

THE WHITE HOUSE
WASHINGTON

December 6, 2005

Dear Chairman Davis and Representative Melancon:

I am writing in response to your letter to Andrew Card dated December 1, 2005, concerning requests by the Select Bipartisan Committee to Investigate the Preparation for and Response to Hurricane Katrina (the "Committee") for documents from the Executive Office of the President ("EOP").

As you know, the Administration has already provided substantial information in response to the Committee's requests. That effort, which is still ongoing, has encompassed the production of approximately 250,000 pages of documents from the departments and agencies charged with the operational response to Hurricane Katrina, which you identified as the Committee's principal substantive concern. The Administration has also made numerous witnesses available for testimony or interviews before the Committee. By any measure, the Administration's ongoing response has been substantial and rapid.

As part of this administration-wide response, the EOP also has provided significant information to the Committee, and is prepared to continue its accommodation of your request by producing additional documents and making individuals available to provide the background you have requested. As we have communicated to your staff, it was not practical for the EOP to respond to the Committee's September 30, 2005 request, which would have involved searching over 71 million electronic records and thousands of boxes of hard copy records dating back to January 2001. Accordingly, in response to the Committee's original requests we began our production by providing you with, among other things, a compilation of various operational and situational reports, updates, and assessments addressing the issues of priority identified by your letter and used to inform the officials identified in your letter. These documents are significant materials, and encompass many of the principal sources of information received by the White House concerning the areas of the Committee's focus.

In connection with the EOP's November 3, 2005 production, we asked the Committee to provide us with a narrower and prioritized set of requests for information that would enable us to provide information in ways that would not be overly burdensome or unduly impinge on the separation of powers of the Legislative and Executive Branches. Your response of December 1, 2005 was very helpful with respect to these issues because, among other things, it identified your

principal areas of concern. In an effort to avoid an unnecessary inter-branch confrontation, we are prepared to continue to accommodate the Committee by providing additional information responsive to those priorities, as outlined below.

First, we are prepared to offer a background briefing by one or more senior Administration officials, to be conducted as early as next week. The briefing would encompass the areas of priority identified in your December 1 letter, including the structure of the EOP and identification of components within it that have responsibilities relating to the federal response to a disaster such as Hurricane Katrina and the roles played by those components in the immediate preparations for and response to Hurricane Katrina. While the briefing is intended to address the overall role of the EOP in the response to Hurricane Katrina, we expect it to encompass prioritized areas of inquiry such as EOP involvement in the Administration's efforts to provide food, water and shelter to victims; to provide public safety and law enforcement resources to affected areas; to provide relief and evacuation to victims at the Superdome, Convention Center and cloverleaf; to mobilize active duty and reserve forces; and to provide medical assistance in affected areas. We believe that such a briefing is the best way to quickly provide the Committee with the most relevant information relating to the areas you have prioritized. We will be in contact with your staff to pursue providing this additional information and to work through any practical details and conditions for such a briefing.

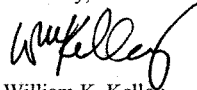
Second, in an effort to be responsive to the Committee's interests and priorities, we have identified officials from the Homeland Security Council staff who were centrally involved in the EOP's activities during the core period of preparation and response (August 26 through September 2). These officials, who are appropriately situated to provide the information you have requested, were central to the Administration's response to the events surrounding Hurricane Katrina. We are currently in the process of reviewing documents (including e-mails) from the files of these officials with the objective of making an additional production of documents next week. We believe that providing information of this nature and source is consistent with prior accommodations we have made.

Finally, we have identified additional materials from the White House Situation Room that reflect reports concerning situational and operational information in the aftermath of the Hurricane landfall, including reports addressing the topics identified in your letters. These additional materials are being produced today under separate cover.

We believe the ongoing response of the Administration – including the substantial productions of documents and other information by the departments and agencies and the initial production by the EOP – will be helpful in addressing the Committee's request for information

from the Executive Branch. We are seeking to address remaining areas of concern through the briefing and production processes outlined above, and stand prepared to work with the Committee to provide additional information as appropriate that the Committee may determine is required after reviewing the ongoing White House and agency productions of information. We look forward to working with you towards the common goal of ensuring that our Nation's response to future disasters is as effective as is possible.

Sincerely,



William K. Kelley
Deputy Counsel to the President

The Honorable Tom Davis
Chairman
Select Bipartisan Committee to
Investigate the Preparation for
and Response to Hurricane Katrina
United States House of Representatives
Washington, D.C. 20515

The Honorable Charles Melancon
Ranking Member
Select Bipartisan Committee to
Investigate the Preparation for
and Response to Hurricane Katrina
United States House of Representatives
Washington, D.C. 20515