



VIA EMAIL
(LM 2016-058)

May 12, 2016

The Honorable W. Neil Eggleston
Counsel to the President
The White House
Washington, D.C. 20502

Dear Mr. Eggleston:

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 in response to the Freedom of Information Act (FOIA) requests listed in Attachment A.

This material, consisting of 27,095 pages and 24,623 assets, has been reviewed for the six PRA Presidential restrictive categories, including confidential communications requesting or submitting advice (P5) and material related to appointments to federal office (P2), as they were eased by President George W. Bush on November 15, 2010. These records were also reviewed for all applicable FOIA exemptions. As a result of this review, 14,876 pages and 15,675 assets in whole and 141 pages and 1,647 assets in part have been restricted. Therefore, NARA is proposing to open the remaining 12,078 pages and 7,301 assets in whole and 141 pages and 1,647 assets 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, Tobi Young, 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 August 8, 2016, 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, stylized initial "B".

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>
2014-0044-F	Drafts of the May 1, 2003 speech delivered aboard the USS Abraham Lincoln	1,165 pages; 386 assets	363 pages, 290 assets in whole; 85 pages, 85 assets in part	717 pages, 11 assets in whole; 85 pages, 85 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for drafts of President George W. Bush’s May 1, 2003, speech delivered aboard the USS *Abraham Lincoln*. The George W. Bush Presidential textual records proposed for opening are general correspondence, schedules and schedule proposals, trip books, background information, briefing papers, speech drafts, news clips, internet printouts, routing memoranda, and cover emails. Trip books, schedules, briefing papers, background information, and speech drafts relate to the events on May 1, 2003, and May 2, 2003, such as the National Day of Prayer, remarks and tour aboard the USS *Abraham Lincoln*, and remarks and tour at United Defense Industries. Additionally, there are carrier deployment lists and background information on naval commanders. These materials are from the White House Office of Records Management, White House Office of the Staff Secretary, and White House Office of Speechwriting. Electronic records proposed for opening consist of emails and speech drafts. These electronic records are from the Automated Records Management System (ARMS), Exchange Email, and WHO Shared Drive Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2014-0075-F[1]	All records concerning the use of Guantanamo Bay as a detention facility between 9/11/2001 and 1/20/2009	10,000	7,731 in whole; 600 in part	1,669 in whole; 600 in part

This researcher submitted a Freedom of Information Act (FOIA) request for all records concerning the use of Guantanamo Bay as a detention facility between 9/11/2001 and 1/20/2009. The George W. Bush Presidential electronic records proposed for opening are fact sheets regarding detainees; Coalition Information Center (CIC) fact sheets about the War on Terror; published reports created by think tanks, interest groups, the Justice Department, and the Senate Armed Services Committee; news articles; newsletters; talking points regarding detainees and the War on Terror; transcripts of press briefings; press pool reports; summaries of congressional floor action; Combatant Status Review Tribunal documents previously released by the Department of Defense; and reporter inquiries and on-the-record correspondence. Additionally, there are publicly filed court documents related to detainee cases, including *Rasul v. Bush*; *the United States of America v. John Walker Lindh*; *the United States of America v. Zacarias Moussaoui*; *Hamdan v. Rumsfeld*; and *Hamdi v. Rumsfeld*. The bulk of these records date between 2001 and 2007 and are from the Automated Records Management System (ARMS), Exchange Email, Exchange Email – Restored – 21 Days,

