

PATRICK J. LEAHY, VERMONT, CHAIRMAN

EDWARD M. KENNEDY, MASSACHUSETTS
JOSEPH R. BIDEN, JR., DELAWARE
HERB KOHL, WISCONSIN
DIANNE FEINSTEIN, CALIFORNIA
RUSSELL D. FEINGOLD, WISCONSIN
CHARLES E. SCHUMER, NEW YORK
RICHARD J. DURBIN, ILLINOIS
BENJAMIN L. CARDIN, MARYLAND
SHELDON WHITEHOUSE, RHODE ISLAND

ARLEN SPECTER, PENNSYLVANIA
ORRIN G. HATCH, UTAH
CHARLES E. GRASSLEY, IOWA
JON KYL, ARIZONA
JEFF SESSIONS, ALABAMA
LINDSEY O. GRAHAM, SOUTH CAROLINA
JOHN CORNYN, TEXAS
SAM BROWNBACK, KANSAS
TOM COBURN, OKLAHOMA

United States Senate

COMMITTEE ON THE JUDICIARY

WASHINGTON, DC 20510-6275

BRUCE A. COHEN, *Chief Counsel and Staff Director*
MICHAEL O'NEILL, *Republican Chief Counsel and Staff Director*

May 24, 2007

Robert D. Luskin
Patton Boggs LLP
2550 M Street, N.W.
Washington, D.C. 20037

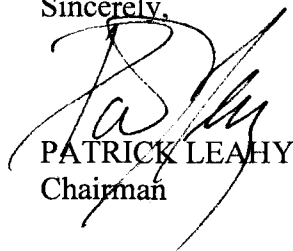
Dear Mr. Luskin:

The White House has confirmed that an unknown number of e-mails, including those of your client, Karl Rove, from both White House accounts and those sent or received using political Republican National Committee accounts, have not been archived. You stated publicly that Mr. Rove's emails were turned over to U.S. Attorney Patrick Fitzgerald as part of the investigation into the leak of the identity of a covert CIA officer by officials in the Administration that led to the conviction of I. Lewis "Scooter" Libby.

The Department's response to the Committee, however, suggests that these emails were not in fact turned over permanently to Mr. Fitzgerald. According to the Department, Mr. Fitzgerald only obtained access to the "electronic media" containing these emails to do a search for documents related to the Plame investigation and then he returned this electronic media to you in a sealed condition.

Do you retain possession of this electronic media and will you provide the Committee with Mr. Rove's emails related to our investigation voluntarily?

Sincerely,


PATRICK LEAHY
Chairman


ARLEN SPECTER
Ranking Member