



NATIONAL
ARCHIVES

VIA EMAIL

(LW 2022-087)

August 22, 2022

The Honorable Stuart Delery
Counsel to the President
The White House
Washington, D.C. 20502

Dear Mr. Delery:

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.

These records, consisting of 264 assets, have been reviewed for all applicable FOIA exemptions, resulting in 2 assets restricted in whole and 4 assets in part. NARA is proposing to open the remaining 258 assets in whole and 4 assets in part. 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, Freddy Ford, 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 November 17, 2022, 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
White House Liaison 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[28] | Emails From, To, CC, or BCC Brett Kavanaugh Referencing Roe between July 2003-May 2006 that have not already been processed | 264 assets | 2 assets in whole; 4 assets in part | 258 assets in whole; 4 assets in part |

This researcher submitted a Freedom of Information Act (FOIA) request for emails sent or received by Brett Kavanaugh during specific time periods and regarding specific keywords. For this segment of the FOIA request, records include those referencing Roe between July 2003 and May 2006 that have not already been processed. The George W. Bush Presidential electronic records proposed for opening are articles with and without commentary, draft Q&A for roundtable interviews, the internal transcript of the roundtable interview of President Bush with Texas Print Media on August 1, 2005, excerpts and transcripts from interviews with commentary, compilations of questions previously asked by Senators in Supreme Court nominee hearings, samples of emails received from the public regarding Justice O'Connor's retirement announcement and John Roberts' nomination to the Supreme Court, the transcript of the confirmation hearing of John Roberts to be Circuit Judge for the District of Columbia Circuit from the Government Printing Office, Hurricane Katrina DHS Sitrep #42 from September 16, 2005, and draft questions for a moot session. Topics include Justice O'Connor's retirement, John Roberts' nomination, and Harriet Miers' nomination to the Supreme Court. Records from this segment date from July 5, 2005 to October 13, 2005. These materials are from the Exchange Email Search and Access Set.

###



NATIONAL
ARCHIVES

VIA EMAIL
(LW 2022-087)

August 22, 2022

Freddy Ford
Office of George W. Bush
2943 SMU Boulevard
Dallas, TX 75205

Dear Mr. Ford:

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.

These records, consisting of 264 assets, have been reviewed for all applicable FOIA exemptions, resulting in 2 assets restricted in whole and 4 assets in part. NARA is proposing to open the remaining 258 assets in whole and 4 assets in part. A copy of any records proposed for release under this notice will be provided 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 November 17, 2022, 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
White House Liaison 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[28] | Emails From, To, CC, or BCC Brett Kavanaugh Referencing Roe between July 2003-May 2006 that have not already been processed | 264 assets | 2 assets in whole; 4 assets in part | 258 assets in whole; 4 assets in part |

This researcher submitted a Freedom of Information Act (FOIA) request for emails sent or received by Brett Kavanaugh during specific time periods and regarding specific keywords. For this segment of the FOIA request, records include those referencing Roe between July 2003 and May 2006 that have not already been processed. The George W. Bush Presidential electronic records proposed for opening are articles with and without commentary, draft Q&A for roundtable interviews, the internal transcript of the roundtable interview of President Bush with Texas Print Media on August 1, 2005, excerpts and transcripts from interviews with commentary, compilations of questions previously asked by Senators in Supreme Court nominee hearings, samples of emails received from the public regarding Justice O'Connor's retirement announcement and John Roberts' nomination to the Supreme Court, the transcript of the confirmation hearing of John Roberts to be Circuit Judge for the District of Columbia Circuit from the Government Printing Office, Hurricane Katrina DHS Sitrep #42 from September 16, 2005, and draft questions for a moot session. Topics include Justice O'Connor's retirement, John Roberts' nomination, and Harriet Miers' nomination to the Supreme Court. Records from this segment date from July 5, 2005 to October 13, 2005. These materials are from the Exchange Email Search and Access Set.

###