

April 21, 2025

The Honorable Marco Rubio
Acting Archivist of the United States
National Archives and Records Administration
Washington, DC 20408

Dear Secretary Rubio,

I write to request that the National Archives and Records Administration (NARA) take immediate action to preserve records and pursue remedial measures in connection with the use of Signal and other commercial messaging applications and email by Trump Administration officials. As you know, on March 24, 2025, *The Atlantic* disclosed that senior government officials participated in a “Houthi PC small group” group chat on Signal to discuss highly sensitive and/or classified foreign policy matters and military operations related to attacks on Houthi targets in Yemen.¹ On April 20, 2025, news broke that Secretary of Defense Hegseth used his personal, non-government phone to also share sensitive information about these military strikes in Yemen with a group of about a dozen individuals, including his wife, brother, and personal lawyer, in a second Signal chat entitled “Defense | Team Huddle.”²

It is imperative that NARA contact each federal agency with personnel involved in the Signal conversations to ensure that all records have been preserved. NARA must exercise its authority to investigate whether each of the individuals included in the groups forwarded the entirety of the Signal exchange to their official government accounts and preserved the records prior to their auto-deletion, as is required by law for recordkeeping purposes.³

The public was only made aware of the “Houthi PC small group” chat due to National Security Advisor Michael Waltz’s inclusion of Jeffrey Goldberg, the editor-in-chief of *The Atlantic*, in the Signal group. Given the reckless and careless manner by which the Administration utilized the messaging application in this context, there is a strong reason to believe that senior political appointees have engaged widely in such practices when discussing other sensitive national security matters. In fact, there is significant public reporting regarding the extensive use of Signal by senior officials in the Trump Administration. Individuals directly involved in Signal chats have indicated that Mr. Waltz’s team regularly established separate threads on Signal to discuss sensitive national security matters, including negotiations related to brokering peace

¹ Jeffrey Goldberg, *The Trump Administration Accidentally Texted Me Its War Plans*, *The Atlantic* (March 24, 2025), <https://www.theatlantic.com/politics/archive/2025/03/trump-administration-accidentally-texted-me-its-war-plans/682151/>.

² Greg Jaffe, Eric Schmitt, and Maggie Haberman, *Hegseth Said to Have Shared Attack Details in Second Signal Chat*, *The New York Times* (April 20, 2025), <https://www.nytimes.com/2025/04/20/us/politics/hegseth-yemen-attack-second-signal-chat.html>.

³ See, e.g., 44 U.S.C. § 2904(c); 44 U.S.C. § 2906; and 44 U.S.C. § 3106.

between Russia and Ukraine,⁴ and other foreign policy matters related to China, the Middle East, Africa, and Europe.⁵ Individuals involved indicated they are aware of or directly participated in at least 20 such Signal chats.⁶ There is also reporting that Mr. Waltz has conducted national security discussions utilizing his personal Gmail account, which is an unsecure platform that is highly vulnerable to foreign interception.⁷ As noted above, Secretary of Defense Hegseth also reportedly used Signal to share sensitive military information with other individuals, including his wife, who is not a U.S. Government employee, without the required clearances or a valid need to know the information.⁸

It has been a month since the initial Signal chat disclosure and there remain open questions related to whether the individuals involved were using their personal or government-issued devices. Moreover, public reporting indicates that several of the participants were not in the United States when they were added to the Signal thread. During the applicable time period, you were in Canada, Special Envoy Steve Witkoff was in Russia and Azerbaijan, and Director of National Intelligence Tulsi Gabbard was on an Indo-Pacific tour in Thailand and India.⁹ This raises additional doubts as to whether each of these government officials ensured the records were preserved, which would constitute a breach of the Presidential Records Act (PRA) and the Federal Records Act (FRA) if they were not. Specifically, Vice President Vance, Mr. Witkoff, and any other individual in the group chat who is a member of the President's staff or works in the Executive Office of the President is required to ensure that these documents are maintained and transferred into NARA's custody as Presidential records.¹⁰ Similarly, all other federal employees are required to maintain records documenting their activities under the Federal Records Act.¹¹

In addition to the national security risks, the use of messaging applications like Signal creates profound risk of non-compliance with document preservation requirements because they allow users to create settings to automatically delete messages. The captured images of the Signal thread indicate that Mr. Waltz initially set a "disappearing message time" of one week and then subsequently changed the "disappearing message time" to 4 weeks after Secretary Hegseth

⁴ Alexander Ward, et. al, *Mike Waltz Is Losing Support Inside the White House*, the Wall Street Journal (March 30, 2025), <https://www.wsj.com/politics/policy/mike-waltz-is-losing-support-inside-the-white-house-2b17459c?mod=mhp>

⁵ Dasha Burns, *Waltz's team set up at least 20 Signal group chats for crises across the world*, Politico (April 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>.

⁶ *Id.*

⁷ John Hudson, *Waltz and staff used Gmail accounts for government communications, officials say*, The Washington Post (April 1, 2025), <https://www.washingtonpost.com/national-security/2025/04/01/waltz-national-security-council-signal-gmail>.

