



NATIONAL
ARCHIVES

VIA EMAIL

(LM 2018-043)

February 12, 2018

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 Cheney Vice Presidential records in response to the systematic processing project and Freedom of Information Act (FOIA) request listed in Attachment A.

This material, consisting of 2,010 pages, 18 email messages, and 272 photos, has been reviewed for the six PRA Presidential restrictive categories and all applicable FOIA exemptions. As a result of this review, 794 pages, 11 email messages, and 122 photographs have been restricted. Therefore, NARA is proposing to open the remaining 1,216 pages, seven email messages, and 150 photographs 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 Vice President Cheney's representative, David Addington, and 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 May 8, 2018, unless the former President, former Vice President, or incumbent President requests a one-time extension of an additional 30 working days or if the former or incumbent President 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>
2016-0095-F	Meeting of President Bush and Vice President Cheney with 9/11 Commission members on April 29, 2004	2,010 pages; 18 email messages	755 pages, 11 emails in whole; 39 pages in part	1,216 pages, 7 emails in whole; 39 pages in part

This researcher submitted a Freedom of Information Act (FOIA) request for material related to President Bush and Vice President Cheney meeting with members of the “National Commission on Terrorist Attacks Upon the United States” on April 29, 2004. The Cheney Vice Presidential records proposed for opening include email messages, email printouts, memoranda, transcripts, photocopied publications, notes, lists, press statements, news articles and clips, fact sheets and coversheets. These records were assembled as briefing materials for Vice President Cheney in advance of his meeting with the 9/11 Commission. The transcripts, press statements and news articles document interviews and/or statements given by Vice President Cheney on the events of September 11, 2001, as well as documenting the public testimonies of National Security Advisor Condoleezza Rice, Secretary of State Colin Powell, Secretary of Defense Donald Rumsfeld, Director of Central Intelligence George Tenet, Richard A. Clarke and Thomas Pickard before the 9/11 Commission. Additionally, these records document activities of the George W. Bush Administration prior to September 11, 2001 related to domestic preparedness and establishing a National Energy Policy. Included within these records are notes and correspondence related to the scheduling of meetings between White House staff members and the 9/11 Commission members. The records also include documents on national and regional economic topics. The email messages proposed for opening were sent by Associate Counsel to the President Thomas A. Monheim, Legal Advisor to the National Security Counsel John B. Bellinger, Deputy Counsel David G. Leitch, Laura Veresh and Kevin Kellems. These email messages contain references to President Bush and Vice President Cheney’s meeting with the 9/11 Commission members. These records are dated 2000 to 2004.

<u>Case Number</u>	<u>Topic</u>	<u>Material Processed</u>	<u>Material Restricted</u>	<u>Material Proposed for Opening</u>
2018-0011-F	Photographs of Senator John McCain	272 photographs	122 photographs	150 photographs

The Presidential Materials Division is proposing to make selected Cheney Vice Presidential records available for research as a result of systematic processing. The Cheney Vice Presidential records proposed for opening are comprised of photographs from the White House Photo Office. These photographs depict Vice President Dick Cheney in one-on-one meetings with Senator John McCain in Cheney’s Senate Office and aboard Air Force Two. There are also pictures of them together at larger bipartisan House and Senate leadership meetings held in the Cabinet Room of the White House. Other individuals depicted in these meetings include: President George W. Bush, Secretary of State Condoleezza Rice, House Minority Leader John Boehner, House Speaker Nancy Pelosi, Senate Majority Leader Harry Reid, Senate Minority Leader Mitch McConnell, Senator Joe

Lieberman, Senator Barack Obama, Senator John Warner and Senator Lindsey Graham. Photos of Senator John McCain at a Republican Senate Chairmen meeting, a Senate Policy Lunch and speaking at an International Republican Institute Freedom Dinner are also included. These photographs were taken between 2001 and 2008 by White House photographers Karen Ballard, David Bohrer, Kimberlee Hewitt and Paul Morse.

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(LM 2018-043)

February 12, 2018

David S. Addington
National Federation of Independent Business
1201 F. Street NW #200
Washington, D.C. 20004

Dear Mr. Addington:

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 Vice President Cheney's representative, of our intent to open Cheney Vice Presidential records in response to the systematic processing project and Freedom of Information Act (FOIA) request listed in Attachment A.

These records, consisting of 2,010 pages, 18 emails, and 272 photographs, have been reviewed for the six PRA Presidential restrictive categories and all applicable FOIA exemptions. As a result of this review, 794 pages, 11 emails, and 122 photographs have been restricted in whole or part. Therefore, NARA is proposing to open the remaining 1,216 pages, seven emails, and 150 photographs 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 and 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 May 8, 2018, unless the former President, former Vice President, or incumbent President requests a one-time extension of an additional 30 working days or if the former or incumbent President 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

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B. JOHN LASTER
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February 12, 2018

Tobi Young
Office of George W. Bush
2943 SMU Boulevard
Dallas, TX 75205

Dear Ms. Young:

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