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Congress of the United States
House of Representatives

COMMITTEE ON GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

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MAJORITY (202) 225–5074
FACSIMILE (202) 225–3974
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November 1, 2005

The Honorable Henry A. Waxman
Ranking Minority Member
Committee on Government Reform
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Waxman:

I am writing to respond to your October 28, 2005 letter, in which you reiterate your request that our Committee hold hearings "into the leak of the identity" of Valerie Plame Wilson.

Ever since we first discussed this issue, I have consistently stated that I do not see what the Committee could learn or what problem would be solved that cannot and will not be addressed through the independent Special Prosecutor's criminal investigation. In the wake of Special Prosecutor Patrick J. Fitzgerald's public statements last week, I continue to be of that mind. Allowing him do his job continues to be the most powerful course of action to get at the truth.

I believe there is no value to be added, at this time, by a redundant congressional investigation. The questions of who leaked to news reporters Ms. Plame's name, and whether any crimes have been committed, are being addressed. Mr. Fitzgerald's 66-minute news conference on Friday, the 22-page indictment his office filed against I. Lewis "Scooter" Libby, and the fact that his investigation continues, shows that the prosecutor has done as complete and thorough a job as could be done, and with tools unavailable to the Committee. There is no reason for Congress to duplicate his substantial efforts.

When you suggest that the Committee address "how the leak of Ms. Wilson's identity relates to the broader issue of whether the President and his top advisors used misleading intelligence to launch an unnecessary war in Iraq," what you really do is express dissatisfaction

with Mr. Fitzgerald's declaration that the indictment of Mr. Libby "is not about the war."

The investigation and now prosecution also appear to establish that there was no conspiracy to out an undercover CIA agent. Do you have any doubt that if there had been, charges would have been forthcoming? As the *Washington Post's* October 29th editorial opined: "[N]othing in this indictment suggests a broad-based conspiracy that requires endless further investigation by Congress or others." Yet that is precisely what you wish for this Committee to examine.

Moreover, Mr. Fitzgerald has not finished his work. At his Friday press conference, Mr. Fitzgerald was quite eloquent in his plea to let the criminal justice system do its job:

"We are now going from a grand jury investigation to an indictment, a public charge and a public trial. The rules will be different. But I think what we see here today, when a vice president's chief of staff is charged with perjury and obstruction of justice, it does show the world that this is a country that takes its law seriously; that all citizens are bound by the law.

"But what we need to also show the world is that we can also apply the same safeguards to all our citizens, including high officials. Much as they must be bound by the law, they must follow the same rules.

"So I ask everyone involved in this process, anyone who participates in this trial, anyone who covers this trial, anyone sitting home watching these proceedings to follow this process with an American appreciation for our values and our dignity.

"Let's let the process take place. Let's take a deep breath and let justice process the system."

Of course, I will continue to monitor this inquiry, and if the need for a separate congressional investigation becomes evident, we will consult with you and not hesitate to act. As our Committee's history of serious oversight has shown, I am not averse to asking tough questions of this Administration.

Personally, I am very disappointed in the manner in which the White House has handled this matter. As quoted by the *Washington Post* on October 29th:

> House Government Reform Committee Chairman Thomas M. Davis III (R-Va.) was stinging, saying he was "very disappointed in Libby, and the White House, and the vice president and the president."
>
> "They should have taken care of this a long time ago," Davis said in an interview. "They should have done their own investigation. They're going to get very little sympathy on Capitol Hill, at least from me. . . . They brought this on themselves."

However, I have trust in Mr. Fitzgerald and the criminal justice process, and I urge you, too, to let this process work.

Finally, allow me to make a final observation. I find it ironic that in this case we have an independent investigation of the Administration, and you feel a congressional inquiry is also required. Yet in the case of Hurricane Katrina, your leadership in the House has asserted that only an independent review is acceptable, saying a congressional investigation will inevitably result in a partisan "whitewash." This logic – or lack thereof – escapes me. Your case and its credibility would be aided by some consistency.

As always, I appreciate your concerns and will continue to monitor the situation as the investigation by Mr. Fitzgerald winds down.

Sincerely,

Tom Davis
Chairman