

COMMITTEE ON THE JUDICIARY
UNITED STATES HOUSE OF REPRESENTATIVES
v. HARRIET MIERS, *et al.*, Case No. 1:08-cv-00409 (JDB)

EXHIBIT 6

THE WHITE HOUSE

WASHINGTON

April 12, 2007

Dear Chairman Leahy and Chairman Conyers:

I write in response to your joint letter of March 28, as well as your separate March 22 letters in which others joined, regarding the accommodation I outlined in separate meetings with each of you and in my letter of March 20. I appreciate your contacting me jointly on this matter. I also agree with the observation that we should keep the lines of communication open between us, and will be pleased to entertain any further discussions that might clarify our respective positions. There can be no doubt that you and your colleagues had devoted, as have we, a great deal of time and consideration to this matter, as to how best to expeditiously achieve our separate objectives, while avoiding a constitutional clash.

The President has made a commitment to ensure that Congress receives adequate and appropriate information regarding the circumstances surrounding the resignation of the U.S. Attorneys from his Administration. We continue to believe that the path proposed in my March 20 letter is a proper course to meet this commitment while respecting and protecting the constitutional prerogatives of the President. We hope that you will reconsider your rejection of the President's proposal – one constructed and tendered in a spirit of cooperation and accommodation, and designed to share information with your Committees.

In response to your suggestion and invitation in the March 28 letter to attempt to "narrow the dispute," I should affirm that the President's proposal was intended to reflect just such an effort. The proposal reflects a series of balanced compromises designed to respect and accommodate your interests in obtaining information while also protecting the institution of the Presidency. Although it consists of individual components, the proposal reflects a unified offer that, if accepted, would result in your Committees receiving a significant amount of information. We, therefore, respectfully decline your suggestion to immediately produce the documents that we are prepared to release as part of a carefully and thoughtfully considered package of accommodations designed to avoid shifting the dispute to ground on which we need not tread. With all respect, your suggestion fails to credit fully the extraordinary nature of the disclosure we are prepared to provide, and might even prolong this dispute which the President is seeking to resolve in the most expeditious manner possible.

At the end of your March 28 letter, you raised an additional question regarding the scope of the document production we are prepared to make as part of the total accommodation outlined in the March 20 letter. We are aware that certain e-mail accounts supplied by the Republican National Committee may have been used by White House officials in sending or receiving e-mails that might fall within the production contemplated in our letter. Please be assured that it was and remains our intention to collect e-mails and documents from those accounts as well as the

official White House e-mail and document retention system, for production under the terms we outlined.

We continue to believe that the accommodation we offered on March 20, in addition to what the Department of Justice has and will provide, will satisfy the Committees' interests. It is hoped that upon reflection you may concur in that conclusion.

Sincerely,

A handwritten signature in black ink, appearing to read 'Fred F. Fielding', with a horizontal line extending to the right.

Fred F. Fielding
Counsel to the President

The Honorable Patrick J. Leahy
United States Senate
Washington, D.C. 20510

The Honorable John Conyers, Jr.
United States House of Representatives
Washington, D.C. 20515

cc: The Honorable Arlen Specter
The Honorable Chris Cannon