



**Statement of the Honorable John Conyers, Jr.
on the "Hearing on Revelations by Former White House Press Secretary Scott
McClellan"
Before the Committee on the Judiciary
2141 Rayburn House Office Building
June 20, 2008**

I would like to officially welcome Scott McClellan, former White House press secretary under President George W. Bush.

We appreciate that Mr. McClellan has appeared before this committee voluntarily to discuss the revelations in his recent book – in stark contrast to other former Bush officials, who have refused or failed to appear voluntarily, including Harriet Miers, Karl Rove, and Doug Feith.

The extraordinary statements in Mr. McClellan's book range from the White House's deceptive propaganda campaign to sell the Iraq War to the disturbing cover-up of the leak of Valerie Plame Wilson's covert identity.

Many respected commentators have noted that this is the most important matter Congress could examine in its oversight of the Bush Administration. As John Nichols wrote in this week's edition of *The Nation* magazine:

"What Scot McClellan wrote in his new book about the administration's propaganda campaign to promote and defend the occupation of Iraq was not a revelation. It was confirmation that the White House has played fast and loose with the truth in a time of war. Depending on how one reads the Constitution, that may or may not be an impeachable offense. But Mr. McClellan's assertion that top presidential aides, perhaps with the cooperation of the vice president, conspired to obstruct justice by lying about their role in the plot to destroy the reputation of former Ambassador Joe Wilson, a critic of the rush to war, and his wife, former CIA agent Valerie Plame, demands a response from Congress.

When White House insiders leak classified information, manipulate media coverage and otherwise employ their immense power to punish dissenters, Congress does not have any other option. It has a constitutional duty to check and balance an errant executive branch. That the former White House spokesman—with his claim that the President said he authorized the selective release of classified information to reporters covering the Wilson story—links the wrongdoing directly to Bush ups the ante even further."

I'd like to make three specific points related to a number of issues this committee has been considering.

First, Mr. McClellan's revelations highlight acts that may constitute illegal obstruction of justice beyond that for which Scooter Libby was convicted.

In his book, Mr. McClellan explains that he stated to Mr. Libby that he did not intend to "vouch" for and exonerate him to the press in the way that he had done concerning Karl Rove, since the leak investigation had actually begun.

Shortly after that conversation, however, White House chief of staff Andrew Card told Mr. McClellan that "The president and vice president spoke this morning. They want you to give the press the same assurances for Scooter that you gave for Karl."

It seems clear that Mr. Libby, Mr. Card, the president, and vice president were all involved in directing Mr. McClellan to falsely vouch for Mr. Libby, despite Mr. McClellan's earlier reservations.

In fact, handwritten notes from vice president Cheney himself confirm that. These notes, which we now see on the screen, were an exhibit in the Libby trial and appear to be notes for Mr. Cheney's conversation with the president. The notes say "Has to happen today. Call out to key press saying same thing about Scooter as Karl. Not going to protect one staffer and sacrifice the guy" -- and then it's illegible but it looks like "this pres." meaning "this president" -- "that was asked to stick his neck in the meat grinder because of the incompetence of others."

That is disturbing enough. But we also have a letter from two former federal prosecutors. As we can see on the screen, the first paragraph of that letter states that a "substantial predicate exists for investigation" of whether this conduct "may constitute the criminal offense of obstruction of justice." To those who would dismiss the significance of today's hearing, I would say that concerns about possible obstruction of justice are not trivial, and clearly warrant this committee's attention.

Second, in many respects, today's hearing just offers us a partial glimpse into apparent deceptions at

the White House, including most notably with regard to the outing of Valerie Plame. To truly get to the bottom of this matter, we will need far more cooperation by the administration and the Justice Department. It is vital that we obtain the interview reports of President Bush and Vice President Cheney and unredacted interview reports of other key White House officials to determine their involvement – not only in the leak but also the cover-up. Yet the Justice Department has been even less cooperative with this committee. It has refused even to give us access to the redacted materials that the Oversight Committee has seen.

This conduct is unacceptable. Which is why this week, we sent a letter to Attorney General Mukasey reiterating our request and explaining that we may have to resort to compulsory process if they continue to deny us the documents. We look forward to hearing from Mr. McClellan on the role of the vice president and the president.

Third, the issue of a possible pardon of Mr. Libby still remains outstanding, in addition to the president's earlier commutation of Mr. Libby's prison sentence.

Following Mr. Libby's sentence commutation, we held a hearing on the issue. We hope to explore with Mr. McClellan his thoughts on a possible presidential pardon for Mr. Libby, in the context of the important revelations in his book.

I want to close by acknowledging Mr. McClellan's suggestion, in his book and in today's opening statement, that all of us work on "restoring civility and bipartisanship and candor to our national political discourse" and "putting our nation's interest above partisan goals." These are noble goals and I believe are shared by every member on this committee on both sides of the aisle.

As a result, when credible and troubling allegations are made by an important former administration official like Mr. McClellan, although partisan tensions may arise, I hope we can deal with the facts, not personal or partisan attacks.

I look forward to Mr. McClellan's testimony, and I thank him again for his voluntary appearance today.