



U.S. Department of Justice

Office of Legal Counsel

Office of the Principal Deputy Assistant Attorney General

Washington, D.C. 20530

July 20, 2007

J. William Leonard
Director
Information Security Oversight Office
National Archives and Records Administration
700 Pennsylvania Avenue, N.W.
Washington, D.C. 20408

Dear Mr. Leonard:

The Attorney General has asked me to respond to your letter to him dated January 9, 2007, requesting an opinion addressing whether the Office of the Vice President is an "agency" for purposes of Executive Order 12958, as amended ("the Order").

On July 12, 2007, the Counsel to the President wrote a letter to Congress stating that "[t]he President has asked me to confirm to you that . . . the Office of the Vice President . . . is not an 'agency' for purposes of the Order." Letter to the Honorable Sam Brownback, United States Senate, from Fred F. Fielding, Counsel to the President (copy enclosed). That statement on behalf of the President directly resolves the question you presented to the Attorney General. Therefore, the Department of Justice will not be providing an opinion addressing this question.

Please let me know if we may be of further assistance.

Sincerely,

Steven G. Bradbury

Principal Deputy Assistant Attorney General

Enclosure

Cc: David S. Addington
Assistant to the President and
Chief of Staff to the Vice President

Gary M. Stern
General Counsel
National Archives and Records Administration