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July 18, 2007

The Honorable Alberto Gonzales, Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Gonzales:

On July 12, 2007, the Subcommittee on Intelligence Community Management held a hearing on issues related to classified information and the implementation of Executive Order 12958, which establishes the regulations governing classified material. At our hearing the witnesses stated, and we agree, that the system for safeguarding classified information depends in large part on the faith and confidence of the American people that their government makes its decisions and applies this process uniformly, consistently, and in accordance with standards set forth in the order.

The Executive Order requires that "an entity within the executive branch that comes into possession of classified information" must report annually on its compliance with the regulations to the Information Security Oversight Office (ISOO), which in conjunction with the National Security Adviser, is charged with overseeing implementation of that order.

In 2004, pursuant to the order, the ISOO sought to audit the Office of the Vice President's compliance with the order. The Office of Vice President asserted that it was not an "entity with the executive branch," and did not agree to be audited. The Director of the ISOO asserted that this reading was inconsistent with the text of the Executive Order. Six months ago, acting under the Executive Order, he wrote to you to seek an interpretation of the order. We understand that you have not yet replied.


The ISOO performs an important function in our government by increasing confidence that entities with classified information are safeguarding it appropriately. This confidence helps facilitate information-sharing within the government and protects the information from unauthorized disclosure.

HPSCI 2007-1807

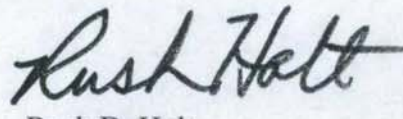
We urge you to render your interpretation of this Order to resolve this dispute. As our witnesses testified, in the absence of your interpretation, "We have a situation where the Executive Order is, in effect, being ignored, and that is dangerous because it undermines the integrity of the whole system."

We look forward to your prompt reply.

Sincerely,



Anna G. Eshoo
Chairwoman



Rush D. Holt