



Archivist of the
United States

September 12, 2023

The Honorable Ron Johnson
Ranking Member
Permanent Subcommittee on Investigations,
Homeland Security and Governmental Affairs Committee
United States Senate
Washington, DC 20510

The Honorable Charles E. Grassley
Ranking Member
Committee on the Budget
United States Senate
Washington, DC 20510

Dear Senators Johnson and Grassley:

I write in response to your letter of August 29, 2023, requesting information concerning how NARA responds to Freedom of Information Act requests for records governed by the Presidential Records Act. Please see the following responses to your questions:

1. Please provide a detailed update on the status of the review of the “approximately 5,138 email messages, 25 electronic files and 200 pages of potentially responsive records” that are connected to the Southeastern Legal Foundation’s June 9, 2022, FOIA request, including:
 - a. Which presidential offices participated in this review?
 - b. Have representatives of the current and former presidents completed the review of the records? If so, which offices have completed their review and when?
 - c. If not, how many records still need to be reviewed and by which office?

Answer: Because the Southeastern Legal Foundation’s (SLF) June 9, 2022, FOIA request involved a high volume of records, it was placed in the complex queue for PRA records of former Vice Presidents, which currently has a multi-year backlog of requests. NARA has now begun processing the request and, as represented by the Department of Justice, anticipates entering into a production schedule with SLF. That process will include the requisite notification to the representatives of the former and incumbent Presidents for public access requests in accordance with 44 U.S.C. 2208. Under this provision, once provided the records for review, the representatives have 60 working days to complete their review and can extend the period for up to an additional 30 working days.

2. Regarding the discovery of Biden records in the Boston office of Pat Moore, as of March 7, 2023, NARA informed our offices that it had not reviewed the contents of the boxes found at Mr. Moore’s Boston office. Has NARA reviewed the contents of these boxes? If so, did any of the Biden records discovered at Mr. Moore’s Boston office include the pseudonyms and email addresses listed below that then-Vice President Biden used?

- a. "RobinWare456@gmail.com";
- b. "Robert.L.Peters@pci.gov";
- c. "JRB Ware"; and
- d. "67stingray".

If not, is NARA confident that the "approximately 5,138 email messages, 25 electronic files and 200 pages of potentially responsive records" are the complete subset of records that contain Biden's pseudonyms and personal email addresses used for official government business? Please explain.

Answer: The volume of potentially responsive records described in the June 2022 response letter to the SLF FOIA request was an estimate based on a preliminary search of records for the purpose of determining which FOIA queue the request would be placed in. At this time, NARA has not reviewed the contents of the boxes retrieved from Mr. Moore's Boston office. However, NARA will conduct an appropriate review of those boxes to determine if there are any responsive records.

- 3. Please produce all records that have been identified responsive to the Southeastern Legal Foundation's June 9, 2022, FOIA request.

Answer: To the extent that NARA is able to release records in response to the SLF FOIA request/lawsuit, we will post them online, and make the records available to your offices as well.

Sincerely,



DR. COLLEEN J. SHOGAN
Archivist of the United States

cc: The Honorable Richard Blumenthal, Chairman
Permanent Subcommittee on Investigations

The Honorable Sheldon Whitehouse, Chairman
Committee on the Budget

The Honorable Christopher Wray, Director
Federal Bureau of Investigation

Dr. Brett M. Baker, Inspector General
U.S. National Archives and Records Administration

Mr. Richard Sauber, Special Counsel to the President
Office of the White House Counsel