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Opening Statement of Rep. Henry A. Waxman Chairman, Committee on Oversight and Government Reform Business Meeting Regarding the Contempt Resolution July 16, 2008

Five years ago, one of the nation's most carefully guarded secrets — the identity of covert CIA agent Valerie Plame Wilson — was repeatedly revealed by White House officials to the media.

This was a serious breach of our national security. CIA Director Michael Hayden disclosed to the Committee that Ms. Wilson “worked on some of the most sensitive and highly secretive matters handled by the CIA,” that she “faced significant risks to her personal safety and her life,” and that the disclosure of her identity “placed her professional contacts at greater risk” and “undermined the trust and confidence with which future CIA employees and sources hold the United States.”

President George W. Bush's father, the former President Bush, has said: “I have nothing but contempt and anger for those who ... expos[e] the names of our sources. They are, in my view, the most insidious of traitors.”

For the last five years — first in the minority and now in the majority — I have tried to investigate what really happened. And the White House has resisted oversight every step of the way.

Special Counsel Patrick Fitzgerald's investigation brought new facts to light. We learned from his work that both the Vice President's top advisor, Scooter Libby, and the President's top advisor, Karl Rove, repeatedly leaked Ms. Wilson's identity to the media.

But there were questions that Mr. Fitzgerald could not answer. One was the role of Vice President Cheney.

Mr. Fitzgerald addressed this issue in his closing statements to the jury. He said:

There is a cloud over what the Vice President did that week. ... He had those meetings. He sent Libby off to Judith Miller at the St. Regis Hotel. ... We didn't put that cloud there. That cloud remains.

The Committee's inquiry has tried to penetrate the cloud surrounding Vice President Cheney's conduct. But today, the President has asserted executive privilege and is withholding from the Committee and the American people key evidence about Vice President Cheney's actions.

During our investigation, we have learned that Mr. Libby told the FBI that it was "possible" that the Vice President instructed him to leak Ms. Wilson's identity.

That would be an extraordinary breach of the public trust.

There is a key document that could explain what the Vice President knew and what he did: the report of the Vice President's interview with FBI officials working for Mr. Fitzgerald. If there is one document that could pierce the cloud hanging over the Vice President, this is it.

After a year of fruitless negotiations with the Justice Department, the Committee subpoenaed the FBI interview report. The White House objected and Attorney General Mukasey refused to comply with the subpoena.

In effect, Attorney General Mukasey created a double standard. Ten years ago, his predecessor, Attorney General Janet Reno, provided the Committee the FBI interviews of both President Clinton and Vice President Gore. Mr. Mukasey decided that a different rule should apply to Republican presidents than to Democratic presidents.

Today President Bush has taken the extraordinary step of asserting executive privilege over the Vice President's interview with criminal investigators.

The claim of executive privilege is ludicrous.

We are not seeking access to the communications between the Vice President and the President. We are seeking access to the communications between the Vice President and FBI investigators. The Vice President talked with the FBI investigators voluntarily and he did so knowing that what he said could be disclosed publicly in a criminal trial. Mr. Fitzgerald told us that "there were no agreements, conditions and understandings" that limited Mr. Fitzgerald's use of the interview in any way.

This unfounded assertion of executive privilege does not protect a principle; it protects a person.

The President is wrong to shield Vice President Cheney from scrutiny. In our system of government, even the Vice President should be accountable for his actions.

The President's action raises an obvious question: Why is the President preventing responsible congressional oversight of the Vice President? If the Vice President did nothing wrong, what is there to hide?

A letter that the Committee received this morning from the Attorney General to the President also raises questions about the President's involvement. According to the Attorney General, the documents being withheld summarize conversations held directly with the President. The subjects discussed in the withheld documents include the preparation of the 2003 State of the Union address, the accuracy of the claim that Iraq was trying to obtain uranium from Niger, and the decision to send Ambassador Joe Wilson to Niger.

The White House misled the nation about Iraq's weapons of mass destruction. On the eve of the war, the Vice President said: "we believe he has, in fact, reconstituted nuclear weapons."

White House officials then misled the nation about their involvement in leaking Ms. Wilson's name. One top official, Mr. Libby, was convicted of perjury.

Yet now that the Committee is trying to find out what really happened, the President has blocked the Committee's inquiry by asserting executive privilege over key documents.

Although I have grave reservations about the validity of the President's action, I will not ask the Committee to act on the contempt resolution at this time. All members deserve the opportunity to review the President's claim. Moreover, I want to consult closely with Ranking Member Davis about the Committee's next step.

The Committee will be deliberative in responding to this surprising assertion of executive privilege. But we will also be determined. The President's actions have darkened the cloud over the Vice President and left important questions unanswered.

As the Committee considers its next steps, I hope the President and the Vice President will also consider theirs. Congress and the American public are entitled to know what role the President and the Vice President played in the despicable outing of Ms. Wilson.