



NATIONAL
ARCHIVES

VIA EMAIL

(LM 2017-033)

March 10, 2017

The Honorable Donald F. McGahn, II
Counsel to the President
The White House
Washington, D.C. 20502

Dear Mr. McGahn:

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) request listed in Attachment A.

This material, consisting of 125 pages of textual records, 2,763 electronic assets that total 19,438 pages, 522 Microsoft Excel spreadsheets, and eight Microsoft Access databases, 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 47 pages of textual records, 1,907 electronic assets that total 12,962 pages, 392 Microsoft Excel spreadsheets, and eight Microsoft Access databases. NARA is proposing to open the remaining 57 pages of textual records, 558 electronic assets that total 5,657 pages, and 130 Microsoft Excel spreadsheets in whole along with 21 page of textual records and 298 electronic assets that total 819 pages in part.

We are concurrently informing former President George W. Bush's representative, William Burck, of our intent to release these records. Pursuant to 44 U.S.C. 2208(a)(3)(A), NARA would normally release these records 60 working days from the date of this letter, which is June 5, 2017, unless the former or incumbent President requests a one-time extension of an additional 30 working days. However, pursuant to 44 U.S.C. 2208(a)(3)(C), which extends the 60-day period for the first six months after the incumbent President first takes office, NARA will release these records on July 20, 2017 unless the former and incumbent President authorizes NARA to release these records earlier 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 July 20, 2017. 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,



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>
2017-0145-F	Neil Gorsuch	125 pages of textual records; 2,763 electronic assets totaling 19,438 pages; 522 Microsoft Excel spreadsheets; and eight Microsoft Access databases	47 pages of textual records; 1,907 electronic assets that total 12,962 pages; 392 Microsoft Excel spreadsheets; and 8 Microsoft Access databases	57 pages of textual records in whole and 21 pages in part; 558 electronic assets totaling 5,657 pages in whole and 298 electronic assets totaling 819 pages in part; 130 Microsoft Excel spreadsheets

This researcher submitted a Freedom of Information Act (FOIA) request for records related to the appointment and nomination of Neil Gorsuch to the United States Court of Appeals for the Tenth Circuit or his consideration for any other position within the George W. Bush Administration. The George W. Bush Presidential textual records proposed for opening are correspondence, meeting agendas, and resumes. These materials are from the White House Office of Records Management Subject Files, White House Counsel's Office, and White House Office of Presidential Personnel and consist of routine correspondence and resumes to and from Gorsuch about employment opportunities within the administration; resumes from the Office of Presidential Personnel for potential judicial branch positions; and meeting agendas, resumes, and candidate reports about nominees from the White House Judicial Selection Committee meetings with President Bush. Electronic records proposed for opening consist of emails to and from Neil Gorsuch discussing appointments, resumes and paperwork pertaining to Mr. Gorsuch's employment, and WAVES (Worker and Visitor Entry System) records of Mr. Gorsuch's visits to the White House. Additionally, lists, spreadsheets, and reports tracking the progress of administration nominees, and emails discussing Mr. Gorsuch's qualifications for administration positions are present. Also included are administrative emails regarding nominations and appointments, talking points regarding Presidential nominees and the nominations process, as well as biographies of Presidential nominees, and news articles. These electronic records are from the Exchange Email, Exchange Email Restored 40 Days, Worker and Visitor Entry System (WAVES), RNC Personal Storage Table (PST), and WHO Shared Drive Search and Access Sets.

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(LM 2017-033)

March 10, 2017

William Burck
777 Sixth SW, NW
Washington, DC 20001

Dear Mr. Burck:

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) request described in Attachment A.

This material, consisting of 125 pages of textual records, 2,763 electronic assets that total 19,438 pages, 522 Microsoft Excel spreadsheets, and eight Microsoft Access databases, 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 47 pages of textual records, 1,907 electronic assets that total 12,962 pages, 392 Microsoft Excel spreadsheets, and eight Microsoft Access databases. NARA is proposing to open the remaining 57 pages of textual records, 558 electronic assets that total 5,657 pages, and 130 Microsoft Excel spreadsheets in whole along with 21 page of textual records and 298 electronic assets that total 819 pages in part.

We are concurrently informing the incumbent President of our intent to release these George W. Bush Presidential records. Pursuant to 44 U.S.C. 2208(a)(3)(A), NARA would normally release these records 60 working days from the date of this letter, which is June 5, 2017, unless the former or incumbent President requests a one-time extension of an additional 30 working days. However, pursuant to 44 U.S.C. 2208(a)(3)(C), which extends the 60-day period for the first six months after the incumbent President first takes office, NARA will release these records on July 20, 2017 unless the former and incumbent President authorizes NARA to release these records earlier 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 July 20, 2017. 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,

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

ATTACHMENT A

<u>Case Number</u>	<u>Topic</u>	<u>Material Processed</u>	<u>Material Restricted</u>	<u>Material Proposed for Opening</u>
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