

Brett

THE WHITE HOUSE

WASHINGTON

March 21, 2002

Dear Senator Byrd and Senator Stevens:

The President received your letter of March 15, 2002, and asked that I reply on his behalf.

The Administration respects the important role played by the Congress in evaluating and funding homeland security efforts, and we are committed to meeting Congress' legitimate need for information. For that reason, senior Administration officials, including members of the President's Cabinet and the Director of the Office of Management and Budget, have testified before Congress on these subjects. Governor Ridge and his staff have also provided numerous briefings to many members of Congress and their staffs on homeland security and budgetary matters. The Governor will continue to work closely with Congress, including the relevant Committees, in a manner consistent with this practice. In that vein, we would once again offer to have Governor Ridge meet with you and your Committee. We have also indicated to Majority Leader Daschle that Governor Ridge would like to provide all Senators a briefing. Just as significantly, each of the departments and agencies with operational and budget authority also will continue to work with and testify before the Congress.

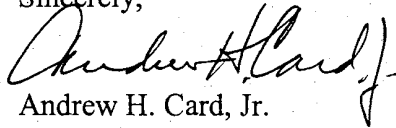
As Nick Calio advised you in his letter of March 13, 2002, however, this Administration also will adhere to the same policy that Presidents of both parties have long followed and that Congress has long respected: The President's immediate White House advisers and staff, including officials with responsibilities closely analogous to those of Governor Ridge such as the National Security Advisor, ordinarily do not testify before Congress on policy matters. This is a fundamental principle of separation of powers that protects the confidentiality of the President's relationship with his White House advisers and the President's ability to employ advisers who can devote their attention to assisting and advising the President as he sees fit.

The rare historical exceptions to the rule against testimony by White House staff have generally been in circumstances, unlike those here, involving substantial evidence of personal or official misconduct. For example, your letter cites three World War II examples, but each of those situations involved allegations of personal or official wrongdoing. And even if there were isolated examples of close Presidential advisers testifying on policy matters, that would not alter our fundamental point: For many decades, Presidents of both parties -- and Congress -- have agreed that the President's White House advisers ordinarily do not testify before Congress on policy matters.

I appreciate your continued interest in homeland security issues, and I invite you to meet with me, Governor Ridge, Nick Calio, and Judge Gonzales to work out a satisfactory

accommodation that will ensure, consistent with these principles, that you receive the information you need regarding homeland security matters.

Sincerely,

A handwritten signature in dark ink, appearing to read "Andrew H. Card, Jr.", written in a cursive style.

Andrew H. Card, Jr.
Chief of Staff

The Honorable Robert C. Byrd
The Honorable Ted Stevens
United States Senate
Washington, DC 20510