

PRESS RELEASE



House Armed Services Committee Duncan Hunter, Chairman

FOR IMMEDIATE RELEASE

February 25, 2004

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OPENING REMARKS OF CHAIRMAN DUNCAN HUNTER

Consideration of House Resolution 499

Tonight, the committee will consider House Resolution 499, a resolution of inquiry concerning the Victoria Plame matter.

Last summer, a news column publicly identified Ms. Plame as a CIA employee and suggested that information on her identity was provided by senior members of the Administration. The Intelligence Identities Protection Act of 1982 makes it a crime for someone with access to classified information to pass on the identity of a covert agent if that person knew that the United States government was taking action to protect the identity of the covert agent.

Accordingly, the CIA referred this matter to the Justice Department, which appropriately began an investigation. The President ordered his staff to cooperate, while the Attorney General subsequently recused himself from the investigation and his deputy appointed a career U.S. attorney as a special counsel to look into the matter. Since then, according to press reports, the special counsel has convened a grand jury.

Based on these developments, it is apparent to me that the system is working exactly as it was designed to work. Non-partisan career prosecutors are conducting a professional investigation and have all the authority they require to indict any persons suspected of criminal activity.

Nevertheless, some believe that Congress should insert itself into this criminal investigation and have introduced House Resolution 499 requesting all information related to the matter that might be in the possession of the President and three cabinet secretaries, including the Secretary of Defense.

The resolution was accordingly referred to four committees in the House – Intelligence, Armed Services, International Relations and Judiciary. As members may recall, resolutions of inquiry such as H Res 499 are considered privileged on the House floor, after a period of 14 legislative days goes by without the committees of jurisdiction taking action. However, if the committees do act within that period, then the resolution loses its privileged status.

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On the substance involved, there is no question that Congressional investigations are important and useful when the Executive Branch fails in its law enforcement responsibilities. But no one can responsibly make the case that this is the situation in this instance. Indeed, the Justice Department acted quickly to begin an investigation, appointed a special counsel, and reportedly convened a grand jury long before this resolution was introduced.

On the contrary, rather than helping resolve the matter, this resolution will have the opposite effect. It won't add to the efforts of the special counsel or grand jury, as they both have much broader investigative and prosecutorial powers than we do. It won't help the Administration stop internal leaks, since the most effective step that can be taken would be to find and prosecute the offending individuals.

This resolution may instead inadvertently end up helping the possible target of the investigation by publicly revealing the evidence that may exist against him or her. This would undoubtedly directly undermine the special counsel's investigation and make any resulting criminal prosecution that much harder.

Therefore, I believe that the premise and purpose behind this resolution is simply a bad idea. So did the Intelligence Committee, which adversely reported the resolution on a vote of 10-3 a few weeks ago. And so did the Judiciary and International Relations committees which also acted earlier today by adversely reporting this resolution.

Accordingly, I strongly recommend that we follow suit with an adverse recommendation to the House.

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