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ENERGY AND COMMERCE COMMITTEE

SUBCOMMITTEES ON:
ENERGY AND AIR QUALITY
TELECOMMUNICATIONS AND
THE INTERNET



Congress of the United States
House of Representatives

September 14, 2004

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The Honorable Fred Upton
Chairman
Subcommittee on Telecommunications and the Internet
2161 Rayburn House Office Building
Washington, D.C. 20515

HAND-DELIVERED

Dear Chairman Upton:

This is a request that you commence a Subcommittee investigation into the continued use by CBS News of apparently forged documents concerning the service record of President George W. Bush intended to unfairly damage his reputation and influence the outcome of the 2004 presidential election.

In February 2001, the Energy & Commerce Committee held hearings calling the television networks to account for irresponsibly (and inaccurately) calling the outcome of the presidential election in Florida before the polls had closed. At those hearings, CBS News vowed that the competitive drive to get the story first would be subordinated to "making sure we are correct," given that the stakes--the outcome of the presidential election--were so high.

On September 14, 2004, the Dallas Morning News reported that the secretary who purportedly typed the documents used by CBS News to criticize the President's service in the National Guard stated, "These are not real." The Washington Post of the same day reported that contrary to representations by CBS News, the expert retained by the network to examine the disputed memos "made no attempt to authenticate the documents"--and, according to the expert, "there is no way that I, as a document expert, can authenticate them." The Post's own examination of the documents found "dozens of inconsistencies" indicating forgery

The Honorable Fred Upton
September 14, 2004
Page Two

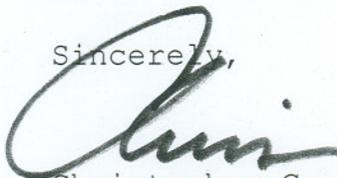
or tampering. "I am personally 100 per cent sure that they are fake," the Post quoted a computer document expert as saying.

Despite the growing abundance of evidence that CBS News has aided and abetted fraud, the network has declined to reveal the source of the disputed documents. USA Today possesses the same documents, obtained independently from a person representing them to be authentic, and likewise is refusing to disclose his identity.

Given the shortness of time between now and the election which the apparent fraud is meant to influence, and the even shorter time before Congress is scheduled to adjourn, I strongly urge that the Subcommittee move with all deliberate speed to uncover the facts.

Thank you for your attention to this important matter within the Subcommittee's jurisdiction.

Sincerely,

A handwritten signature in black ink, appearing to read "Cox", written in a cursive style.

Christopher Cox
U.S. Representative

CCC:pmu