



VIA EMAIL
(LM 2016-059)

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 50,823 pages, 8,420 assets, and nine video clips, 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, 30,998 pages and 1,759 assets in whole and 2,055 pages, 4,993 assets, and one video clip in part have been restricted. Therefore, NARA is proposing to open the remaining 17,770 pages, 1,668 assets, and eight video clips in whole, and 2,055 pages, 4,993 assets, and one video clip 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 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>
2014-0127-F	Records on the commutation issued to I. Lewis ("Scooter") Libby or a potential pardon for Mr. Libby	671 pages; 7,408 assets	144 pages, 1,208 assets in whole; 55 pages, 4,932 assets in part	472 pages, 1,268 assets in whole; 55 pages, 4,932 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for records related to the commutation issued to I. Lewis ("Scooter") Libby or records related to a potential pardon for Mr. Libby. The George W. Bush Presidential textual records proposed for opening are routine correspondence, routing memoranda, schedules, webpage printouts, court filings, legal citations and speech transcripts. This material also contains copies of statements on the commutation of Mr. Libby from both President George W. Bush and Special Prosecutor Patrick Fitzgerald. These materials are from the White House Counsel's Office, the White House Office of the Staff Secretary, and the White House Office of Records Management Subject Files. Electronic records proposed for opening consist of proclamations, presidential statements, talking points, news articles, transcripts of television programs, correspondence with members of the public and White House summaries thereof, letters from members of Congress and summaries thereof, correspondence with reporters on the topic of Mr. Libby's sentencing and potential pardon, and email petitions sent by members of the public in opposition to a pardon for Mr. Libby. These electronic records are from the Exchange Email and RNC Personal Storage Table (PST) Search and Access Sets, as well as the OA, PFIAB, and WHO Shared Drives.

<u>Case Number</u>	<u>Topic</u>	<u>Material Processed</u>	<u>Material Restricted</u>	<u>Material Proposed for Opening</u>
2014-0159-F	Drafts of Executive Order 13303	294 pages, 668 assets	30 pages, 350 assets in whole; 3 pages, 2 assets in part	261 pages, 316 assets in whole; 3 pages, 2 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for drafts of Executive Order 13303. The George W. Bush Presidential textual records proposed for opening are printed emails, fax cover sheets, internet printouts, distribution lists, press releases, routine memoranda, and drafts and final versions of the executive order and message to Congress. Memoranda include White House staffing memoranda, routine transmittal and approval memoranda, and copies of the memorandum from Mitchell Daniels to President George W. Bush recommending the executive order be signed. Executive Order 13303, Protecting the Development Fund for Iraq and Certain Other Property in Which Iraq Has an Interest, and the corresponding message to Congress were signed on May 22, 2003. These materials are from the White House Office of Records Management Subject Files and the National Security Council. Electronic records proposed for opening consist of drafts and final versions of Executive Order 13303 and the corresponding message to Congress,

press releases, press points, a draft of the aforementioned memorandum from Mitchell Daniels and a views letter from the Office of Management and Budget related to the signing of the executive order. Additionally, there are emails regarding the staffing out and review of drafts of the executive order and message to Congress. 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>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2014-0215-F[1]	Records sent to, sent by, or received by President George W. Bush regarding Al Qaeda and Osama bin Laden	44,583	28,296 in whole; 1,419 in part	14,178 in whole; 1,419 in part

This researcher submitted a Freedom of Information Act (FOIA) request for records sent to, sent by, or received by President George W. Bush regarding Osama bin Laden and al Qaeda. The George W. Bush Presidential records proposed for opening are correspondence from members of Congress, military families, and other constituents, as well as required reports to Congress with updates on the Global War on Terror. Additional material includes press releases, gift records, news reports, fact sheets, briefings, and talking points. A significant portion of this material contains speeches and speech drafts addressing the topic of terrorism. These materials are from the White House Office of Records Management, White House Office of the Staff Secretary and White House Office of Speechwriting.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2014-0427-F	Draft US Space Transportation Policy between 2000 and 2002	1,094	908 in whole; 3 in part	183 in whole; 3 in part

This researcher submitted a Freedom of Information Act (FOIA) request for drafts of the US Space Transportation Policy between 2000 and 2002. The George W. Bush Presidential records proposed for opening are routing slips, fax cover sheets, meeting invitations, distribution and routine memoranda, routing emails, business cards, and concurrence letters, and emails relating to the drafting of the US Space Transportation Policy. Additionally, copies of the signed NSPD-40 (US Space Transportation Policy) from December 2004 are present. These materials are from the National Security Council and George W. Bush Presidential Electronic Records.

