

DICKSTEINSHAPIRO_{LLP}

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August 2, 2007

Via E-Mail

The Honorable Patrick J. Leahy
Chairman
Committee on the Judiciary
U.S. Senate
Washington, DC 20510-6275

The Honorable Arlen Specter
Ranking Member
Committee on the Judiciary
U.S. Senate
Washington, DC 20510

Re: J. Scott Jennings

Dear Sirs:

I am writing to you as counsel for J. Scott Jennings, who currently serves as Special Assistant to the President and Deputy Director of the Office of Political Affairs. Mr. Jennings has been subpoenaed by the Senate Judiciary Committee to testify and produce documents on August 2, 2007, concerning the Committee's inquiry into "the preservation of prosecutorial independence and the Department of Justice's politicization of the hiring and firing of United States Attorneys." Mr. Jennings also received a letter from the White House Counsel today directing him not to testify or produce documents on this matter based upon the President's assertion of executive privilege. Accordingly, at the young age of 29, Mr. Jennings finds himself in the unenviable position of being caught in the cross fire between two branches of government.

Mr. Jennings has the utmost respect for this Committee, and he intends to appear as required today and answer questions to the best of his ability. At the same time, Mr. Jennings, who has had the honor to serve the President since 2005, feels compelled to abide by the President's directive concerning his testimony before the Committee. Therefore, Mr. Jennings will be unable to answer any questions posed to him about the U.S. Attorneys matter pursuant to the President's assertion of executive privilege. Please understand that Mr. Jennings has nothing to hide, and he is more than willing to answer questions on this subject at a later date if the Committee and the White House reach an agreement that permits him to do so, or if a court rules that the Committee's need for this information outweighs executive privilege.

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I respectfully ask that you take into consideration the very difficult position in which Mr. Jennings finds himself, not only when he appears before your Committee today, but also when you decide whether to seek sanctions – which could have severe personal and professional consequences – against a young man for a decision entirely beyond his control.

Sincerely,



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MRP/lah

cc: The Honorable Emmet T. Flood, Esq.
Special Counsel to the President
The White House
Washington, DC 20004