



EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL ON ENVIRONMENTAL QUALITY
WASHINGTON, D.C. 20503

July 23, 2007

Honorable Henry Waxman
Chairman

Honorable Tom Davis
Ranking Minority Member

House Committee on Oversight and Government Reform
U.S. House of Representatives
2157 Rayburn House Office Building
Washington, DC 20515-6143

Dear Chairman Waxman and Ranking Minority Member Davis:

This letter summarizes the latest round of accommodation by the Council on Environmental Quality (CEQ) of your Committee's request for certain documents relating to climate change. It also replies to questions posed by Committee staff at a briefing last Friday, July 20.

In his letter of June 27, 2007, Chairman Connaughton restated his view that CEQ's extensive response as of April 25 (including live testimony and production of over 27,000 pages of CEQ documents) was adequate, yet he proposed several further accommodations regarding the approximately 500 documents outstanding at that point: (1) produce some of these documents, (2) show a substantial majority of these documents to Committee staff *in camera* at CEQ's offices, and (3) provide a briefing as to the reasons for withholding the remaining documents ("remaining documents"). In your reply of June 28, you accepted our proposal as long as review occurred in the Committee's offices, a condition to which CEQ assented.

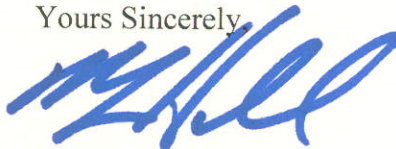
CEQ has now fulfilled all three aspects of the agreed accommodation. Specifically, (1) a number of documents were produced on June 27; (2) a substantial majority of the outstanding documents were shown to Committee staff in Committee offices on July 5, 6, 10, 11 and 20 for as long as Committee staff wished to review them; and (3) Deputy General Counsel Ted Boling and I provided the briefing to Committee staff last Friday. At the briefing, we described the remaining documents in categorical terms to illustrate how they implicate core confidentiality interests of the Executive Branch, and we explained our reasons for withholding them.

During Friday's briefing, Committee staff indicated an interest in exploring additional possibilities for accommodation and asked a number of questions. In response, we offer the following information. First, the number of remaining documents is approximately 175.

Second, Chairman Connaughton looks forward to discussing further accommodations with the Committee. As we indicated at the briefing, he remains open to resolving this matter with you. He can participate in such discussions next week, upon his return from a trip overseas. Third, as to whether CEQ would provide some number of the remaining documents (a) for *in camera* review without note-taking, under the same Committee assurances of confidentiality that pertained to earlier review, and/or (b) in redacted or subdivided form to address confidentiality concerns, we believe that these are suggestions that warrant further direct discussion with CEQ Chairman Connaughton.

Your staff should feel free to contact Ted Boling, CEQ Deputy General Counsel, by phone (202-395-3449) or email (eboling@ceq.eop.gov) with any questions and to make arrangements for further discussion of this matter.

Yours Sincerely,



Martin Hall
Chief of Staff