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June 3, 2008

The Honorable Michael B. Mukasey
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Mr. Attorney General:

On December 3, 2007, I wrote to request that you arrange for the production of documents relating to Special Counsel Patrick Fitzgerald's investigation into the leak of the covert identity of CIA officer Valerie Plame Wilson, including copies of FBI interview reports of White House officials. I appreciate that you have since made redacted versions of the interview reports of Karl Rove, I. Lewis "Scooter" Libby, and other senior White House officials available to the Committee.

I am writing now to renew the Committee's request for the interview reports with President Bush and Vice President Cheney and to request unredacted versions of the interviews with Karl Rove, Scooter Libby, Condoleezza Rice, Scott McClellan, and Cathie Martin. I also request that the Department provide all other responsive documents that were approved for release to the Committee by Mr. Fitzgerald.

In his interview with the FBI, Mr. Libby stated that it was "possible" that Vice President Cheney instructed him to disseminate information about Ambassador Wilson's wife to the press.¹ This is a significant revelation and, if true, a serious matter. It cannot be responsibly investigated without access to the Vice President's FBI interview.

The interviews with senior White House officials also raise other questions about the involvement of the Vice President. It appears from the interview reports that Vice President Cheney personally may have been the source of the information that Ms. Wilson worked for the CIA. Mr. Libby specifically identified the Vice President as the source of his information about Ms. Wilson. None of the other White House officials could remember how they learned this information.

¹ FBI 302 Report of Interview of Scooter Libby (Nov. 26, 2003).

New revelations by former White House Press Secretary Scott McClellan raise additional questions about the actions of the President and the Vice President. Mr. McClellan has stated that “[t]he President and Vice President directed me to go out there and exonerate Scooter Libby.”² He has also asserted that “the top White House officials who knew the truth — including Rove, Libby, and possibly Vice President Cheney — allowed me, even encouraged me, to repeat a lie.”³ It would be a major breach of trust if the Vice President personally directed Mr. McClellan to mislead the public.

In his FBI interview, Mr. McClellan told the FBI about discussions he had with the President and the Vice President. These passages, however, were redacted from the copies made available to the Committee. Similar passages were also redacted from other interviews.

There are no sound reasons for you to withhold the interviews with the President and the Vice President from the Committee or to redact passages like Mr. McClellan’s discussions with the President and the Vice President. Mr. Fitzgerald’s investigation is closed and he has indicated that it would be appropriate to share these records with the Committee. There has been no assertion of executive privilege.

Moreover, withholding these documents would create an unfortunate double standard. During the Clinton Administration, the Committee requested the records of FBI interviews with President Clinton and Vice President Gore in 1997 and 1998 as part of the Committee’s campaign finance investigation. These records were turned over to the Committee by the Justice Department without any consultation with the White House.

The Committee is conducting an important investigation to answer questions that Mr. Fitzgerald’s criminal inquiry did not address. As I explained at the Committee’s hearing last year, the purpose of the Committee’s investigation is to examine:

- (1) How did such a serious violation of our national security occur? (2) Did the White House take appropriate investigative and disciplinary steps after the breach occurred? And (3) what changes in White House security procedures are necessary to prevent future violations of our national security from occurring?⁴

The information that you are withholding may hold answers to these questions. The FBI interview reports that you have shared with the Committee raise the possibility that Vice President Cheney may be implicated in the release of Ms. Wilson’s identity. Mr. McClellan’s

² *The Today Show*, NBC (May 28, 2008).

³ *In Ex-Spokesman’s Book, Harsh Words for Bush*, New York Times (May 28, 2008).

⁴ House Committee on Oversight and Government Reform, *Hearing on White House Procedures for Safeguarding Classified Information* (Mar. 16, 2007).

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recent disclosures indicate that both President Bush and Vice President Cheney played a role in directing the White House response. The Committee cannot complete its inquiry into these matters without receiving the reports of their FBI interviews.

I therefore urge you to follow Justice Department precedents and provide the records of the FBI interviews with President Bush and Vice President Cheney to the Committee by June 10. I also ask that you provide to the Committee, at the same time, the unredacted interviews with Karl Rove, Scooter Libby, Condoleezza Rice, Scott McClellan, and Cathie Martin, as well as the other responsive records requested by the Committee.

If you have any questions, please contact me personally or ask your staff to contact David Rapallo or Theodore Chuang of the Committee staff at (202) 225-5420.

Sincerely,



Henry A. Waxman
Chairman

cc: Tom Davis
Ranking Minority Member