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December 18, 2007

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 you to request documents from the Department of Justice from Special Counsel Patrick J. Fitzgerald's investigation into the leak of the covert identity of CIA officer Valerie Plame Wilson. I have not received a response from you to my inquiry.

Since I wrote you on December 3, Lewis I. "Scooter" Libby has dropped the appeal of his criminal conviction arising from the Fitzgerald investigation.¹ With that action, there remains no further pending litigation associated with the Fitzgerald investigation.

I do not regard the existence of an on-going investigation or pending litigation as a sufficient reason to withhold information from Congress. Now that Mr. Fitzgerald's investigation and Mr. Libby's appeal have both ended, however, there should be no basis for further delay in responding to the Committee's request. Thus, I request that you provide the Committee by January 3, 2008, with the documents requested in the Committee's July 16 letter to Mr. Fitzgerald, including the reports of interviews with President Bush, Vice President Cheney, and other White House officials.

Last week, you wrote several congressional committees about the investigation into the destruction of the CIA interrogation tapes. You resisted providing information to the committees because of your concern that providing information could undermine the Justice Department's on-going investigation. In the Plame matter, there is no pending Justice Department investigation and no pending Justice Department litigation. Whatever the merits of the position you are taking in the CIA tapes inquiry, those considerations do not apply here.

¹ *Libby Decides to Drop Appeal*, Washington Post (Dec. 11, 2007).

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There remain important questions about the leak of Ms. Wilson's identity and the White House response that have not been answered by the prosecution and conviction of Mr. Libby and the commutation of his sentence. I urge you to cooperate with Congress' investigation into these unanswered questions

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

Sincerely,

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

Henry A. Waxman
Chairman

cc: Tom Davis
Ranking Minority Member