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ONE HUNDRED TENTH CONGRESS

Congress of the United States
House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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May 11, 2007

General Michael V. Hayden
Director
Central Intelligence Agency
Washington, DC 20505

Dear General Hayden:

On March 16, 2007, the House Committee on Oversight and Government Reform held a hearing to examine the public disclosure of the employment status of covert CIA officer Valerie Plame Wilson. Following this hearing, we each asked you, in writing, to produce documents related to Ms. Wilson's testimony. To date, you have not produced those documents. We write now to again urge you to provide the requested documents to the Committee voluntarily.

On March 16, the same day as the hearing, Ranking Minority Member Tom Davis sent you a letter requesting the declassification of a February 12, 2002, memorandum from Ms. Wilson to the Deputy Chief of the Counterproliferation Policy Division (CPD) in which Ms. Wilson described the qualifications of her husband, former Ambassador Joseph Wilson, for a fact-finding mission to Niger relating to Iraq's purported attempt to obtain uranium.[1] Portions of this memo were quoted in the unclassified version of a report by the Senate Select Committee on Intelligence issued on July 7, 2004.[2]

On March 26, Chairman Waxman sent you a letter requesting documents relating to the accuracy of testimony by an unnamed "CPD reports officer" cited in the Senate report.[3] According to Ms. Wilson's testimony, information provided to the Senate by this CPD reports officer was "twisted and distorted" to support the inaccurate claim that Ms. Wilson had

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[1] Letter from Rep. Tom Davis to General Michael Hayden, Director, Central Intelligence Agency (Mar. 16, 2007).

[2] Senate Select Committee on Intelligence, *Report on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*, 108th Cong. (2004) (S. Rept. 108-301).

[3] Letter from Rep. Henry A. Waxman to General Michael Hayden, Director, Central Intelligence Agency (Mar. 26, 2007).

suggested her husband, Ambassador Joseph Wilson, for the mission.[4] Ms. Wilson told the Committee that the CPD reports officer drafted a memo to correct the record, but the CIA did not allow him to send it. She also told the Committee that the officer asked to be re-interviewed by the Senate, but that the CIA also denied this request. Chairman Waxman requested the CPD reports officer's memorandum and any other records concerning Ms. Wilson's role in Ambassador Wilson's trip.

On May 3, 2007, your director of congressional affairs, Christopher Walker, responded to both requests by referring us to the House and Senate intelligence committees. Mr. Walker wrote that the House Permanent Select Committee on Intelligence and the Senate Select Committee on Intelligence are "our oversight Committees," so "any further questions … should be addressed to those Committees."[5]

Mr. Walker appears not to understand the House Rules that articulate the jurisdiction of this Committee, the principal oversight committee of the House of Representatives. Under the House Rules, the Oversight Committee "may conduct investigations of *any* matter."[6] The same rule specifically contemplates that the Oversight Committee may make "findings and recommendations" to "any other standing committee having jurisdiction over the matter involved."[7]

By the same token, the House Rule that creates the House Permanent Select Committee on Intelligence expressly provides that "[n]othing in this clause shall be construed as prohibiting or otherwise restricting the authority of any other committee to study and review intelligence or intelligence-related activity" within the jurisdiction of the other committee.[8]

We recognize that House Rule X, clause (3)(m) provides that the House Permanent Select Committee on Intelligence "shall review and study on an exclusive basis the sources and methods" of intelligence agencies. In this case, however, the Oversight Committee is not seeking to conduct oversight over the "sources and methods" of intelligence agencies. Rather, it is seeking to assess (1) whether there is any truth to the allegations that Ms. Wilson showed

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[4] House Committee on Oversight and Government Reform, Testimony of Valerie Plame Wilson, *Hearing on White House Procedures for Safeguarding Classified Information*, 110th Cong. (Mar. 16, 2007).

[5] Letter from Christopher J. Walker, Director of Congressional Affairs, Central Intelligence Agency to Rep. Henry A. Waxman (May 3, 2007).

[6] Rule X, clause 4(c)(2) (emphasis added).

[7] Letter from Christopher J. Walker, *supra* note 5 at 7.

[8] House rule X, clause 10(b)(4).

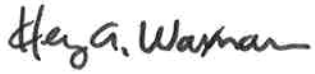
favoritism toward Ambassador Wilson and (2) whether the CIA interfered with the efforts of a federal employee to communicate with a congressional committee to correct distortions of the employee's statements.

We strongly urge you to reconsider the position Mr. Walker has taken. This Committee has years of experience handling classified information, and we are willing to discuss with you your views on steps the Committee should take to ensure that any classified information we are requesting receives appropriate protections. We hope you understand, however, that we cannot accept the position espoused by Mr. Walker that the Committee lacks oversight jurisdiction over the matters we are investigating.

For these reasons, please provide the Committee, no later than **Friday May 18, 2007**, with a copy of (1) the memorandum described in Ranking Minority Member Davis's March 16, 2007, letter and (2) the memorandum and other information requested in Chairman Waxman's March 26, 2007, letter. If we have not received a satisfactory response by that date, we will begin the process of invoking compulsory process.

If you have any questions regarding this request, please contact one of us or David Rapallo or Jennifer Safavian of the Committee staff at (202) 225-5420.

Sincerely,



Henry A. Waxman
Chairman

Tom Davis
Ranking Minority Member