

Congress of the United States

Washington, DC 20515

July 17, 2025

The Honorable Marco Rubio
Acting Archivist of the United States
National Archives
700 Pennsylvania Avenue, NW
Washington, DC 20408

Dear Acting Archivist of the United States Rubio:

I write to you regarding news reports from yesterday claiming that President Donald Trump “showed off a draft of a letter firing the chair of the Federal Reserve, Jerome H. Powell, during a meeting with roughly a dozen House Republicans on Tuesday night [July 15], polling them as to whether he should do it and indicating that he likely would”.¹ Generally speaking, the President is not legally permitted to remove the Federal Reserve Chair prior to the end of their term, absent a specific legal cause,² something that legal experts have broadly agreed would be lacking in the case of Chair Powell.³ But this letter focuses on a different matter – has President Trump retained a copy of the “Powell letter” in accordance with the Presidential Records Act and similar statutes governing retention of official government documents?⁴

The Presidential Records Act (PRA) was enacted in 1978 to ensure that all presidential records were public property, not private.⁵ This law did so by establishing certain procedures for proper record preservation, access, and management. Since its enactment, Congress has updated the statute to reflect advances in, and use of, digital technology, including electronic records.⁶ The preservation, access, and management of these documents are vital to ensuring transparency and accountability across the Executive Branch. At the same time, President Trump has a well-documented history of violating the PRA and destroying documents, raising serious questions

¹ Maggie Haberman and Colby Smith, *Trump Discusses Draft of Letter Firing Fed Chair With Republicans*, NY TIMES (Jul. 16, 2025), <https://www.nytimes.com/2025/07/16/us/politics/trump-powell-firing-letter.html>.

² 12 U.S. Code § 242.

³ See Colby Smith and Tony Romm, *Can Trump Fire Powell? He Likely Lacks a Case, Legal Experts Say*, NY TIMES (Jul. 16, 2025), <https://www.nytimes.com/2025/07/16/us/politics/trump-powell-fed-renovations.html>.

⁴ 44 U.S.C. §§ 2201-2209; 18 U.S. Code § 1361; 18 U.S. Code § 2071.

⁵ Pub. L. 95-591.

⁶ Pub. L. 113-187.

about whether he is continuing to violate the law by not preserving and filing this letter and other important documents from his second term.⁷

During his first term, President Trump routinely violated the PRA, “[tearing] up briefings and schedules, articles and letters, memos both sensitive and mundane.”⁸ For example, documents submitted to the House Select Committee investigating the January 6, 2021, insurrection had been ripped apart and reassembled with tape by White House aides, reportedly in an effort to avoid violating the PRA.⁹ President Trump himself apparently did not stop at ripping up government documents, as White House aides reportedly found printed paper wads jammed in toilets.¹⁰

Given this trend, it is imperative that you, acting in your role as Acting National Archivist, take all appropriate measures to ensure that President Trump is complying with the law and preserving all Presidential documents, including the Powell letter, in accordance with the Presidential Records Act. This is especially significant considering President Trump’s pattern of denying reported actions, including his July 16, 2025, statement asserting that he did not draft a letter seeking to fire Federal Reserve Chair Powell.¹¹

While Presidential Records are typically transferred to the National Archives at the end of a President’s term in office, I respectfully request that you confirm that President Trump and his administration have properly retained and maintained a record of the Powell letter and provide it to Congress. If President Trump has not retained or maintained a copy of this letter, I request that you confirm whether these records were destroyed or deleted in violation of the PRA. Please provide an update on this matter no later than August 1, 2025.

Sincerely,

⁷ John Langford, *Justin Florence, & Erica Newland, Trump’s Presidential Records Act Violations: Short- and Long-Term Solutions*, LAWFARE (Feb. 18, 2022), <https://www.lawfaremedia.org/article/trumps-presidential-records-act-violations-short-and-long-term-solutions>; Zeeshan Aleem, *Why Trump is making an unprecedented effort to scrub the historical record*, MSNBC (May 19, 2025), <https://www.msnbc.com/top-stories/latest/trump-lowest-historical-documentation-records-president-rcna207710>.

⁸ A. Parker, J. Dawsey, T. Hamburger, & J. Alemany, *‘He never stopped ripping things up’: Inside Trump’s relentless document destruction habits*, WAPo, (Feb. 5, 2022), <https://www.washingtonpost.com/politics/2022/02/05/trump-ripping-documents/>.

⁹ J. Alemany, J. Dawsey, A. Gardner, & T. Hamburger, *Some records sent to Jan. 6 committee were torn up, taped back together — mirroring a Trump habit*, WAPo (Jan. 31, 2022), <https://www.washingtonpost.com/nation/2022/01/31/trump-ripped-up-documents/>.

¹⁰ Jonathan Allen, *Flushed or just lost to history? Trump leaves hole in the record*, NBC NEWS (Feb. 13, 2022), <https://www.nbcnews.com/politics/donald-trump/flushed-just-lost-history-trump-leaves-hole-record-rcna15939>.

¹¹ Jennifer Schonberger, *Trump says ‘not planning’ fire Fed Chair Powell after reports suggest Powell ouster coming ‘soon’*, YAHOO FINANCE (Jul. 16, 2025), <https://finance.yahoo.com/news/trump-says-not-planning-fire-fed-chair-powell-after-reports-suggest-powell-ouster-coming-soon-151534192.html>.

A handwritten signature in black ink, consisting of a stylized 'D' followed by a series of loops and a long horizontal stroke.

Dave Min
Member of Congress

Cc Donald J. Trump, President of the United States