



VIA EMAIL
(LM 2019-007)

October 22, 2018

The Honorable Emmet T. Flood, IV
Counsel to the President
The White House
Washington, D.C. 20502

Dear Mr. Flood:

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 *Blumenthal v. NARA* FOIA litigation.

These records, consisting of 189 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 records were also reviewed for all applicable FOIA exemptions. As a result of this review, 66 emails in whole and 16 emails in part have been restricted. Therefore, NARA is proposing to open the remaining 107 emails in whole and 16 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 January 18, 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 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>
2018-0263-F[2]	Emails From, To, CC, or BCC Manny Miranda and Brett Kavanaugh, between July 2003-April 2004 and emails From, To, CC, or BCC Brett Kavanaugh containing the terms “Manny” or “Ledeen,” between November 2003-February 2004	189 emails	66 emails in whole; 16 emails in part	107 emails in whole; 16 emails in part

This researcher submitted a Freedom of Information Act (FOIA) request for emails sent or received by Manny Miranda and Brett Kavanaugh between July 2003 and April 2004 as well as emails sent or received by Brett Kavanaugh containing the terms “Manny” or “Ledeen” between November 2003 and February 2004. The George W. Bush Presidential electronic records proposed for opening are emails containing speech drafts, news articles, and op-eds, as well as talking points regarding Brett Kavanaugh’s nomination to the United States Court of Appeals - DC Circuit and administrative emails regarding facts pertaining to the status of George W. Bush Administration judicial nominees. These records are from the Automated Records Management System (ARMS), Exchange Email, and RNC Personal Storage Table (PST) Search and Access Sets.

###



VIA EMAIL
(LM 2019-007)

October 22, 2018

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

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 in response to the *Blumenthal v. NARA* FOIA litigation.

These records, consisting of 189 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 pages were also reviewed for all applicable FOIA exemptions. As a result of this review, NARA has restricted 66 emails in whole and 16 emails in part. NARA is proposing to open the remaining 107 emails in whole and 16 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 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 January 18, 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.

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 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>
2018-0263-F[2]	Emails From, To, CC, or BCC Manny Miranda and Brett Kavanaugh, between July 2003-April 2004 and emails From, To, CC, or BCC Brett Kavanaugh containing the terms “Manny” or “Ledeen,” between November 2003-February 2004	189 emails	66 emails in whole; 16 assets in part	107 assets in whole; 16 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for emails sent or received by Manny Miranda and Brett Kavanaugh between July 2003 and April 2004 as well as emails sent or received by Brett Kavanaugh containing the terms “Manny” or “Ledeen” between November 2003 and February 2004. The George W. Bush Presidential electronic records proposed for opening are emails containing speech drafts, news articles, and op-eds, as well as talking points regarding Brett Kavanaugh’s nomination to the United States Court of Appeals - DC Circuit and administrative emails regarding facts pertaining to the status of George W. Bush Administration judicial nominees. These records are from the Automated Records Management System (ARMS), Exchange Email, and RNC Personal Storage Table (PST) Search and Access Sets.

###