



VIA EMAIL
(LM 2019-022)

December 13, 2018

The Honorable Pat A. Cipollone
Counsel to the President
The White House
Washington, D.C. 20502

Dear Mr. Cipollone:

In accordance with the requirements of the Presidential Records Act (PRA), as amended, 44 U.S.C. §§ 2201-2209, this letter constitutes a formal notice from the National Archives and Records Administration (NARA) to the incumbent President of our intent to open George W. Bush Presidential records. These records were processed in response to the *EPIC v. NARA* FOIA litigation.

These records, consisting of 878 emails, have been reviewed for the six PRA Presidential restrictive categories, including confidential communications requesting or submitting advice (P5) and records related to appointments to federal office (P2), as they were eased by President George W. Bush on November 15, 2010. These emails were also reviewed for all applicable FOIA exemptions. As a result of this review, 765 emails in whole and 30 emails in part have been restricted. Therefore, NARA is proposing to open the remaining 83 emails in whole and 30 emails in part that do not require closure under 44 U.S.C. § 2204. A copy of any records proposed for release under this notice will be provided to you upon your request.

We are also concurrently informing former President George W. Bush's representative, William A. Burck, of our intent to release these records. Pursuant to 44 U.S.C. § 2208(a), NARA will release the records 60 working days from the date of this letter, which is March 22, 2019, unless the former or incumbent President requests a one-time extension of an additional 30 working days or asserts a constitutionally based privilege, in accordance with 44 U.S.C. § 2208(b)-(d). Please let us know if you are able to complete your review before the expiration of the 60 working day period. Pursuant to 44 U.S.C. § 2208(a)(1)(B), we will make this notice available to the public on the NARA website.

If you have any questions relating to this notification, please contact me at (202) 357-5144 or NARA General Counsel Gary M. Stern at (301) 837-3026.

Sincerely,

A handwritten signature in blue ink that reads "B. John Laster". The signature is written in a cursive style with a large initial "B" and "L".

B. JOHN LASTER
DIRECTOR
Presidential Materials Division

Enclosure

ATTACHMENT A

<u>Case Number</u>	<u>Topic</u>	<u>Material Processed</u>	<u>Material Restricted</u>	<u>Material Proposed for Opening</u>
2018-0258-F[1]	Emails to or from Brett Kavanaugh with specific correspondents, or containing specific keywords	878 emails	765 emails in whole; 30 assets in part	83 assets in whole; 30 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for emails sent and received by Brett Kavanaugh during specific time periods and regarding specific people or keywords. This segment includes correspondence between Brett Kavanaugh and Patrick Philbin (dated May 1, 2003 to June 1, 2004), Jack Goldsmith (dated October 6, 2003 to June 1, 2004), Steven Bradbury (dated December 1, 2005 to February 1, 2006), or records sent to or from Brett Kavanaugh that contain the terms “Comey” or “Ashcroft” (dated March 1, 2004 to March 11, 2004). The George W. Bush Presidential electronic records proposed for opening are emails containing publicly released documents, grammatical edits to drafts of documents proposed for public release, drafts of Presidential statements, routine emails coordinating the staffing of draft documents, emails containing newspaper articles or citations to articles, final drafts of public speeches, routine scheduling emails, informational emails regarding Attorney General Ashcroft’s hospitalization (personal information has been redacted), and transcripts of the daily “Press Gaggle.” These materials are from the Automated Records Management System (ARMS), Exchange Email, Exchange Email Restored – 21 Days, Exchange Email Restored – 33 Days, and RNC Personal Storage Table (PST) Search and Access Sets.

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December 13, 2018

William A. Burck
1300 I Street NW
Suite 900
Washington, D.C. 20005

Dear Mr. Burck:

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NATIONAL ARCHIVES *and*
RECORDS ADMINISTRATION
700 PENNSYLVANIA AVENUE, NW
WASHINGTON, DC 20408-0001
www.archives.gov

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