

# **George W. Bush Presidential Library**

**Collection:** Counsel's Office, White House

**Series:** Kavanaugh, Brett – Subject Files

**Folder Title:** Bush Vice Presidential Records

# Withdrawn/Redacted Material

## The George W. Bush Library

| DOCUMENT NO. | FORM            | SUBJECT/TITLE  | PAGES | DATE       | RESTRICTION(S) |
|--------------|-----------------|--|-------|------------|----------------|
| 001          | Fax Cover Sheet | NARA Proposed Opening of Vice Presidential Records -<br>To: Brett Kavanaugh - From: John Mintz | 1     | 04/25/2002 | P5;            |

**COLLECTION TITLE:**

Counsel's Office, White House

**SERIES:**

Kavanaugh, Brett - Subject Files

**FOLDER TITLE:**

Bush Vice Presidential Records

**FRC ID:**

9695

**RESTRICTION CODES**

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

**Deed of Gift Restrictions**

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

**Records Not Subject to FOIA**

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

# Withdrawal Marker

## The George W. Bush Library

| FORM            | SUBJECT/TITLE   | PAGES | DATE       | RESTRICTION(S) |
|-----------------|---|-------|------------|----------------|
| Fax Cover Sheet | NARA Proposed Opening of Vice Presidential Records - To: Brett Kavanaugh - From: John Mintz | 1     | 04/25/2002 | P5;            |

**This marker identifies the original location of the withdrawn item listed above.  
For a complete list of items withdrawn from this folder, see the  
Withdrawal/Redaction Sheet at the front of the folder.**

**COLLECTION:**

Counsel's Office, White House

**SERIES:**

Kavanaugh, Brett - Subject Files

**FOLDER TITLE:**

Bush Vice Presidential Records

**FRC ID:**

9695

**OA Num.:**

2165

**NARA Num.:**

2076

**FOIA IDs and Segments:**

2018-0016-P

2017-0345-F

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# National Archives and Records Administration

700 Pennsylvania Avenue, NW  
Washington, DC 20408-0001

**VIA FACSIMILE**  
(NLMS 2002-012)

April 23, 2002

John A. Mintz  
P.O. Box 362  
Oakton, Virginia 22124

Dear Mr. <sup>John</sup>Mintz:

In accordance with the requirements of the Presidential Records Act (PRA), 44 U.S.C. §§2201-2207 and Executive Order 13233, this letter constitutes a formal notice from the National Archives and Records Administration (NARA) to you, as President Reagan's representative, of our intent to open the following material.

| Case Number | Request   | Pages<br>Re-Reviewed | Pages Remaining<br>Restricted | Pages Proposed<br>for Opening |
|-------------|---|----------------------|-------------------------------|-------------------------------|
| 2002-0639-S | Bush Vice Presidential records<br>formerly restricted under P-2 and/or<br>P-5 | 1142                 | 257                           | 885                           |

These documents were formerly closed under the PRA restrictions for "appointments to federal office," 44 U.S.C. §2204(a)(2), and/or "confidential communications...between the President and his advisers, or between such advisers," 44 U.S.C. §2204(a)(5). However, in accordance with the PRA, these restrictions expired on January 20, 2001. After that date, archivists undertook a systematic re-review of these documents. Of the material re-reviewed, 257 pages were determined to be properly exempt from release under provisions of the FOIA, 5 U.S.C. §552(b). The remaining 885 pages are no longer restricted from release. Therefore, NARA is proposing to open 845 pages of records previously restricted under 44 U.S.C. §2204(a)(5) and an additional 40 pages of records previously restricted under both 44 U.S.C. §2204(a)(2) and (5).

All Bush Vice Presidential records that were reviewed and restricted from release under the applicable provisions of the Freedom of Information Act, 5 U.S.C. §552(b), remain closed and are not included in this notification. Therefore, we are continuing to withhold records from release that are appropriately subject to applicable FOIA exemptions, such as national security classified information, information restricted from release by statute, law enforcement information, and personal or private information.

The records cover a variety of topics and are located in the subject and alphabetical files maintained by the Office of the Vice President (OVP) or in various OVP staff and office files. A copy of all records proposed for release under this notice will be provided to you upon your request. Under the terms of section 3 of E.O. 13233, the former President and/or Vice President or their designated representatives are permitted to review the records for no longer than 90 days unless the request is unduly burdensome. Please inform us at your earliest convenience of your decision with respect to any privilege claims. Pursuant to E.O. 13233, we are also concurrently informing former President Bush's representative, James W. Cicconi, and the incumbent President of our intent to release these records. NARA will not release the documents unless and until former Presidents Bush and Reagan and the incumbent President agree to authorize access to the records.

