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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*

March 22, 2007

Fred Fielding, Esq.
Counsel to the President
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. Fielding:

The Senate Judiciary Committee is inquiring into the firing of a number of United States Attorneys. The answers to our questions at the January 18 hearing with the Attorney General and the February 6 hearing with the Deputy Attorney General, as well as a series of statements by White House spokespeople and by the Attorney General and other Justice Department officials in private briefings, have been contradicted by the testimony of the former United States Attorneys and the limited emails and other documents we have obtained from the Department of Justice. Despite the initial White House statements to the contrary, it is now apparent that White House officials were deeply involved in the planning and execution of the firings, the consideration of replacements, and the subsequent misleading explanations from Justice officials.

In a letter from the Committee's Chairman and Ranking Member to you on March 13, as well as in subsequent letters to several current and former White House officials, they suggested a process for the Committee to obtain evidence highly relevant to our investigation, including access to witnesses and all documents in your possession, control, or custody related to our investigation.

Some of us have heard that your letter is a "take it or leave it" offer and that you have characterized it as your best and final offer. We cannot accept the limitations and conditions you seek to impose on the Committee's investigation in your March 20 letter.

Your proposal would unacceptably constrain our ability to investigate; it would deny us access to relevant information; it would interfere with our ability to learn the truth by pre-selecting only certain documents or witnesses; and it would unduly limit the scope of the investigation by prejudging its outcome.

Moreover, you insist that the interviews with White House staff be in the nature of off-the-record, private conversations. There have been a number of such informal briefings already and they have all proved unsatisfactory and provided less than the whole truth.

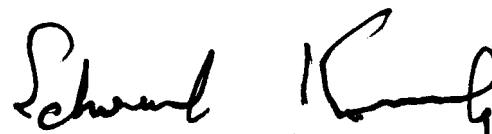
Of course, we remain open to the White House agreeing to provide the investigating committees of the Congress, both House and Senate, with access to witnesses, information and relevant documents. We have oversight responsibility and act on behalf of the American people. Political influence in federal law enforcement is a serious matter. We need to get to the bottom of what happened, why, how, and who was involved.

In addition, we request that you take steps to ensure the preservation and physical integrity of relevant White House documents and information, including emails and other documents stored electronically, while the Senate Judiciary Committee investigation continues.


Sincerely,




PATRICK LEAHY
Chairman



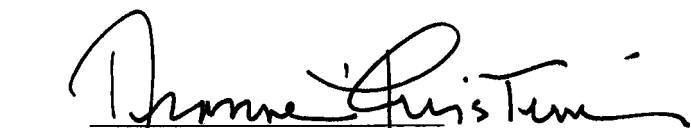
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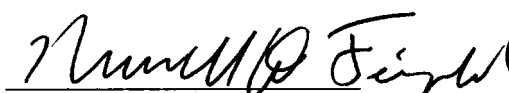
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