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ONE HUNDRED TENTH CONGRESS

# Congress of the United States

## House of Representatives

COMMITTEE ON THE JUDICIARY

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

August 27, 2008

### By Fax and US Mail

Mr. Fred Fielding  
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's suggestion during this morning's status conference that the Committee make clear a revised date for the White House to comply with its subpoena obligations regarding documents, as required by Judge Bates's July 31, 2008, Order ("Order"). Consistent with that suggestion, and as Mr. Nathan indicated during this morning's conference, the Committee requires that all unprivileged documents and the detailed listing of any withheld documents described in Judge Bates' Order be produced by the close of business on Thursday, September 4, 2008. Production of relevant documents by this date is necessary so that they may be used in connection with Harriet Miers's testimony on September 11, 2008.

I understand the Administration intends to seek a stay of Judge Bates's ruling in the Court of Appeals. Absent such a stay, however, it is important that we have a clear schedule defining your obligations, as Judge Bates plainly stated this morning. And compliance with this date should not be a problem given that the subpoena has been outstanding for more than a year, the documents have already been reviewed and analyzed by the Department of Justice and by White House Counsel staff, and the Judge's Order requiring that the unprivileged documents and description be produced has been pending for nearly a month. Indeed, after the Judge's July 31 Order, I requested preparation and production of these same materials by August 8, several weeks ago.

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As always, I stand ready to consider any fair negotiated resolution of this matter, and would welcome any further communications from you or your staff towards that end. At the same time, however, our investigation of these serious issues must and will proceed.

Please direct the requested materials and 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). I look forward to your cooperation.

Sincerely,

A handwritten signature in black ink that reads "John Conyers, Jr." with a period at the end. The signature is written in a cursive, flowing style.

John Conyers, Jr.  
Committee on the Judiciary

cc: Hon. Linda Sánchez  
Hon. Lamar S. Smith  
Hon. Chris Cannon