Exchange Email – Restored – 33 Days, Exchange Email – Restored – 40 Days, and RNC Personal Storage Table (PST) Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Material Processed</u>	<u>Material Restricted</u>	<u>Material Proposed for Opening</u>
2014-0078-F[1]	Methods of interrogation from 9/11/2001 to 1/20/2009	25,930 pages; 4,813 assets	14,513 pages, 2,515 assets in whole; 56 pages, 506 assets in part	11,361 pages, 1,792 assets in whole; 56 pages, 506 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for records related to interrogation methods between 09/11/2001 and 01/20/2009. The George W. Bush Presidential textual records proposed for opening are bills, charts, correspondence (including letters and printed emails), memoranda, court orders, directives, distribution receipts, executive orders, lists, manuals, National Security Council Profile Sheets, news and journal articles, press briefings and press releases, public laws, publications, Q and As, reports, statements, and transcripts related to methods of interrogation. There is correspondence to and from members of Congress regarding the treatment of detainees held by the United States in the wake of 9/11; general correspondence and press releases regarding the text of Executive Order 13440 - Interpretation of the Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation Operated by the Central Intelligence Agency; general correspondence and a statement by President George W. Bush regarding the United Nations International Day in Support of Victims of Torture, also referred to as "Torture Day," for the years 2002 and 2003; several released memoranda from the Office of Legal Counsel at the United States Department of Justice written by John Yoo, Jay Bybee, and Daniel Levin regarding the status and treatment of detainees at Guantanamo; transcripts of congressional testimonies; Department of Defense (DOD) directives and policy memoranda; responses to questions asked of Legal Advisor John Bellinger and National Security Advisor Condoleezza Rice by the United States Senate Committee on Armed Services later cited in the Committee's published report "Inquiry into the Treatment of Detainees in U.S. Custody;" as well as articles, talking points, facts sheets, transcripts and testimony concerning investigations into detainee abuse. The manuals to be opened include several copies of the Army Field Manual on Human Intelligence Collector Operations. These materials are from the National Security Council, the National Security Council Legal Adviser, White House Counsel's Office, the White House Office of Records Management Subject Files, and the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction. Electronic records proposed for opening consist of reports, testimony, transcripts, articles, Q and As, correspondence, bills, and talking points from 2001 to March 2005. Records dealing with Congress include Senate inquiries requesting documents and final White House responses, questions for the record from Senators, and draft testimony and transcripts for Senate hearings. Additionally, there are articles, questions for the record from Senators, talking points from Senators, hearing testimony and transcripts, and supporting material for nominees such as Alberto Gonzales for Attorney General, Condoleezza Rice for Secretary of State, and Michael Chertoff for Secretary of Homeland Security. Correspondence with the media and human rights organizations regarding the treatment of detainees is also present. There are also briefs filed with the Supreme Court concerning Jose Padilla, as well as a Q and A and summary information concerning

Mr. Padilla. Moreover, records relate to the June 22, 2004, press briefing with White House and DOD officials, in which documents related to detainees and their treatment were released to the public. There are also White House and DOD talking points about this release of records. Finally, there are articles, talking points, facts sheets, transcripts and testimony concerning investigations into detainee abuse; articles concerning criminal charges related to detainee abuse; copies of the National Defense Authorization Act and response letters; and the report entitled “Preserving Security and Democratic Freedoms in the War on Terrorism.” These electronic records are from the Automated Records Management System (ARMS) and Exchange Email Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2014-0080-F[1]	Records concerning the possession of weapons of mass destruction by Iraq	9,424	5,139 in whole; 456 in part	3,829 in whole; 456 in part

This researcher submitted a Freedom of Information Act (FOIA) request for records concerning the possession of weapons of mass destruction (WMD) by Iraq. The George W. Bush Presidential electronic records proposed for opening are press releases, fact sheets, presidential and vice presidential remarks, pool reports, talking points (and drafts thereof), publications, news articles, and email correspondence with journalists that mention WMDs and Iraq. Additionally, there are routine policy-related poll results compiled from news sources, as well as transcripts, draft legislation, scheduling materials and meeting requests, congressional briefing schedules, and draft robo letters. These materials are from the Automated Records Management System (ARMS) and Exchange Email Search and Access Sets.

