



VIA EMAIL
(LM 2019-039)

February 14, 2019

The Honorable Pat A. Cipollone
Counsel to the President
The White House
Washington, D.C. 20502

Dear Mr. Cipollone:

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 *EPIC v. NARA* FOIA litigation.

These records, consisting of 1,379 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 emails were also reviewed for all applicable FOIA exemptions. As a result of this review, 1,224 emails in whole and 21 emails in part have been restricted. Therefore, NARA is proposing to open the remaining 134 emails in whole and 21 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 May 10, 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>
2018-0258-F[2]	Emails to or from Brett Kavanaugh with specific correspondents, or containing specific keywords	1,379 emails	1,224 emails in whole; 21 assets in part	134 assets in whole; 21 assets in part

This researcher submitted a Freedom of Information Act (FOIA) request for emails sent and received by Brett Kavanaugh during specific time periods and regarding specific people or keywords. For this segment of the FOIA request, records include correspondence to or from Brett Kavanaugh that contains the terms “CAPPS II,” “Secure Flight,” “Passenger Name Record,” or “Total Information Awareness” (dated January 20, 2001 to January 20, 2009) or the terms “Lichtblau” or “Risen” (dated October 1, 2004 to December 1, 2005). The George W. Bush Presidential electronic records proposed for opening are emails containing newspaper articles, fact sheets, talking points, “frequently asked questions” documents, transcripts of speeches as delivered, a draft speech regarding the nomination of Chris Cox as the Chairman of the SEC, form letters sent to members of the public, published papers and reports, “Question and Answer” documents, Press Pool reports, the schedule of the President and related news clippings, newsletters from outside groups, routine correspondence seeking reports, Legislative Referral Memoranda requesting views on Congressional legislation, transcripts of Congressional hearings, and invitations to public events. These materials 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.

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February 14, 2019

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

Dear Mr. Burck:

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

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