

September 29, 2003

The Honorable John Ashcroft  
Attorney General, U.S. Department of Justice  
950 Pennsylvania Ave, NW  
Washington, DC 20530

Dear Mr. Attorney General:

The Central Intelligence Agency, according to press reports, has asked the Department of Justice to investigate allegations that senior members of the Administration violated federal criminal law by leaking the identity of a covert CIA operative to the news media.

Such disclosures are a matter of utmost seriousness that could threaten the security of every American. As you know, the sources and methods of our intelligence collection system are among the federal government's most sensitive and highly protected secrets. Revealing the identities of our intelligence assets undermines our national security and is a felony punishable by up to 10 years in prison. Public disclosure places agents' lives at risk and will also have a chilling effect on our intelligence community's ability to recruit future agents.

Almost as gravely troubling as this disclosure are news reports about why it was made. Reports indicate that senior Administration officials were allegedly motivated to engage in potentially criminal behavior, risking our national security and the lives of our intelligence agents, in order to punish someone who raised questions about the Administration's rationale for going to war in Iraq.

We believe it is imperative that this matter be investigated as quickly and thoroughly as possible. If, as has been reported, senior Administration officials deliberately disclosed this confidential information, they should be prosecuted and, if found guilty, dismissed from their positions of public trust.

However, we do not believe that this investigation of senior Bush Administration officials, possibly including high-level White House staff, can be conducted by the Justice Department because of the obvious and inherent conflicts of interests involved. Therefore, we strongly urge the immediate appointment of a special counsel to investigate this matter. Although a special counsel is appointed by the Attorney General, it is the best possible means of avoiding serious conflicts of interest.

Under Department of Justice regulations, a special counsel is to operate independently, may only be removed for cause, and the Attorney General must report a special counsel's removal to Congress. The special counsel should be a person of unquestioned independence and impartiality who will have the full confidence of both political parties and the public in carrying out this urgently needed investigation.

Sincerely,

Tom Daschle

Joseph R. Biden

Carl Levin

John D. Rockefeller, IV