<u>Case Number</u>	<u>Topic</u>	<u>Material Processed</u>	<u>Material Restricted</u>	<u>Material Proposed for Opening</u>
2014-0555-F	Drafts of President George W. Bush's Remarks at the United States Military Academy at West Point on June 1, 2002	1,332 pages; 101 assets	218 pages, 46 assets in whole; 108 pages, 49 assets in part	1,006 pages, 6 assets in whole; 108 pages, 49 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for drafts of President George W. Bush's remarks at the United States Military Academy at West Point on June 1, 2002. The George W. Bush Presidential textual records proposed for opening are speech drafts, research material, background and participant information, schedules, briefing papers, trip books, and printed emails. These materials relate to the scheduled events from June 1, 2002, to June 3, 2002, and come from the White House Office of Records Management Subject Files, the White House Office of Speechwriting, and the White House Office of the Staff Secretary. Electronic records proposed for opening consist of speech drafts and emails transmitting speech drafts. These electronic records come from the Automated Records Management System (ARMS) and WHO Shared Drive 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>
2015-0012-F	Select dates of the Presidential Daily Diary and Briefing Materials from the White House Offices of Scheduling and Advance	1,036 pages; 1 asset	140 pages in whole; 385 pages, 1 asset in part	511 pages in whole; 385 pages, 1 asset in part

This researcher submitted a Freedom of Information Act (FOIA) request for select dates of the Presidential Daily Diary and briefing materials from the White House Offices of Scheduling and Advance. The George W. Bush Presidential records proposed for opening consist of general correspondence, schedule proposals, schedules and drafts thereof. These materials are from the White House Office of Appointments and Scheduling and the White House Office of Advance. The electronic record proposed for opening is the schedule of President George W. Bush for July 27, 2005. This electronic record is from the WHO Shared Drive Search and Access Set.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2015-0056-F	Repatriation documents addressed to President George W. Bush sent in 2001 and 2002	1,563	473 in whole; 46 in part	1,044 in whole; 46 in part

This researcher submitted a Freedom of Information Act (FOIA) request for repatriation documents sent in the years 2001 and 2002 to President George W. Bush. The George W. Bush Presidential records proposed for opening are routine correspondence, printed material, routing memoranda, schedules, and reports related to the repatriation of dividends and foreign earnings, as well as

refugees, immigrants and displaced persons. These materials are from the White House Office of Communications, the Council of Economic Advisors, the White House Counsel's Office, the Homeland Security Council, the National Economic Council, the White House Press Office, and the White House Office of Records Management Subject Files.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2015-0094-F	Records from January 1, 2001 to January 31, 2002 regarding Purcell v. MWI Corp; documents containing the terms Eller, Indimi, MWI, and McCallum; or correspondence between Robert McCallum and the Executive Office of the President	206	133 in whole; 9 in part	64 in whole; 9 in part

This researcher submitted a Freedom of Information Act (FOIA) request for records from January 1, 2001, to January 31, 2002, regarding Purcell v. MWI Corp; documents containing the terms Eller, Indimi, MWI, and McCallum; or correspondence between Robert McCallum and the Executive Office of the President. The George W. Bush Presidential electronic records proposed for opening are emails to and from Robert McCallum regarding his appointment to the Department of Justice (DOJ) and his resume, requests for comments or updates regarding the cleanup of the World Trade Center site, the scheduling of meetings and meeting invitations, and factual background on legal cases. Additionally, there are read-receipt notifications, an out-of-office reply for the law firm Mr. McCallum left when he joined DOJ, draft press releases, the final version of a complaint regarding the United States and Kirsanow v. Wilson, emails concerning DOJ funds for tobacco litigation, and a request for a White House Christmas card. These materials are from the Automated Records Management System (ARMS) Search and Access Set.