###



NATIONAL
ARCHIVES

VIA EMAIL
(LM 2016-058)

May 12, 2016

Tobi Young
Office of George W. Bush
2943 SMU Boulevard
Dallas, TX 75205

Dear Ms. Young:

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 you, as former President George W. Bush's representative, of our intent to open George W. Bush Presidential records. These records were processed under the Freedom of Information Act (FOIA) requests described in Attachment A.

These records, consisting of 27,095 pages and 24,623 assets, have been reviewed for the six PRA Presidential restrictive categories, including confidential communications requesting or submitting advice (P5) and material related to appointments to federal office (P2), as they were eased by President George W. Bush on November 15, 2010. These pages were also reviewed for all applicable FOIA exemptions. As a result of this review, NARA has restricted 14,876 pages and 15,675 assets in whole and 141 pages and 1,647 assets in part. NARA is proposing to open the remaining 12,078 pages and 7,301 assets in whole and 141 pages and 1,647 assets 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 made available to you upon your request.

We are also concurrently informing the incumbent President of our intent to release these George W. Bush Presidential 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 August 8, 2016, 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 a long, sweeping underline.

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>
2014-0044-F	Drafts of the May 1, 2003 speech delivered aboard the USS Abraham Lincoln	1,165 pages; 386 assets	363 pages, 290 assets in whole; 85 pages, 85 assets in part	717 pages, 11 assets in whole; 85 pages, 85 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for drafts of President George W. Bush's May 1, 2003, speech delivered aboard the USS *Abraham Lincoln*. The George W. Bush Presidential textual records proposed for opening are general correspondence, schedules and schedule proposals, trip books, background information, briefing papers, speech drafts, news clips, internet printouts, routing memoranda, and cover emails. Trip books, schedules, briefing papers, background information, and speech drafts relate to the events on May 1, 2003, and May 2, 2003, such as the National Day of Prayer, remarks and tour aboard the USS *Abraham Lincoln*, and remarks and tour at United Defense Industries. Additionally, there are carrier deployment lists and background information on naval commanders. These materials are from the White House Office of Records Management, White House Office of the Staff Secretary, and White House Office of Speechwriting. Electronic records proposed for opening consist of emails and speech drafts. These electronic records are from the Automated Records Management System (ARMS), Exchange Email, and WHO Shared Drive Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2014-0075-F[1]	All records concerning the use of Guantanamo Bay as a detention facility between 9/11/2001 and 1/20/2009	10,000	7,731 in whole; 600 in part	1,669 in whole; 600 in part

This researcher submitted a Freedom of Information Act (FOIA) request for all records concerning the use of Guantanamo Bay as a detention facility between 9/11/2001 and 1/20/2009. The George W. Bush Presidential electronic records proposed for opening are fact sheets regarding detainees; Coalition Information Center (CIC) fact sheets about the War on Terror; published reports created by think tanks, interest groups, the Justice Department, and the Senate Armed Services Committee; news articles; newsletters; talking points regarding detainees and the War on Terror; transcripts of press briefings; press pool reports; summaries of congressional floor action; Combatant Status Review Tribunal documents previously released by the Department of Defense; and reporter inquiries and on-the-record correspondence. Additionally, there are publicly filed court documents related to detainee cases, including *Rasul v. Bush*; *the United States of America v. John Walker Lindh*; *the United States of America v. Zacarias Moussaoui*; *Hamdan v. Rumsfeld*; and *Hamdi v. Rumsfeld*. The bulk of these records date between 2001 and 2007 and are from the Automated Records Management System (ARMS), Exchange Email, Exchange Email – Restored – 21 Days,

