

TIME TO TALK TO THE GANG OF EIGHT

Alberto Gonzales gave a closed-door briefing to the House Intelligence Committee recently and offered an excuse for barging into ICU to try to get Ashcroft to override Jim Comey. Silvestre Reyes, at least, seems satisfied with Gonzales' explanation.

But Reyes said he was satisfied with Gonzales' explanation and cautioned against drawing conclusions.

"When there are issues of national security at stake, I think certainly one should not question the motivation of individuals," Reyes told reporters. "I'm willing to accept the rationale behind it."

Orrin Hatch, in today's grilling of Gonzales, offered him the opportunity to give that explanation publicly. Gonzales said that the Gang of Eight—both parties' leaders of both houses of Congress, and both parties' leaders of the intelligence committees—advised BushCo to go forward with the domestic wiretap program, which is why, he explains, he thought a man in ICU should have the opportunity to override the judgment of the Acting Attorney General.

There was an interesting exchange, if I heard this correctly. I THOUGHT Hatch asked Gonzales whether Comey was at the meeting. But Gonzales didn't answer that question. Instead, he said he wasn't sure when Comey became Deputy Attorney General. Someone ought to ask Comey whether he remained at the meeting until its end—I'd be curious if he heard Congress approve the program. Or had an opportunity to fully explain the legal problems of the program.

But I'd be just as interested in hearing from the Gang of Eight. Best as I can remember, the

Gang of Eight, on March 10, 2004 was:

- Denny Hastert
- Nancy Pelosi
- Porter Goss
- Jane Harman
- Bill Frist
- Tom Daschle
- Pat Roberts
- Jay Rockefeller

Now, I find the claim that these guys advised BushCo to keep the program dubious—but we're going to have to ask them directly. Not least, that's because only two of these people remain on the Gang of Eight—Pelosi and Rockefeller—and Harman, who at least remains in Congress, is no longer on the HPSCI so couldn't correct Gonzales if he told HPSCI another false story.

Rockefeller, for one, noted his concerns about the program in a letter to Cheney and has said **Congress never had the opportunity to approve or disapprove of the program.**