

## Fremont Tribune

WASHINGTON - Sen. Chuck Hagel on Wednesday became the latest Republican to call for Alberto Gonzales' resignation, saying revelations about a sick bed visit to his predecessor has negated his moral authority to lead the Justice Department.

Citing dramatic testimony a day earlier that revealed that Gonzales, then the White House legal counsel, tried to undermine the department he now leads, Hagel demanded the attorney general's resignation.

"The American people deserve an attorney general, the chief law enforcement officer of our country, whose honesty and capability are beyond question," Hagel, R-Neb., said in a statement. "Attorney General Gonzales can no longer meet this standard. He has failed this country. He has lost the moral authority to lead."

Hagel has hinted at seeking his party's presidential nomination but has not officially declared his candidacy. Another GOP contender, Sen. John McCain, last month called for Gonzales' resignation.

Hagel's harsh words came in response to testimony Tuesday by James Comey, deputy to Gonzales' predecessor, John Ashcroft. Comey said that Gonzales pressured an ailing Ashcroft to approve the legality of President Bush's warrantless wiretapping program. Ashcroft \_ critically ill with pancreatitis at the time \_ rebuffed Gonzales, Comey recalled.

The White House went ahead with the program without Justice Department approval, Comey said. Faced with the resignations of Comey, Ashcroft and FBI Director Robert Mueller, Bush relented and changed the program to address Justice's concerns.

That story plus the dustup over the firings of at least eight federal prosecutors inspired Hagel to demand that Gonzales step down.

"Alberto Gonzales should resign now," Hagel said.

Nebraska's 2nd District representative, Lee Terry, in late March also called for Gonzales to quit.

Republicans have largely refrained from calling for his resignation. Other Republicans who have called for Gonzales' ouster include Sens. John Sununu, R-N.H., Tom Coburn, R-Okla. and House GOP Conference Chairman Adam Putnam, R-Fla.

Not helping Gonzales was Comey's testimony Tuesday before the Senate Judiciary Committee. Democrats elicited the tale of Gonzales' bedside visit to Ashcroft in 2004 \_ then pounced on it as an example of what they said is the attorney general's habit of putting Bush's interests ahead of virtually all else. Otherwise, the story had little connection to the Democrats' stated topic for the hearing, the ousters of eight federal prosecutors over the winter.

Comey's testimony proved compelling enough to inspire a Hagel to demand that Gonzales step down.

At issue was Bush's no-warrant wiretapping program, which Comey described as so questionable that Ashcroft refused for a time to reauthorize it as required in March, 2004.

Senior government officials had expressed concerns about whether the National

Security Agency, which administered the program, had the proper oversight in place. Other concerns included whether any president possessed the legal and constitutional authority to authorize the program as it operated at the time.

Days before the program's required recertification in March, 2004, Ashcroft suddenly fell ill enough with pancreatitis that he transferred the powers of the attorney general to Comey. Acting Attorney General Comey, too, refused to certify the program's legality.

On March 10, Gonzales, then White House Counsel, and Bush's former chief of staff, Andy Card, took the matter to Ashcroft as he lay in the intensive care unit at George Washington University Hospital. Tipped to their impending visit, Comey raced there with the sirens of his security detail blaring, he told the committee Tuesday.

Comey arrived at Ashcroft's bedside moments before the president's aides walked in, Gonzales holding the presidential order of recertification.

Ashcroft rebuffed them, pointing out that Comey held the powers of the attorney general at that moment. Gonzales and Card left the room without acknowledging Comey.

Card later demanded that Comey come to the White House. Comey said he demanded a witness accompany him after the conduct he'd seen at Ashcroft's bed side.

Card "replied, 'What conduct? We were just there to wish him well,'" Comey recalled.

The White House certified the legality of the program without the Justice Department's signoff, causing Comey, Ashcroft and Mueller to prepare their resignations, Comey said. Faced with a mass walkout at the helm of Justice, Bush relented.

A day after the incident at Ashcroft's hospital bedside, Bush ordered changes to the program to accommodate the department's concerns. Ashcroft signed the presidential order to recertify the program about three weeks later.

The White House and the Justice Department refused to comment on the

meeting, but defended the eavesdropping program as essential to the war on terrorism. Spokesmen for Ashcroft and Mueller refused requests for comment.

