higher proportion of press clippings than the documents ultimately seized in the Mar-a-Lago search.

But he tripped up: By including post-presidential clippings amid his nuclear documents, Trump gave investigators more reason to look, rather than less.