

One Hundred Ninth Congress
U.S. House of Representatives
Office of the Democratic Leader

December 18, 2005

The Honorable J. Dennis Hastert
Speaker
United States House of Representatives
H 232 The Capitol
Washington, DC 20515

Dear Mr. Speaker:

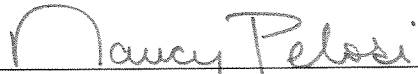
In his radio address of December 17, President Bush disclosed that, after September 11, 2001, he authorized the National Security Agency (NSA) to undertake certain unnamed activities designed to prevent additional terrorist attacks. The President argued his action was “fully consistent with my constitutional responsibilities and authorities.”

An article in the December 16 issue of the New York Times, “Bush Lets US Spy on Callers Without Courts” has led to the inevitable conclusion that the President was referring to an authorization to allow the NSA to conduct warrantless electronic surveillance of US persons. Regardless of whether that is true, we believe that the President’s statements on the 17th, and the justifiable concern of the American people over the allegations in the Times article, require the House of Representatives to take steps immediately to conduct hearings on the scope of Presidential power in the area of electronic surveillance. These hearings would benefit substantially if an independent panel of Constitutional scholars and experts on the laws affecting intelligence activities was to examine existing statutes, regulations, practices and precedents. We urge that you and the Democratic Leader establish such a panel jointly. The work of this panel would enable the House to make more informed judgments on whether adjustments to those authorities are necessary.

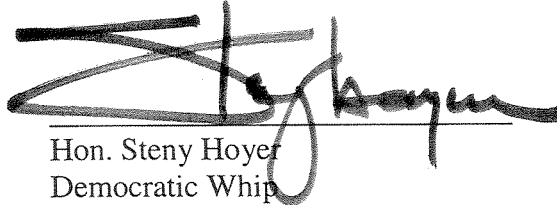
We believe that the President must have the best possible intelligence to protect the American people, but that intelligence must be produced in a manner consistent with our Constitution and our laws, and in a manner that reflects our values as a nation. Our suggestion for hearings and the appointment of an independent panel of experts is fully in keeping with that belief.

We look forward to receiving your response on this important matter.

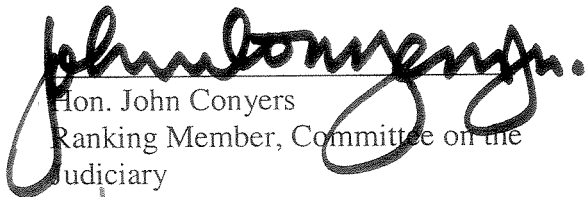
Sincerely,



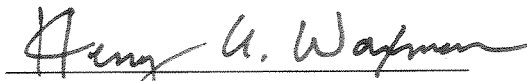
Hon. Nancy Pelosi
Democratic Leader



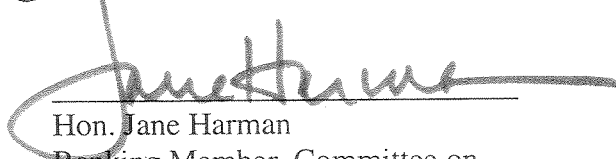
Hon. Steny Hoyer
Democratic Whip



Hon. John Conyers
Ranking Member, Committee on the
Judiciary



Hon. Henry Waxman
Ranking Member, Committee on
Government Reform



Hon. Jane Harman
Ranking Member, Committee on
Intelligence