

THE WHITE HOUSE

WASHINGTON

October 30, 2007

Dear Senator Boxer:

Thank you for your letter to the President dated October 24, 2007, which has been referred to me for a response. Your letter seeks information in the possession of the White House relating to testimony provided by Dr. Julie Gerberding, the Director of the Centers for Disease Control and Prevention, to the Senate Committee on the Environment and Public Works.

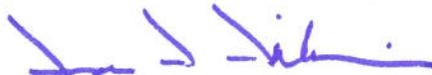
A member of my staff spoke with your Staff Director, Bettina Poirier, on Friday, October 26, 2007, and informed her that we have begun the process of identifying and locating materials that may be responsive to your request. We expect to have a timetable for assembling these materials in the next several days. We will contact your office as soon as we have solidified dates for our internal processes.

I note that the request by its very nature seeks communications involving pre-decisional deliberative materials relating to an inter-agency review process. However, until the requested materials are gathered, it will not be possible to say with particularity which responsive materials may fall into this category. Nevertheless, it is clear that the request implicates core Executive Branch interests and raises separation of powers concerns as well. For that reason, we anticipate that once responsive documents are gathered, it will be necessary to discuss with representatives of your committee the basis for any decision to withhold documents and, if appropriate, the possibility of reaching an accommodation that balances Executive Branch prerogatives with the committee's legitimate oversight needs.

We refer you to the Office of the Vice President in regard to the letter's request for vice presidential records.

We look forward to working with the Committee to achieve a resolution respectful of the needs of both the Executive and Legislative Branches. Please telephone me or Emmet Flood in my office [(202) 456-1019] if you have any questions concerning the foregoing.

Sincerely



Fred F. Fielding
Counsel to the President

The Honorable Barbara Boxer
United States Senate
Washington, D.C. 20510