

CONYERS ASKS FOR THE WHITE HOUSE SIDE OF YOO AND PHILBIN'S EMAILS

The letter the National Archives wrote to DOJ last week inquiring about John Yoo's missing emails focused on DOJ's violation—as a Federal Agency—of the Federal Records Act.

Now, John Conyers is taking the reverse approach—asking for email exchanges to which the White House was a party—which would be preserved pursuant to the Presidential Records Act.

Any of the missing emails that included White House personnel should have been preserved as Presidential Records and be maintained in your archives. Therefore, I request that you search the relevant records (including both classified and unclassified materials) and provide the Committee with:

- *Any emails including John Yoo sent or received between March 1, 2002, and May 31, 2003.*
- *Any emails including Patrick Philbin sent or received between July 1, 2002, and August 5, 2002.*

Please make every effort to expedite this request. At a minimum, please provide at [sic] preliminary report on the results of your records search as soon as possibly, and in any event no later than March 15, 2010.

NARA is bound to find one of two things: that the abundant discussions between David Addington and John Yoo in this period (and more limited conversations with John Bellinger) have, like John Yoo's DOJ emails, simply disappeared. Alternately, maybe they'll find the White House's side of emails with John Yoo, about this, and other things (such as the warrantless wiretapping program).

Any bets it'll be the former?

At the very least, it'll be a nice test to see how far along NARA's project of restoring all the destroyed White House emails is coming along.