



STATE OF NEW YORK  
EXECUTIVE CHAMBER  
ALBANY 12224

April 23, 2003

Elena Ruth Sassower, Coordinator  
Center for Judicial Accountability, Inc.  
P.O. Box 69, Gedney Station  
White Plains, NY 10605-0069

Dear Ms. Sassower:

This letter is to acknowledge that, on or about April 16, 2003, this office received your Freedom of Information Law (FOIL) request for any "publicly-available records pertaining to Governor Pataki's 'Federal Appointments Screening Committee'", including:

- "(1) any Executive Orders pertaining to such Committee;
- (2) any documents reflecting the Governor's appointments of the Committee's Chairman and its members, including the dates thereof;
- (3) any documents setting forth the Committee's rules and procedures;
- (4) any documents reflecting the Committee's solicitation of candidates;
- (5) copies, in blank, of any and all questionnaire forms which the Committee has required candidates for federal judgeships and for positions of U.S. Attorney and U.S. Marshal to complete;
- (6) any documents containing statistical information as to the number of candidates who have applied for consideration by the Committee - and the specific federal offices for which they have applied;
- (7) any documents containing statistical information as to the number of candidates who have been recommended by the Committee - and the specific federal offices for which they have been recommended;
- (8) any documents reflecting the names of candidates recommended by the Committee, the federal offices for which they were recommended and the dates of such recommendations - particularly if such recommendations were thereafter affirmatively acted upon by Governor Pataki and/or President George W. Bush; and
- (9) copies of the Committee's screening reports for candidates subsequently nominated by President Bush for federal office."

April 23, 2003

Please be advised that as with any FOIL Request, this office is only obligated to grant access to those documents or records which are kept by the Executive Chamber, subject to certain exemptions. Further, this office is not obligated to grant access to documents or records that are not kept within the Executive Chamber or that do not exist. In addition, FOIL does not require this office to create documents in response to a FOIL Request.

I will review our records to determine what materials we have that would be responsive to your request. Pursuant to the provision of Public Officers Law § 89 (3), we should be able to provide you with a further response by approximately May 23, 2003.

Sincerely,



Mark R. Ustin  
Assistant Counsel to the Governor  
Records Access Officer