

HOWARD L. BERMAN, California
RICK BOUCHER, Virginia
JERROLD NADLER, New York
ROBERT C. "BOBBY" SCOTT, Virginia
MELVIN L. WATT, North Carolina
ZOE LOFGREN, California
SHEILA JACKSON LEE, Texas
MAXINE WATERS, California
WILLIAM D. DELAHUNT, Massachusetts
ROBERT WEXLER, Florida
LINDA T. SANCHEZ, California
STEVE COHEN, Tennessee
HENRY C. "HANK" JOHNSON, JR., Georgia
BETTY SUTTON, Ohio
LUIS V. GUTIERREZ, Illinois
BRAD SHERMAN, California
TAMMY BALDWIN, Wisconsin
ANTHONY D. WEINER, New York
ADAM B. SCHIFF, California
ARTUR DAVIS, Alabama
DEBBIE WASSERMAN SCHULTZ, Florida
KEITH ELLISON, Minnesota

F. JAMES SENSENBRENNER, JR., Wisconsin
HOWARD COBLE, North Carolina
ELTON GALLEGLY, California
BOB GOODLATTE, Virginia
STEVE CHABOT, Ohio
DANIEL E. LUNGREN, California
CHRIS CANNON, Utah
RIC KELLER, Florida
DARRELL E. ISSA, California
MIKE PENCE, Indiana
J. RANDY FORBES, Virginia
STEVE KING, Iowa
TOM FEENEY, Florida
TRENT FRANKS, Arizona
LOUIE GOHMERT, Texas
JIM JORDAN, Ohio

ONE HUNDRED TENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

August 1, 2008

By Fax and US Mail

Fred Fielding, Esq.
Counsel to the President
White House Counsel
The White House
1600 Pennsylvania Ave., NW
Washington, DC 20530

Dear Mr. Fielding:

I am writing to follow up on Judge Bates' ruling in the Committee's civil case seeking enforcement of the subpoena issued to White House Chief of Staff Josh Bolten regarding documents relevant to the Committee's investigation into allegations concerning the politicization of the Department of Justice.

Fred, at the outset, I want to assure you that, consistent with Judge Bates' suggestions and the course of our relationship, I am committed to working this dispute out expeditiously and without the need for further litigation. As such, I remain ready, willing, and able to work with you cooperatively to resolve these issues, as we have attempted many times previously, and would welcome a meeting with you directly at your earliest convenience to resolve the matter.

In the meantime, Judge Bates' ruling requires production of all non-privileged documents subject to the subpoena and further requires "a specific description of any documents withheld from production on the basis of executive privilege consistent with the terms of the Memorandum Opinion." Order at ¶ 4. The Opinion explains that the description must include a "list" of the relevant documents as well as a "more detailed" description of their "nature and scope" than that contained in Mr. Clement's June 27, 2007 letter. Memorandum Opinion at 92-93.

Because the parties are to appear before Judge Bates at a status conference on August 27, 2008, it is important that we move quickly on these matters. For that reason, I hope that you will provide the non-privileged documents and the required listing and description of any documents withheld on the basis of privilege by Friday August 8, 2008. Given that the documents have

Fred Fielding, Esq.
Page Two
August 1, 2008

already been collected, identified, and reviewed, this should be ample time. In particular, timely production of these materials is essential so that we may have productive negotiations regarding the document issue ahead of our appearance before Judge Bates, as he has urged us to do. See Memorandum Opinion at 77. I have written a similar letter to Ms. Miers' attorney concerning any documents in her possession and concerning her obligation to testify before the Committee pursuant to the subpoena issued to her.

Please direct any questions or communications to the Judiciary Committee office, 2138 Rayburn House Office Building, Washington, DC 20515 (tel: 202-225-3951; fax: 202-225-7680).

Sincerely,

A handwritten signature in blue ink that reads "John Conyers, Jr." in a cursive style.

John Conyers, Jr.
Chairman

cc: The Honorable Linda Sánchez
The Honorable Lamar S. Smith
The Honorable Chris Cannon
George T. Manning, Esq.
Carl Nichols, Esq.
Irvin Nathan, Esq.