

Exhibit 3



December 16, 2021

Mr. Peter K. Navarro
Professor Emeritus
Paul Merage School of Business
University of California, Irvine
4293 Pereira Drive
338 GSM, Mail Code: 3125
Irvine, CA 92697
By EMAIL

Dear Mr. Navarro:

I write on behalf of the Archivist of the United States, who heads the National Archives and Records Administration (NARA). Under the Presidential Records Act (PRA), at the end of each Presidential Administration, NARA assumes complete custody and control of all Presidential records created and received by the President, the Vice President, and all White House employees during the course the Administration. The PRA also requires that whenever a White House employee creates or receives a Presidential record using a non-official electronic message account, they must copy or forward a complete copy of the records to their official electronic messaging account within 20 days. 44 U.S.C. 2209(a).

It has come to our attention that while you were a White House employee of the Trump Administration, you sometimes carried out official business using a non-official email account, pkn Navarro@protonmail.com. (See September 14, 2021, Letter to you from Chairman James E. Clyburn, House Select Subcommittee on the Coronavirus Crisis.) The select subcommittee posted multiple examples of emails that meet the definition of Presidential records and were sent to and from your [protonmail.com](mailto:pkn Navarro@protonmail.com) email account, dating from as early as February 2020. We have conducted a search of the White House emails that NARA received at the end of the Trump Administration and have no record of you forwarding any emails from your [protonmail.com](mailto:pkn Navarro@protonmail.com) account to your who.eop.gov account before June 2020. There are also multiple instances where you sent emails from your personal account to other White House employees but did not copy or forward them to your official account.

NATIONAL ARCHIVES *and*
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The Counsel to President Trump issued a [memo on Presidential Records Act Obligations](#) to all White House Personal, which stated the following (emphasis in original):

You are required to conduct all work-related communications on your official EOP email account, except in emergency circumstances when you cannot access the EOP system and must accomplish time sensitive work. Emails and attachments sent to and from your EOP account are automatically archived.

If you ever send or receive email that qualifies as a presidential record using any other account, you must preserve that email by copying it to your official EOP email account or by forwarding it to your official email account within twenty (20) days. After preserving the email, you must delete it from the non-EOP account. Any employee who intentionally fails to take these actions may be subject to administrative or even criminal penalties.

The same rules apply to other forms of electronic communication, including text messages. ***You should not use instant messaging systems, social networks, or other internet-based means of electronic communication to conduct official business without the approval of the Office of the White House Counsel.*** If you ever generate or receive presidential records on such platforms, you must preserve them by sending them to your EOP email account via a screenshot or other means. After preserving the communications, you must delete them from the non-EOP platform.

The requirements of the PRA continue to apply even after the President and his staff leave office. Accordingly, it is necessary that you now provide NARA with any Presidential records that reside on your personal electronic messaging accounts.

Please contact me as soon as possible so that we can make appropriate arrangements to transfer the Presidential records that remain in your custody. I would be happy to discuss this issue with you directly. You can reach me on my cellphone at 240-475-2816.

Sincerely,

Gary M. Stern
General Counsel