⁸ Greg Jaffe, Eric Schmitt, and Maggie Haberman, *Hegseth Said to Have Shared Attack Details in Second Signal Chat*, The New York Times (April 20, 2025), <https://www.nytimes.com/2025/04/20/us/politics/hegseth-yemen-attack-second-signal-chat.html>.

⁹ Robin Stein, et al., *Where Was Each Member of the Signal Group Chat?*, The New York Times (March 29, 2025), <https://www.nytimes.com/interactive/2025/03/29/us/signal-group-chat-locations.html>.

¹⁰ See 4 U.S.C. §§ 2201 et seq.

¹¹ See 44 U.S.C. §§ 3101 et seq.

shared detailed information about forthcoming military strikes in Yemen.¹² Signal users can adjust the “disappearing message time” and erase previous messages before users have properly preserved the records. As a result, the use of these features makes it effectively impossible to comply with federal records preservation requirements. A case in point, the Chief Data Officer and Director of the Agency Data Office at the Central Intelligence Agency (CIA) declared in a court filing that when CIA Director John Ratcliffe’s personal signal account was transferred to the agency records system on March 31, 2025, the substantive messages from the “Houthi PC small group” Signal chat had already been deleted.¹³

I urge NARA to immediately begin a thorough investigation into the existence of all Signal, Gmail, and commercial messaging-related communications involving cabinet members and other senior officials and whether records have been adequately preserved. As part of this investigation, NARA should review whether there are appropriate policies, practices, and procedures at each agency with respect to the lawful utilization of Signal and other commercial messaging services.¹⁴

In order to understand what steps NARA has already taken, and what role and responsibilities NARA views that it is legally required to undertake in connection with this matter, I ask that NARA respond to the following questions by Monday, May 5, 2025:

Houthi PC and Related Signal Chats

1. Please confirm that NARA has contacted each federal agency with personnel involved in the “Houthi PC small group” Signal chat to ensure that they have preserved all applicable federal records in connection with the conversation.¹⁵ Please also confirm that NARA has contacted the Department of Defense, in particular, to preserve all federal records related to Secretary of Defense Hegseth’s reported use of Signal on his personal device to share sensitive information, including with individuals not employed by the U.S. Government.
2. Please provide an update as to what steps each agency has undertaken to preserve records in relation to the “Houthi PC small group” Signal chat.
3. Please explain what office(s) within NARA are responsible for ensuring compliance with the FRA and PRA in relation to the “Houthi PC small group” Signal chat or similar chats used for National Security Council deliberations, and the official(s) responsible for that unit.

Senior Official Involvement in Signal, Gmail, and other Commercial Messaging Chats

¹² Luke Broadwater, *Another Problem With That Signal Chat? The Messages Disappear*, The New York Times (March 27, 2025), <https://www.nytimes.com/2025/03/27/us/politics/signal-messages-disappear.html>

¹³ See *American Oversight v. Hegseth*, et. al., 1:25-cv-00883 (D.D.C.), Supplemental Declaration of Hurley V. Blankenship.

¹⁴ See 44 U.S.C. § 3105.

¹⁵ See, e.g., 36 C.F.R. § 1230.16.

4. Please confirm that NARA will engage in a comprehensive review of all federal agencies to investigate whether Cabinet-level and other senior officials have been using Signal, Gmail, or any other commercial messaging applications to discuss official business, and if so, whether they have properly preserved records in all of these cases.

Conflict of Interest

5. You were included in the “Houthi PC small group” Signal chat and should not oversee an investigation regarding activity in which you were involved. Will NARA appoint a senior career official to oversee the investigation into the “Houthi PC small group” Signal chat and other commercial messaging chats that may exist related to official business?
6. In light of your evident conflict of interest, will NARA contact the Department of Justice or appropriate agency Inspectors General to assist with the investigation?¹⁶

Policies and Procedures for Messaging Applications

7. Please provide a detailed explanation as to what NARA’s responsibilities are with respect to overseeing federal agencies in the development of policies and procedures to ensure adequate and proper records disposition with respect to the use of commercial messaging applications, including Signal and Gmail.
8. Please provide a detailed explanation as to what steps NARA has taken since the disclosure of the “Houthi PC small group” Signal chat to support the establishment of such policies and procedures, and to ensure that federal agencies have taken steps to implement safeguards to prevent further losses through the use of commercial messaging applications.

Sincerely,



Adam B. Schiff
United States Senator

CC: Ms. Hannah Bergman, Acting General Counsel

¹⁶ See, e.g., 44 U.S.C. § 3106(b) (“In any case in which the head of a Federal agency does not initiate an action for such recovery or ... is participating in, or believed to be participating in any such unlawful action, the Archivist shall request the Attorney General to initiate such an action, and shall notify the Congress when such a request has been made”); see also 36 C.F.R. § 1230.18.