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Collection Code: **CTRACK**

Staff Name: **JOEL KAPLAN**

Document Date: **6/7/2007**

Correspondent:

Subject/Description: **F: JOEL KAPLAN; COPY OF LETTER TO VICE PRESIDENT CHENEY FROM CONGRESSMEN JOHN CONYERS AND GERALD NADLER; WE CALL ON YOU TO RECUSE YOURSELF FROM INVOLVEMENT IN ANY ISSUES RELATING TO THE CRIMINAL PROSECUTION OF YOUR FORMER AIDE I. LEWIS "SCOOTER" LIBBY INCLUDING THE ISSUE OF A POTENTIAL PARDON;**

SCANNED
BY
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ONE HUNDRED TENTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON THE JUDICIARY

2138 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6216

(202) 225-3951

<http://www.house.gov/judiciary>

June 7, 2007

The Honorable Dick Cheney
Vice President
United States of America
Eisenhower Executive Office Building
Washington, D.C. 20501

Dear Mr. Vice President:

We call on you to recuse yourself from involvement in any issues relating to the criminal prosecution of your former aide, I. Lewis "Scooter" Libby, including the issue of a potential pardon, and to refrain from further public comment on the prosecution. These requests are prompted, in part, by your reported comments in which you stated your hope that "our system will return a final result consistent with what we know of this fine man," and by reports that Administration officials expect you to press for a pardon in internal White House debates.

The reasons for my request are several. First, at trial, evidence was elicited of your involvement with Mr. Libby in connection with the events that formed the basis of his prosecution. As the federal prosecutor stated in his closing argument, the evidence at trial revealed that there was "a cloud" over certain aspects of your conduct. Accordingly, your comments may be seen as blurring the distinction between the institutional interests of the Office of Vice President and your personal interests in the ultimate results of the prosecution.

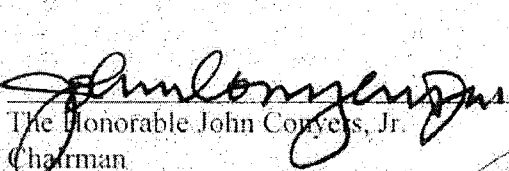
Second, your comments would appear particularly inappropriate because post-trial proceedings are ongoing. Mr. Libby has announced that he intends to appeal his conviction, and his motion for bond pending appeal is before United States District Judge Reggie Walton at this time. The Executive Branch must speak through one voice on matters of criminal prosecution. We would hope a sitting Vice President would not suggest that the Government seeks any result other than that sought by the prosecutors representing the Department of Justice, or imply that the decisions of the trial court – both as to the validity of the verdict or the proper sentence – should be undone.

The Honorable Dick Cheney
June 7, 2007
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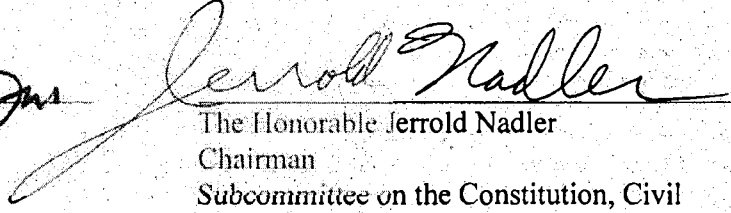
Thus, in light of your personal involvement in the facts that gave rise to the charges against Mr. Libby, and your apparent stake in a favorable outcome for him, we strongly urge that you recuse yourself from any further involvement – direct or indirect, official or unofficial – in any future issues that relate to his prosecution. It would be deeply divisive, and invite deep cynicism and disrespect for the legal process, were the American people to conclude that Mr. Libby undertook actions that subjected him to criminal liability to protect you, knowing or believing, or having the facts ultimately reveal, that you would thereafter take steps to protect him from the consequences of his criminal conduct.

We would appreciate your response at your earliest convenience.

Sincerely,



The Honorable John Conyers, Jr.
Chairman
Committee on the Judiciary



The Honorable Jerrold Nadler
Chairman
Subcommittee on the Constitution, Civil
Rights, and Civil Liberties

JC/

cc: The Honorable Lamar S. Smith
Ranking Member

The Honorable Trent Franks
Ranking Member
Subcommittee on the Constitution, Civil Rights, and Civil Liberties