

# [***Trump wants to pry into White House records in bid to argue politics in his Mar-a-Lago documents case***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:6B46-HV21-DY7V-G000-00000-00&context=1516831)

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**Body**

(CNN) &#8212; [*Donald Trump*](https://www.cnn.com/politics/president-donald-trump-45)'s legal team is asking for access to Biden-era White House records, including from the National Security Council and the White House Counsel's Office, as he attempts to build a defense against charges he mishandled [*more than 30 sensitive national security records*](https://www.cnn.com/interactive/2022/09/politics/mar-a-lago-documents-numbers/) after he left the presidency.

If the judge allows it, Trump's team would be aiming for sweeping access to core advisers around President [*Joe Biden*](https://www.cnn.com/politics/joe-biden) and their communications, at a time when investigators were looking at Trump's cavalier approach to state secrets and demands by the federal government to return documents he kept.

The National Security Council "was responsible for the creation and handling of many of the documents at issue, and the Special Counsel's Office will be required to rely on personnel from the National Security Council at trial to demonstrate that the documents it authored are classified and constitute information 'relating to the national defense,'" Trump's team argued to Judge Aileen Cannon in his motion for access to more government records for his defense.

His lawyers also said the White House Counsel's Office should also be turning over records for his case, because they "repeatedly supported the investigative activities."

In the filing Tuesday night, attorneys for the former president accused special counsel Jack Smith and his team of "partisan election interference," for not providing them what Trump's team says could be evidence he could use in the classified documents case in Florida.

Established rules govern what defense teams can see before trial, giving them access to the case prosecutors have built through a grand jury. But Trump's team is now asking the court to widen that set of information into several other parts of the Biden administration, in addition to the Justice Department that charged the case.

"Although the Biden Administration clearly took steps to create a false appearance of separation from the investigation that it was driving, these White House components cannot escape the import of these activities for purposes of the prosecution-team analysis. The Special Counsel's Office must produce discoverable information from the White House's files," the filing from Trump's lawyers said.

Trump wants to argue political motives

The lengthy court filing - an expected step from Trump in preparing for his trial in the case - attempts to reframe the document-mishandling charges he faces as a politically motivated push from federal archivists and the Biden administration, and argue that federal agencies across the government were coordinating against him.

To aid that argument, Trump's team now seeks a judge's permission to access records from several agencies outside the Justice Department, including in the intelligence community.

Trump's team even takes the unusual step of saying they want a sworn statement from the prosecution team telling Cannon their office "reviewed and disclosed all communications and evidence that is relevant to the issues of coordination, resource sharing, and investigative alignment."

While the filing sets up several avenues of defense that the Justice Department will likely challenge, Trump's team also tries to put the 2024 presidential campaign at the center of his case.

The strategy mirrors his approach in his federal 2020 election interference case - where prosecutors [*are already attempting to cut out his ability*](https://www.cnn.com/2024/01/02/politics/trump-defense-strategy-january-6/index.html) to allude to his political campaign as a way to sway jurors to his side.

"While working toward a historic landslide victory in the Iowa caucuses yesterday, President Trump was also preparing to bring to Your Honor's attention today the record of misrepresentations and discovery violations that have marred this case from the outset and illustrate that the Office has disregarded fundamental fairness and its legal obligations in favor of partisan election interference," his attorneys told Cannon in the Southern District of Florida.

It'll be up to Cannon how much Trump's team will be able to discuss ***politics*** in front of the jury, and how much of the records Trump's team will be able to obtain.

They seek records still from the White House, the National Archives, the Office of the Director of National Intelligence and the Department of Energy, among others, according to the filing.

His team seeks access to communications between the Biden administration and the Fulton County District Attorney's Office in Georgia that is prosecuting him for 2020 election interference as well.

His legal team is already working through extensive evidence the special counsel's office has produced to them in the case, with his and his co-defendants' lawyers visiting a secured facility for viewing classified information several times in Florida in recent weeks, according to people familiar with their approach.

CNN's Holmes Lybrand contributed to this report.

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