

# United States Senate

WASHINGTON, DC 20510

July 31, 2018

The Honorable Patrick X. Mordente, Brigadier General  
Director  
George W. Bush Presidential Library and Museum  
2943 SMU Boulevard  
Dallas, Texas 75205

Dear General Mordente:

We ask that you provide documents to the Senate Judiciary Committee in connection with President Trump's nomination of Brett M. Kavanaugh to be Associate Justice of the Supreme Court of the United States.

Mr. Kavanaugh served as Senior Associate Counsel to President Bush from 2001 to 2003 and as Assistant to the President and Staff Secretary from 2003 to 2006. We request that the documents you identify and provide to the Committee from his service in the White House include the following, consistent with the attached guidelines:

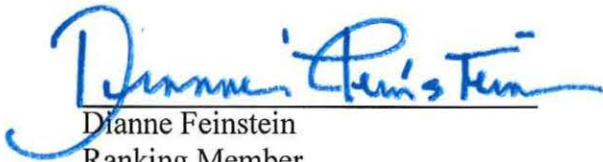
- (1) Records from Mr. Kavanaugh's service as a Senior Associate Counsel to the President, including all records preserved in his staff files, and those records created by Mr. Kavanaugh that can readily be found in the files of other White House staff members, the White House Counsel's Office files, other White House offices' files, and the Subject Matter Files maintained by the Staff Secretary and/or the White House Office of Records Management;
- (2) Records from Mr. Kavanaugh's service as Assistant to the President and Staff Secretary, including all records preserved in his staff files, and those records created by Mr. Kavanaugh that can readily be found in the files of other White House staff members, the White House Counsel's Office files, other White House offices' files, and the Subject Matter Files maintained by the Staff Secretary and/or the White House Office of Records Management;
- (3) Records relating to Mr. Kavanaugh's nomination to the United States Court of Appeals for the District of Columbia Circuit;
- (4) All electronic mail sent by or received by Mr. Kavanaugh in his White House tenure, including any documents attached to such emails;
- (5) To the extent they are not included in response to categories (1) through (4), all records containing documents written by, edited by, prepared in whole or part by, under the supervision of, or at the direction of Mr. Kavanaugh, as well as documents referencing Mr. Kavanaugh by name, initials, or title, and documents received by or sent to him.

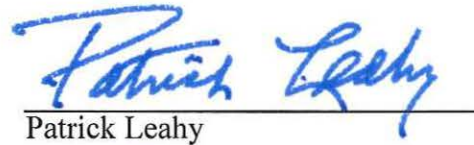
If any document is withheld on the basis of any privilege, please include a description and


explanation consistent with paragraph (e) of the guidelines. In order to expedite your response to this request, we ask that you produce documents to us on a rolling basis as you identify categories and documents responsive to this request. Please note that documents provided to Congress, in contrast to those released to the public, are not governed by the Freedom of Information Act.

We recognize that reviewing the archives and producing these documents is a significant task, and thank you in advance for your efforts.


Sincerely,

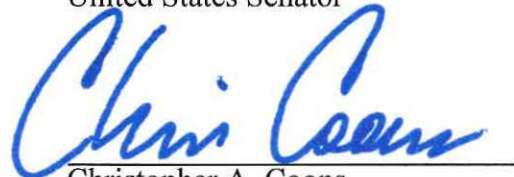
  
Dianne Feinstein  
Ranking Member


  
Patrick Leahy  
United States Senator

  
Richard J. Durbin  
United States Senator


  
Sheldon Whitehouse  
United States Senator

  
Amy Klobuchar  
United States Senator

  
Christopher A. Coons  
United States Senator

  
Richard Blumenthal  
United States Senator

  
Mazie K. Hirono  
United States Senator

  
Cory A. Booker  
United States Senator

  
Kamala D. Harris  
United States Senator

cc: Hon. Charles E. Grassley, Chairman  
Senate Judiciary Committee

Mr. Donald F. McGahn  
Counsel to the President  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, DC

The Honorable David S. Ferriero  
Archivist of the United States  
National Archives and Records Administration  
700 Pennsylvania Avenue, NW  
Washington, DC 20408

Encl.

### **Guidelines**

- a) This request is continuing in character. If additional responsive documents come to your attention following your initial production, please provide such documents to the Committee promptly.
- b) As used herein, "documents" or "records" includes electronic mail messages ("Email").
- c) As used herein, "document" means the original (or an additional copy when an original is not available), all attached documents, and each distribution copy whether inscribed by hand or by electronic or other means. This request seeks production of all documents described, including all drafts and distribution copies, and contemplates production of responsive documents in their entirety, without abbreviation or expurgation.
- d) In the event that any requested document has been destroyed, discarded, or otherwise disposed of, please identify the document as completely as possible, including the date, author(s), addressee(s), recipient(s), title, and subject matter, and the reason for disposal of the document and the identity of all persons who authorized disposal of the document.
- e) If a claim is made that any requested document will not be produced by reason of a privilege of any kind, describe each such document by date, author(s), addressee(s), recipient(s), title, and subject matter, and set forth the nature of the claimed privilege with respect to each.