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ONE HUNDRED EIGHTH CONGRESS

# Congress of the United States

## House of Representatives

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July 28, 2004

The Honorable Tom Davis  
Chairman  
Committee on Government Reform  
U.S. House of Representatives  
Washington, DC 20515

Dear Mr. Chairman:

I want to thank you for your prompt response to my letter yesterday about the investigation of Sandy Berger, though I regret the personal, ad hominem tone of your letter. My disagreement with you is based on the record of the Committee's actions.

You indicated in your letter that "we did look into the Plame matter." But a one-hour meeting with Ambassador Wilson is not an investigation. Following that meeting, I sent you a lengthy memorandum on October 8, 2003, that suggested that the Committee take testimony from a handful of key individuals in the White House. You told me that the Committee would not take this step because it could interfere with the Justice Department investigation. I followed up with a December 11, 2003, letter renewing my request — and describing a range of issues meriting congressional review that were outside the scope of the Justice Department inquiry — but again to no avail. To make sure the record is clear, I am enclosing copies of my memorandum and letter to you.

It is also untrue to assert, as you do, that "we have never said a parallel or related investigation is grounds for not conducting our own investigation." As your recent op-ed in the *Washington Post* makes clear, you have repeatedly declined to investigate important matters on the grounds that the issues are "under investigation by duly empowered investigative agencies."<sup>1</sup> Indeed, as recently as July 23, 2004, your staff e-mailed the following response to my request that we investigate specific allegations of corruption in Iraq contracting: "the Chairman thinks that since the matter is currently the subject of an FBI investigation that, at least for now, we will not join on your request."<sup>2</sup>

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<sup>1</sup> Thomas M. Davis, *Minding the Store in Congress*, *Washington Post* (July 22, 2004).

<sup>2</sup> E-mail from House Government Reform Committee majority staff to minority staff (July 23, 2004).

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I appreciate your contention that you are investigating Sandy Berger because of your concern that classified information be handled appropriately. What I don't understand is why we investigate these matters only when Democrats are implicated. In addition to holding no hearings on the outing of Valerie Plame — which is an unprecedented national security breach that could jeopardize lives and careers — the Committee has shown no inclination to investigate other serious national security breaches involving Bush Administration officials. To cite one prominent example, the Committee has expressed no interest in investigating how Iraq Governing Council member and Bush Administration favorite Ahmed Chalabi obtained and leaked highly classified information to Iran.

I will not respond to your unfounded personal attacks. There is nothing “partisan” about suggesting that the Committee should examine the prison abuses at Abu Ghraib, the withholding of the Medicare cost estimates, the outing of a covert CIA agent, or the growing politicization of science. That's simply responsible oversight.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive, flowing style.

Henry A. Waxman  
Ranking Minority Member