Exchange Email – Restored – 33 Days, Exchange Email – Restored – 40 Days, and RNC Personal Storage Table (PST) Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Material Processed</u>	<u>Material Restricted</u>	<u>Material Proposed for Opening</u>
2014-0078-F[1]	Methods of interrogation from 9/11/2001 to 1/20/2009	25,930 pages; 4,813 assets	14,513 pages, 2,515 assets in whole; 56 pages, 506 assets in part	11,361 pages, 1,792 assets in whole; 56 pages, 506 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for records related to interrogation methods between 09/11/2001 and 01/20/2009. The George W. Bush Presidential textual records proposed for opening are bills, charts, correspondence (including letters and printed emails), memoranda, court orders, directives, distribution receipts, executive orders, lists, manuals, National Security Council Profile Sheets, news and journal articles, press briefings and press releases, public laws, publications, Q and As, reports, statements, and transcripts related to methods of interrogation. There is correspondence to and from members of Congress regarding the treatment of detainees held by the United States in the wake of 9/11; general correspondence and press releases regarding the text of Executive Order 13440 - Interpretation of the Geneva Conventions Common Article 3 as Applied to a Program of Detention and Interrogation Operated by the Central Intelligence Agency; general correspondence and a statement by President George W. Bush regarding the United Nations International Day in Support of Victims of Torture, also referred to as “Torture Day,” for the years 2002 and 2003; several released memoranda from the Office of Legal Counsel at the United States Department of Justice written by John Yoo, Jay Bybee, and Daniel Levin regarding the status and treatment of detainees at Guantanamo; transcripts of congressional testimonies; Department of Defense (DOD) directives and policy memoranda; responses to questions asked of Legal Advisor John Bellinger and National Security Advisor Condoleezza Rice by the United States Senate Committee on Armed Services later cited in the Committee’s published report “Inquiry into the Treatment of Detainees in U.S. Custody;” as well as articles, talking points, facts sheets, transcripts and testimony concerning investigations into detainee abuse. The manuals to be opened include several copies of the Army Field Manual on Human Intelligence Collector Operations. These materials are from the National Security Council, the National Security Council Legal Adviser, White House Counsel’s Office, the White House Office of Records Management Subject Files, and the Commission on the Intelligence Capabilities of the United States Regarding Weapons of Mass Destruction. Electronic records proposed for opening consist of reports, testimony, transcripts, articles, Q and As, correspondence, bills, and talking points from 2001 to March 2005. Records dealing with Congress include Senate inquiries requesting documents and final White House responses, questions for the record from Senators, and draft testimony and transcripts for Senate hearings. Additionally, there are articles, questions for the record from Senators, talking points from Senators, hearing testimony and transcripts, and supporting material for nominees such as Alberto Gonzales for Attorney General, Condoleezza Rice for Secretary of State, and Michael Chertoff for Secretary of Homeland Security. Correspondence with the media and human rights organizations regarding the treatment of detainees is also present. There are also briefs filed with the Supreme Court concerning Jose Padilla, as well as a Q and A and summary information concerning

Mr. Padilla. Moreover, records relate to the June 22, 2004, press briefing with White House and DOD officials, in which documents related to detainees and their treatment were released to the public. There are also White House and DOD talking points about this release of records. Finally, there are articles, talking points, facts sheets, transcripts and testimony concerning investigations into detainee abuse; articles concerning criminal charges related to detainee abuse; copies of the National Defense Authorization Act and response letters; and the report entitled “Preserving Security and Democratic Freedoms in the War on Terrorism.” These electronic records are from the Automated Records Management System (ARMS) and Exchange Email Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2014-0080-F[1]	Records concerning the possession of weapons of mass destruction by Iraq	9,424	5,139 in whole; 456 in part	3,829 in whole; 456 in part

This researcher submitted a Freedom of Information Act (FOIA) request for records concerning the possession of weapons of mass destruction (WMD) by Iraq. The George W. Bush Presidential electronic records proposed for opening are press releases, fact sheets, presidential and vice presidential remarks, pool reports, talking points (and drafts thereof), publications, news articles, and email correspondence with journalists that mention WMDs and Iraq. Additionally, there are routine policy-related poll results compiled from news sources, as well as transcripts, draft legislation, scheduling materials and meeting requests, congressional briefing schedules, and draft robo letters. These materials are from the Automated Records Management System (ARMS) and Exchange Email Search and Access Sets.

###