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Statement of Rep. Henry A. Waxman Joint House and Senate Democratic Panel Hearing on the National Security Consequences of Disclosing the Identity of a Covert Intelligence Officer July 22, 2005

I want to thank my House and Senate colleagues and our distinguished witnesses for making this hearing possible, and I especially want to recognize my co-chair, Senator Dorgan, for his continuing leadership. Senator Dorgan is doing an outstanding job on this — and many other — important oversight issues. It is an honor to be working with him.

Today's hearing is about the implications of revealing the identity of a covert CIA agent.

The disclosure of Valerie Wilson's identity as an undercover CIA agent is indefensible on many levels. It was an indefensible betrayal of Ms. Wilson and her family; it was an indefensible affront to the men and women who are on the front lines in defending America; and it was an indefensible breach of our national security.

And it is an issue that is deeply personal to me.

One of the hardest votes I have ever cast was the vote to authorize war in Iraq. Like many others, I was torn. But in the end, I sided with the President because of his Administration's insistence that Iraq was on the verge of nuclear capability.

Today, I now know the truth. I was misled. And it was Valerie Wilson's husband — Ambassador Joe Wilson — who helped expose what really happened.

If we are going to understand this scandal, we need to put what happened in July 2003 in the context of that time, and I will try to do that briefly today.

On March 7, 2003, the International Atomic Energy Agency announced that a key part of the Administration's evidence — its claim that Iraq sought uranium from Africa — consisted of crudely forged documents. This finding rebutted the famous 16 words the President used in his State of the Union address to the nation. And it raised serious questions about the integrity of the Administration's case against Iraq.

I was concerned enough about this to write the President on March 17, 2003. I won't read that entire letter into the record, but it said in part:

Upon your order, our armed forces will soon initiate the first preemptive war in our nation's history. The most persuasive justification for this war is that we must act to prevent Iraq from developing nuclear weapons. In the last ten days, however, it has become incontrovertibly clear that a key piece of evidence you and other Administration officials have cited regarding Iraq's efforts to obtain nuclear weapons is a hoax. What's more, the CIA questioned the veracity of the evidence at the same time you and other Administration officials were citing it in public statements. This is a breach of the highest order, and the American people are entitled to know how it happened.

The President never responded to my letter. And throughout March and April, the Administration was largely able to ignore the uranium issue.

By early May, however, others began to pay attention. Nicholas Kristof wrote a May 6, 2003 op-ed in the *New York Times* that a U.S. envoy to Niger had concluded that the reports about Iraq seeking uranium from Niger were "unequivocally wrong." A month later, on June 9, 2003, *Newsweek* reported that the State Department's Bureau of Intelligence Research had also reached the same conclusion as the U.S. envoy: the uranium claim was "implausible."

The pressure on the Administration continued to build in the weeks that followed. And on July 6, 2003, the issue became impossible to ignore. In a *New York Times* op-ed and in a nationally televised interview on *Meet the Press*, Ambassador Wilson publicly identified himself as the "envoy" that had investigated the uranium claims. As he explained on *Meet the Press*: "either the Administration has some information that it has not shared with the public, or, yes, they were using the selective use of facts and intelligence to bolster a decision in the case that had already been made, a decision that had been made to go to war."

The White House responded to Ambassador Wilson in the worst possible way. The Administration did not present substantive evidence to justify the uranium claim. In fact, to this day the White House has not cited a shred of credible evidence of a uranium deal between Iraq and Niger.

Instead, it appears that the President's advisors launched a smear campaign. And Ambassador Wilson's wife, Valerie Plame Wilson, was the collateral damage.

We only have partial information about what happened in the hours and days that followed, but we do know that a classified State Department memorandum identifying Valerie Wilson was circulated aboard Air Force One; that Karl Rove, the President's closest advisor, talked about Ms. Wilson's identity with columnist Robert Novak and *TIME* reporter Matthew Cooper; and that Scooter Libby, the Vice President's chief of staff, also spoke with at least one journalist about Ms. Wilson.

And these were not the only leaks. My staff put together a fact sheet that describes 11 different leaks — or reported leaks — that involved Ms. Wilson.

Today's *New York Times* fills in another piece of the puzzle. In October 2002, CIA Director George Tenet personally called the deputy National Security Advisor Stephen Hadley to stop President Bush from using the uranium claim in a speech in Cincinnati. Around the same time, the CIA sent the National Security Advisor Condoleezza Rice a memo warning her not to rely on the uranium evidence. Yet on July 11, 2003 — five days after Ambassador Wilson's op-ed — it was CIA Director Tenet, not the National Security Advisor or the President, who took the responsibility for the inclusion of the uranium claim in the President's State of the Union Address.

Today we can understand why Mr. Tenet took the blame for a statement that he repeatedly warned the White House not to make. According to the revelations in the *New York Times*, it was Mr. Rove and Mr. Libby who orchestrated what he would say.

It is the job of the Special Prosecutor, Patrick Fitzgerald, to determine whether a crime has been committed in the Rove and Libby cases. But it is Congress' job to assess whether the White House has complied with its obligations to protect national security secrets.

Before these recent facts emerged, the White House was eager to dismiss reports of Mr. Rove's involvement as "ridiculous." But now the White House has gone silent. It won't answer any questions; it won't investigate whether national security secrets were leaked; and it won't take any administrative actions against Mr. Rove, Mr. Libby, or others who may be implicated.

This is a blatant failure to protect our national security interests.

There is an executive order — Executive Order 12958 — that governs protection of national security information. Under this executive order, the White House has an affirmative obligation to take "appropriate and prompt corrective action" to address leaks of classified information. The White House is required to conduct an investigation. And if anyone is found at fault — even if the disclosure was negligent rather than intentional — the President is required to discipline those responsible.

Yet now that Mr. Rove and Mr. Libby are implicated, the President has ignored every one of these obligations to protect national security secrets. A special standard seems to apply to Karl Rove. There will be no questions asked, and no accountability.

Not only is the President ignoring his obligation, but Congress is refusing to do its job. There's a simple way to get to the bottom of this scandal. The Republican Congress can hold a hearing as early as next week with Mr. Rove. For the sake of all the men and women who are defending America's freedom, Republicans in Congress should join us in asking questions and getting answers for the American people.

In closing, let me say how pleased I am to have the witnesses here today. They are former intelligence officers, case officers, and analysts from the Central Intelligence Agency and the Defense Intelligence Agency. They know how serious these leak allegations are. And they have the courage and patriotism to speak up when our national interests are in jeopardy.