<u>Case Number</u>	<u>Topic</u>	<u>Videoclip Processed</u>	<u>Videoclip Restricted</u>	<u>Videoclip Proposed for Opening</u>
2015-0251-F	Video of Oval Office Departure Photo with President George W. Bush on January 6, 2005	1	1 in part	1 in part

This researcher submitted a first-person Freedom of Information Act (FOIA) request for video footage of his departure photo with President George W. Bush in the Oval Office on January 6, 2005. The George W. Bush Presidential record proposed for opening consists of 1 video clip from the White House Communications Agency. The footage is a closed press event and shows President George W. Bush greeting and taking photos with White House staff, including Secretary Tom Ridge and his family.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2015-0303-F	All records and correspondence with and about Rafael Edward "Ted" Cruz from the Office of Presidential Personnel	63	17 in whole; 24 in part	22 in whole; 24 in part

This researcher submitted a Freedom of Information Act (FOIA) request for all records and correspondence with and about Rafael Edward "Ted" Cruz from the Office of Presidential Personnel. The George W. Bush Presidential records proposed for opening are notes, vetting and appointment forms, resumes, position descriptions, published articles, and printed on-line application forms. Document formats listed are from or in regards to Ted Cruz as a candidate for position(s) at the White House (personally identifiable information has been protected). These materials are from the White House Office of Presidential Personnel.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2015-0307-F	All communications by Susan Ralston with and about Rafael Edward "Ted" Cruz	29	18	11

This researcher submitted a Freedom of Information Act (FOIA) request for all communications by Susan Ralston with and about Rafael Edward "Ted" Cruz. The George W. Bush Presidential electronic records proposed for opening are emails regarding appointments and scheduling for Karl Rove, a request for Ted Cruz's contact information, and a news article. These materials are from the Automated Records Management System (ARMS) and Exchange Email Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2015-0309-F	All records and correspondence with and about Heidi Suzanne Cruz or Heidi Suzanne Nelson from the White House Counsel's Office	96	72 in whole; 9 in part	15 in whole; 9 in part

This researcher submitted a Freedom of Information Act (FOIA) request for all records and correspondence with and about Heidi Suzanne Cruz or Heidi Suzanne Nelson from the White House Counsel's Office. The George W. Bush Presidential records proposed for opening are printed email, fax cover sheets, and publications (and duplicates thereof). The printed email present are from Heidi Cruz to other White House staff members regarding routine administrative matters. Also included are copied pages from the Code of Federal Regulations. These materials are from the White House Counsel's Office.

<u>Case Number</u>	<u>Topic</u>	<u>Videoclips Processed</u>	<u>Videoclips Restricted</u>	<u>Videoclips Proposed for Opening</u>
2016-0010-F	Video of the President's address on the Iraq War Supplement Budget on October 22, 2007	8	0	8

This researcher submitted a Freedom of Information Act (FOIA) request for video footage of President George W. Bush's address following a meeting with veteran representatives regarding the Iraq War Supplement Budget on October 22, 2007. The George W. Bush Presidential records proposed for opening consist of 8 video clips from the White House Communications Agency. In addition to President George W. Bush's address on the Iraq War Supplement Budget, the footage also includes President George W. Bush meeting with the President of Mongolia, signing the Millennium Challenge Corporation agreement with Mongolia, President George W. Bush's arrival and departure from Decatur House, President George W. Bush's statement following a Cabinet Meeting regarding the California wildfires, and President George W. Bush's informal remarks to Fall 2007 White House interns.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2016-0019-F	All letters sent to President George W. Bush from Dr. Ben Carson from 2001-2009	91	10 in whole; 3 in part	78 in whole; 3 in part

This researcher submitted a Freedom of Information Act (FOIA) request for all letters sent to President George W. Bush from Dr. Ben Carson from 2001 to 2009. The George W. Bush Presidential records proposed for opening are correspondence, a curriculum vitae, and routing memoranda. There is draft correspondence from President George W. Bush regarding a gift of Dr. Ben Carson's book The Big Picture. In addition, there is incoming correspondence from Dr. Carson in regards to serving on a medical advisory group, as well as a request to use President George W. Bush and Mrs. Bush's names. Also present is Dr. Carson's curriculum vitae. These materials are from the White House Office of Records Management Subject Files and White House Counsel's Office.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2016-0107-F	Pay scale for the Director of Public Affairs at the Department of Justice in 2002 and 2003	7	4	3

This researcher submitted a Freedom of Information Act (FOIA) request for the pay scale for the Director of Public Affairs at the Department of Justice in 2002 and 2003. The George W. Bush Presidential electronic records proposed for opening are emails concerning personnel cleared for permanent status. These materials are from the Automated Records Management System (ARMS) Search and Access Set.