04/25/02 THU 10:24 FAX

003

04/25/02 10:19 FAX 7036200454  
04/23/02 12:17 FAX 202 501 5709

JOHN A MINTZ  
NLMS ROOM 104

03

003/003

If you have any questions relating to this request, please contact me at (202) 501-5700 or NARA General Counsel Gary M. Stern at (301) 837-3026.

Sincerely,



NANCY KEGAN SMITH  
DIRECTOR  
Presidential Materials Staff

cc: Gary M. Stern  
General Counsel, National Archives and Records Administration  
Doug Menarchik  
Director, George Bush Library



# National Archives and Records Administration

700 Pennsylvania Avenue, NW  
Washington, DC 20408-0001

**VIA FACSIMILE**  
(NLMS 2002-012)

April 23, 2002

The Honorable Alberto R. Gonzales  
Counsel to the President  
The White House  
Washington, D.C. 20500

Dear Judge Gonzales:

In accordance with the requirements of the Presidential Records Act (PRA), 44 U.S.C. §§2201-2207 and Executive Order 13233, this letter constitutes a formal notice from the National Archives and Records Administration (NARA) to the incumbent President of our intent to open the following material.

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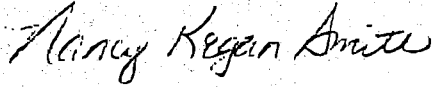
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If you have any questions relating to this request, please contact me at (202) 501-5700 or NARA General Counsel Gary M. Stern at (301) 837-3026.

Sincerely,



NANCY KEGAN SMITH  
DIRECTOR  
Presidential Materials Staff

cc: Brett Kavanaugh  
Associate Counsel to the President  
Paul Colborn  
Office of Legal Counsel, Department of Justice  
Gary M. Stern  
General Counsel, National Archives and Records Administration  
Doug Menarchik  
Director, George Bush Library



# *National Archives & Records Administration*

## **facsimile**

TRANSMITTAL

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to: Brett Kavanaugh  
fax #: (202) 456-5104  
re: Bush Vice Presidential Records Notification  
date: April 23, 2002  
pages: [3 Pages (including cover sheet)].

From the desk of...

**Nancy Smith**  
Director  
Presidential Materials Staff  
700 Pennsylvania Avenue, NW  
Washington, D.C. 20408  
Telephone: (202) 501-5700  
Fax: (202) 501-5709  
Email: [nancy.smith@nara.gov](mailto:nancy.smith@nara.gov)

*National Archives and Records Administration*





# National Archives and Records Administration

700 Pennsylvania Avenue, NW  
Washington, DC 20408-0001

VIA FACSIMILE  
(NLMS 2002-012)

April 23, 2002

The Honorable Alberto R. Gonzales  
Counsel to the President  
The White House  
Washington, D.C. 20500

To: Brett  
FR: Patrick

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If you have any questions relating to this request, please contact me at (202) 501-5700 or NARA General Counsel Gary M. Stern at (301) 837-3026.

Sincerely,



NANCY KEGAN SMITH  
DIRECTOR  
Presidential Materials Staff

cc: Brett Kavanaugh  
Associate Counsel to the President  
Paul Colborn  
Office of Legal Counsel, Department of Justice  
Gary M. Stern  
General Counsel, National Archives and Records Administration  
Doug Menarchik  
Director, George Bush Library



# *National Archives & Records Administration*

EXEC. OFC. PRESIDENT  
COUNSEL TO THE PRESIDENT

2002 APR 23 PM 1:16

## **facsimile**

TRANSMITTAL

to: Alberto R. Gonzales  
fax #: (202) 456-6279  
re: Bush Vice Presidential Records Notification  
date: April 23, 2002  
pages: [3 Pages (including cover sheet)].

From the desk of...

**Nancy Smith**  
Director  
Presidential Materials Staff  
700 Pennsylvania Avenue, NW  
Washington, D.C. 20408  
Telephone: (202) 501-5700  
Fax: (202) 501-5709  
Email: [nancy.smith@nara.gov](mailto:nancy.smith@nara.gov)

*National Archives and Records Administration*