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Statement of Rep. Henry A. Waxman

December 9, 2002

The decision is another Bush v. Gore. It is a convoluted decision by a Republican judge that gives Bush and Cheney near total immunity from scrutiny. In Bush v. Gore, five Republican justices gave the election to George Bush and Dick Cheney. Today, another Republican judge has decided that, once in office, Bush and Cheney can operate in complete secrecy with no oversight by Congress.

The only good news is that this decision is not the final word. It is inconceivable that the appellate court will uphold the embarrassing reasoning used by the district judge.

Under President Bush and Vice President Cheney, the Administration has developed plans to keep secret files on the activities of all Americans. But at the same time, the Administration wants to keep everything it does from the public. In fact, under today's court ruling, Americans can't even learn the identity of the energy lobbyists who asked for special favors in the White House energy plan.

This is an ominous decision that defies fundamental and traditional American values of open government.