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NATIONAL
ARCHIVES

VIA EMAIL
(LM 2016-059)

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 50,823 pages, 8,420 assets, and nine video clips, 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 30,998 pages and 1,759 assets in whole and 2,055 pages, 4,993 assets, and one video clip in part. NARA is proposing to open the remaining 17,770 pages, 1,668 assets, and eight video clips in whole, and 2,055 pages, 4,993 assets, and one video clip 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.

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

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,

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B. JOHN LASTER
DIRECTOR
Presidential Materials Division

Enclosure

ATTACHMENT A

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press releases, press points, a draft of the aforementioned memorandum from Mitchell Daniels and a views letter from the Office of Management and Budget related to the signing of the executive order. Additionally, there are emails regarding the staffing out and review of drafts of the executive order and message to Congress. These electronic records are from the Automated Records Management System (ARMS), Exchange Email, and WHO Shared Drive Search and Access Sets.

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This researcher submitted a Freedom of Information Act (FOIA) request for all communications by Susan Ralston with and about Rafael Edward "Ted" Cruz. The George W. Bush Presidential electronic records proposed for opening are emails regarding appointments and scheduling for Karl Rove, a request for Ted Cruz's contact information, and a news article. These materials are from the Automated Records Management System (ARMS) and Exchange Email Search and Access Sets.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2015-0309-F	All records and correspondence with and about Heidi Suzanne Cruz or Heidi Suzanne Nelson from the White House Counsel's Office	96	72 in whole; 9 in part	15 in whole; 9 in part

This researcher submitted a Freedom of Information Act (FOIA) request for all records and correspondence with and about Heidi Suzanne Cruz or Heidi Suzanne Nelson from the White House Counsel's Office. The George W. Bush Presidential records proposed for opening are printed email, fax cover sheets, and publications (and duplicates thereof). The printed email present are from Heidi Cruz to other White House staff members regarding routine administrative matters. Also included are copied pages from the Code of Federal Regulations. These materials are from the White House Counsel's Office.

<u>Case Number</u>	<u>Topic</u>	<u>Videoclips Processed</u>	<u>Videoclips Restricted</u>	<u>Videoclips Proposed for Opening</u>
2016-0010-F	Video of the President's address on the Iraq War Supplement Budget on October 22, 2007	8	0	8

This researcher submitted a Freedom of Information Act (FOIA) request for video footage of President George W. Bush's address following a meeting with veteran representatives regarding the Iraq War Supplement Budget on October 22, 2007. The George W. Bush Presidential records proposed for opening consist of 8 video clips from the White House Communications Agency. In addition to President George W. Bush's address on the Iraq War Supplement Budget, the footage also includes President George W. Bush meeting with the President of Mongolia, signing the Millennium Challenge Corporation agreement with Mongolia, President George W. Bush's arrival and departure from Decatur House, President George W. Bush's statement following a Cabinet Meeting regarding the California wildfires, and President George W. Bush's informal remarks to Fall 2007 White House interns.

<u>Case Number</u>	<u>Topic</u>	<u>Pages Processed</u>	<u>Pages Restricted</u>	<u>Pages Proposed for Opening</u>
2016-0019-F	All letters sent to President George W. Bush from Dr. Ben Carson from 2001-2009	91	10 in whole; 3 in part	78 in whole; 3 in part

This researcher submitted a Freedom of Information Act (FOIA) request for all letters sent to President George W. Bush from Dr. Ben Carson from 2001 to 2009. The George W. Bush Presidential records proposed for opening are correspondence, a curriculum vitae, and routing memoranda. There is draft correspondence from President George W. Bush regarding a gift of Dr. Ben Carson's book The Big Picture. In addition, there is incoming correspondence from Dr. Carson in regards to serving on a medical advisory group, as well as a request to use President George W. Bush and Mrs. Bush's names. Also present is Dr. Carson's curriculum vitae. These materials are from the White House Office of Records Management Subject Files and White House Counsel's Office.

<u>Case Number</u>	<u>Topic</u>	<u>Assets Processed</u>	<u>Assets Restricted</u>	<u>Assets Proposed for Opening</u>
2016-0107-F	Pay scale for the Director of Public Affairs at the Department of Justice in 2002 and 2003	7	4	3

This researcher submitted a Freedom of Information Act (FOIA) request for the pay scale for the Director of Public Affairs at the Department of Justice in 2002 and 2003. The George W. Bush Presidential electronic records proposed for opening are emails concerning personnel cleared for permanent status. These materials are from the Automated Records Management System (ARMS) Search and Access Set.

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