



Office of the Attorney General

Washington, D.C.

August 3, 2007

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

Dear Mr. Chairman:

I write to provide additional information in response to certain questions posed by Senators at my July 24, 2007 hearing. This additional information is provided in the interest of developing a more complete hearing record in these areas.

Your Questions

During the hearing, you asked me questions regarding potential abuses of the Patriot Act in the context of Intelligence Oversight Board referrals. I do not view instances of inadvertent intelligence collection mistakes as abuse of civil liberties as I explained in my July 13, 2007 letter to Senator Specter, a copy of which is attached for your convenience.

Questions of Senators Hatch and Feinstein

Senators Hatch and Feinstein asked about my visit to former Attorney General Ashcroft's hospital room. I testified in part that after General Ashcroft said he had "been told it would be improvident for me to sign, but that doesn't matter because I'm no longer the Attorney General," Secretary Card and I thanked him and left the hospital room. I also recall that, prior to the time I departed, General Ashcroft briefly mentioned a concern about security clearances for members of his staff regarding the NSA activities that were the subject of the presidential order.

Questions of Senator Kennedy

During the hearing, Senator Kennedy asked the following question about memoranda or other documents regarding a July 20, 2007 Executive Order:

Okay. And did you produce any memoranda or any other documents assessing the legality of the order?

I testified that the Department provided legal advice, but that I did not know whether or not the Department provided a legal document with respect to the order. I followed up on Senator Kennedy's question and am reminded that the Department did issue a short memorandum approving the form and legality of the executive order, as we do with all executive orders. In addition, the Department addressed the legality of the executive order in a recent classified legal opinion.

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During the hearing, Senator Kennedy also asked the following question about political briefings:

Let me go to another issue. This morning a newspaper had this story on the front page. The diplomats received political briefings. "Diplomats received political briefings." They were done, evidently, at the Peace Corps, the Peace Corps. Now we've already had – some 15 federal agencies and departments that were subject to briefings by Karl Rove's political office at the White House. These briefings focused on the key electoral contests. There's additional story, pictures inside the newspaper. And according to The Post today, even diplomats and the Peace Corps have been given briefings that went so far as to identify Democrats targeted for defeat in 2008.

Has Karl Rove or anyone from his office given political briefings to the senior leadership in the Department of Justice?

I am not aware of political briefings, such as those said to have occurred at the Peace Corps and referenced in Senator Kennedy's question, occurring at the Department of Justice. The Department has provided more detailed information to you and to Senator Specter on June 14, 2007, noting that between 2001 and 2007, some political appointees may have attended briefings at the White House. I have attached a copy of our letter for your convenience.

Finally, I wish to reiterate my offer to provide you with a classified briefing on the subject matter of my August 1, 2007 letter in order to clear up any lingering questions you may have on those matters.

I hope that the Committee will find this additional information helpful.

Sincerely,



Alberto R. Gonzales

cc: The Honorable Arlen Specter
Ranking Member

Enclosures