

United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL
AFFAIRS WASHINGTON, DC 20510-6250

RAND PAUL, KENTUCKY, CHAIRMAN

RON JOHNSON, WISCONSIN
JAMES LANKFORD,
OKLAHOMA RICK SCOTT,
FLORIDA
JOSH HAWLEY,
MISSOURI BERNIE
MORENO, OHIO JONI
ERNST, IOWA ASHLEY
MOODY, FLORIDA

GARY C. PETERS, MICHIGAN
MARGARET WOOD HASSAN, NEW
HAMPSHIRE RICHARD BLUMENTHAL,
CONNECTICUT
JOHN FETTERMAN, PENNSYLVANIA
ANDY KIM, NEW JERSEY
RUBEN GALLEGO,
ARIZONA ELISSA
SLOTKIN, MICHIGAN

April 8, 2025

The Honorable Marco Rubio
Acting Archivist
National Archives and Records Administration
700 Pennsylvania Ave, NW
Washington, D.C. 20408

The Honorable Pam Bondi
Attorney General
950 Pennsylvania Ave, NW
Washington, D.C. 20530

Dear Acting Archivist Rubio and Attorney General Bondi:

New revelations now show that senior Trump Administration officials have failed to adequately preserve government records and are actively using commercial platforms to communicate sensitive, national security information. In addition to the clear national security risks and apparent violations of federal records and other laws, this presents new potentially significant cybersecurity vulnerabilities. As members of the Senate committee with jurisdiction over the management of government records and cybersecurity of federal agencies, we ask that you investigate potential unauthorized disposition of records associated with the reported use of personal Gmail accounts to conduct official business by national security advisor Michael Waltz and other National Security Council (NSC) members. We also request that you review and take appropriate actions to enforce laws governing the reported use of an automatic deletion mechanism on a Signal chat between the Vice President, agency heads, and other officials discussing government business.¹

According to reporting in the *Washington Post*, Mr. Waltz and other NSC members used personal Gmail accounts to send messages related to “sensitive military positions and powerful weapons systems relating to an ongoing conflict” – clearly official business.² The Presidential

¹ See, John Hudson, *Waltz and staff used Gmail for government communications, officials say*, The Washington Post (Apr. 1, 2025) (<https://www.washingtonpost.com/national-security/2025/04/01/waltz-national-security-council-signal-gmail/>) and Jeffrey Goldberg, *The Trump Administration Accidentally Texted Me Its War Plans*, The Atlantic (Mar. 24, 2025) (<https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/>).

² John Hudson, *Waltz and staff used Gmail for government communications, officials say*, The Washington Post (Apr. 1, 2025) (<https://www.washingtonpost.com/national-security/2025/04/01/waltz-national-security-council-signal-gmail/>).

Records Act states that any such communications must be copied or forwarded to an official government account within 20 days.³

All presidential records are presumed permanent, and the White House is required to consult with the Archivist of the United States if they would like to dispose of any records prior to acceding them to the National Archives and Records Administration (NARA) at the end of the administration.⁴ The Archivist is then required to consult with the Senate Homeland Security and Governmental Affairs Committee and the House Committee on Oversight and Government Reform prior to the disposition of any presidential records that may be of special interest to the public or Congress.⁵

The Signal chat, which included detailed decision-making discussion between agency heads and White House officials, was created by Mr. Waltz.⁶ Mr. Waltz utilized a Signal feature that automatically deletes messages after a designated period of time. Automatic deletion of federal or presidential records without first ensuring their preservation on an official account would constitute a violation of federal law. Under 18 U.S.C. § 2071, any unauthorized destruction or removal of federal records could result in penalties that include fines, imprisonment, and loss of government office. It is possible that either or both instances could also involve violations of statutes governing the handling of classified information.

It is alarming that Mr. Waltz reportedly routinely uses Signal and Gmail for discussions of government business with other senior officials.⁷ Both of these commercial platforms have been regularly targeted by foreign adversaries and are not considered secure enough for communications on official government business or for classified information.⁸ In November 2024, the Federal Bureau of Investigation warned that, in addition to nation state actors from Russia and China, cybercriminals were also increasingly targeting personal email accounts.⁹ Both the Department of Defense and the National Security Agency have warned employees against using Signal, even for unclassified information, due to Russian hacking groups using a vulnerability in the application.¹⁰

³ 44 U.S. Code § 2209.

⁴ 44 U.S. Code § 2203.

⁵ *Id.*

⁶ Jeffrey Goldberg, *The Trump Administration Accidentally Texted Me Its War Plans*, *The Atlantic* (Mar. 24, 2025) (<https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/>).

⁷ Dasha Burns, *Waltz's team set up at least 20 Signal group chats for crises across the world*, *Politico* (Apr. 2, 2025) (<https://www.politico.com/news/2025/04/02/waltzs-team-set-up-at-least-20-signal-group-chats-for-crises-across-the-world-00266845>).

⁸ John Hudson, *Waltz and staff used Gmail for government communications, officials say*, *The Washington Post* (Apr. 1, 2025) (<https://www.washingtonpost.com/national-security/2025/04/01/waltz-national-security-council-signal-gmail/>).

⁹ Zak Doffman, "FBI Warns Hackers Are Gaining Access to Email Account", *Forbes* (Nov. 3, 2024) (<https://www.forbes.com/sites/zakdoffman/2024/11/03/fbi-warns-gmail-outlook-aol-yahoo-users-hackers-gain-access-to-accounts/>).


¹⁰ Quil Lawrence, Tom Bowman, "Days After the Signal Leak, the Pentagon Warned the App was the Target of Hackers", *NPR* (Mar. 25, 2025) (www.npr.org/2025/03/25/nx-s1-5339801/pentagon-email-signal-vulnerability).

An investigation is required not only to determine whether any federal laws were broken, but also because we do not know how frequently such platforms or associated automatic deletion mechanisms are being used by federal officials. Widespread deletions of government records would leave an irreversible gap in the historical record, and would leave Congress and the public without sufficient means to pursue accountability where needed.


Mr. Rubio, you would need to recuse yourself from the Signal investigation given your involvement in the chat, but NARA should pursue an investigation nonetheless. As the official responsible for ensuring that the records of government are adequately preserved, it is incumbent upon you to put a stop to any practices at odds with that mission.

We ask that any officials knowingly evading the federal laws that ensure government transparency and protect national security face timely investigations by both NARA and the Department of Justice.


Sincerely,



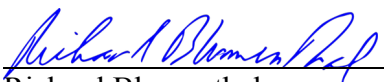
Gary C. Peters
United States Senator
Ranking Member, Committee
on Homeland Security and
Governmental Affairs



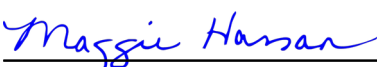
Ruben Gallego
United States Senator



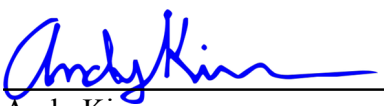
Elissa Slotkin
United States Senator



Richard Blumenthal
United States Senator



Margaret Wood Hassan
United States Senator



Andy Kim
United States Senator

A handwritten signature in blue ink, consisting of a large, stylized loop followed by a horizontal stroke and a small upward tick at the end.

John Fetterman
United States Senator