

THE WHITE HOUSE
WASHINGTON

July 17, 2007

Dear Chairman Leahy:

Pursuant to our telephone conversation of this date, I write in response to your letters of June 27, 2007, to the National Security Council Legal Adviser and General Counsel, to the Attorney General and to me.

Your letters attach subpoenas from the Senate Judiciary Committee seeking material relating to any "program or programs of warrantless electronic surveillance" ("the Program") instituted following the terrorist attacks on our Nation on September 11, 2001. The subpoenas cover the period from September 11, 2001 to the present, and they demand a wide range of materials, including both classified and unclassified documents. Since June 27, we have been working diligently to assess your requests and identify and collect documents responsive to the subpoenas. However, it has become clear that we will not be able to come close to completing our review process by the July 18 return date.

We therefore respectfully request that the Committee extend the return dates on its June 27 subpoenas for a length of time sufficient to accomplish such a more exhaustive review and respectfully propose that members of our staffs consult on this need, in order to determine a new prospective return date for providing responses.

Thank you for your courtesy in consideration of this request.

Sincerely,



Fred F. Fielding
Counsel to the President

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

cc: The Honorable Arlen Specter