



One Hundred Ninth Congress
U.S. House of Representatives
Committee on Homeland Security
Washington, DC 20515

August 4, 2006

The Honorable Robert Simmons
Chairman
Subcommittee on Intelligence,
Information Sharing, and Terrorism
Risk Assessment

Dear Chairman Simmons:

At a May 10, 2006 hearing in the Subcommittee on Intelligence, Information Sharing & Terrorism Risk Assessment entitled, "Building the Information Sharing Environment: Addressing the Challenges of Implementation," you promised to continue your efforts to secure the testimony of Attorney General Alberto Gonzales and National Security Agency (NSA) Director Lieutenant General Keith B. Alexander. We are following up today to check on your progress in obtaining their testimony.

As you know, Mr. Gonzales and Lieutenant General Alexander refused to testify at the hearing on May 10th. Meaningful oversight of the Department of Homeland Security entails that we understand whether information used by the Department, provided by the Intelligence Community—including the NSA, has been collected lawfully. Without testimony from appropriate government officials who oversee the NSA domestic surveillance program, our Subcommittee and the Department may be using intelligence information unlawfully. Indeed, at a May 24, 2006 Subcommittee hearing, Mr. Allen stated that the Department has no way of knowing how the intelligence that it receives from the Intelligence Community is collected. Without input from Mr. Gonzales and Lieutenant General Alexander, our understanding of the potential threat to privacy and civil liberties that ill-gotten intelligence might pose once it reaches the Department is incomplete.

Please advise us of any progress you have made in scheduling Mr. Gonzales and Lieutenant General Alexander. If you have not had any luck, we believe that it may be time to compel their attendance through Committee subpoenas. We look forward to hearing from you.

Sincerely,



Bennie G. Thompson
Ranking Member



Zoe Lofgren
Ranking Member
Subcommittee on Intelligence,
Information Sharing, and Terrorism
Risk Assessment

cc: Alberto Gonzalez, Attorney General
Lieutenant General Keith B. Alexander
Charles Allen, Chief Intelligence Officer