

Report of an Inquiry into the Alternative Analysis of the

Issue of an Iraq-al Qaeda Relationship

by

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PREFACE

This report is the result of an inquiry initiated on June 27, 2003 by Senator Carl Levin, Ranking Member of the Senate Armed Services Committee (SASC), and conducted by the SASC Minority Staff. The report focuses on 1) the establishment of a non-Intelligence Community source of intelligence analysis in the office of Under Secretary of Defense for Policy Douglas Feith; and 2) the extent to which policy makers utilized that alternative source rather than the analyses produced by the Intelligence Community (IC) with regard to the Iraq-al Qaeda relationship.

This report is highly relevant to the current Congressional consideration of intelligence reform. As the House and Senate consider legislation in response to the recommendations of the 9/11 Commission, it is of critical importance that any new structure or organization correct, to the greatest possible degree, one of the most serious and persistent flaws of the current system of intelligence analysis and estimates: the politicization of intelligence, or, stated another way, the shaping of intelligence to support administration policy. This report shows that in the case of Iraq's relationship with al Qaeda, intelligence was exaggerated to support Administration policy aims primarily by the Feith policy office, which was determined to find a strong connection between Iraq and al Qaeda, rather than by the IC, which was consistently dubious of such a connection. In order to present a public case that heightened the sense of threat from Iraq, Administration officials reflected more closely the analysis of Under Secretary Feith's policy office rather than the more cautious analysis of the IC.

One of the best ways to promote independent and objective intelligence analysis is to follow the 9/11 Commission recommendation of greatly improving Congressional oversight. This report is a case in point. This inquiry began as a broader review of the accuracy and objectivity of pre-Iraq war intelligence and its impact on the plans and operations of the Department of Defense (DOD), including the post-war phase. Over time, the focus narrowed due to the information and materials made available (or not provided) to the SASC Minority Staff. The difficulties faced in obtaining documents, the flat out refusal to provide some documents, and the constant delaying tactics used to avoid providing other information demonstrate that current oversight mechanisms and authorities are insufficient to insure timely and complete responses to Congress. (A description of the materials requested but not provided by the Executive Branch can be found in Appendix A.) Without a greater ability to obtain documents and answers from the Executive Branch, the goal of effective Congressional oversight of the Intelligence Community, so strongly recommended by the 9/11 Commission, will be frustrated.

Another challenge in writing this report has been that, unlike most of the IC's judgments about Iraq's weapons of mass destruction, relatively few of the IC's assessments of the Iraq-al Qaeda relationship have as yet been declassified. Two recently released reports that addressed the Iraq-al Qaeda relationship, those of the Senate Select Committee on Intelligence (SSCI)¹ and

¹ *Report of the Select Committee on Intelligence on the U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*, Senate Report 108-301 (U.S. Government Printing Office, July 9, 2004), (hereafter, the "SSCI Report").

the 9/11 Commission,² contain relevant declassified intelligence information and are cited in this report.

The SSCI report identifies five primary post-9/11 finished IC products that addressed Iraq's links to terrorism: two papers, published in September and October 2001, that were distributed to recipients of the President's Daily Brief (PDB) but were not provided to the SSCI; and three other reports—*Iraq and al-Qaeda: Interpreting a Murky Relationship* (published by the DCI's Counter Terrorism Center in June, 2002); *Iraqi Support for Terrorism* (a limited-distribution paper published in September, 2002); and an updated, more broadly-disseminated version of *Iraqi Support for Terrorism* published by the IC in January 2003. The SSCI report states that the June 2002, September 2002, and January 2003 IC reports were very consistent (any differences were noted), and therefore that they relied on the most recent report (the January 2003 version of *Iraqi Support for Terrorism*) as the basis for their review. Significantly, this means that, unless the SSCI noted otherwise, the judgments of the IC in the January 2003 report concerning the Iraq-al Qaeda relationship were developed and disseminated to policymakers at least as early as June 2002.

² *The 9/11 Commission Report: Final Report of the National Commission on Terrorist Attacks on Upon the United States*: (U.S. Government Printing Office, Washington, DC, July 2004 (hereafter, the "9/11 Commission Report").

INTRODUCTION

This report addresses the issue of any relationship between Iraq and al Qaeda before the Iraq war, both how it was dealt with inside the Executive Branch and how it was portrayed to the public. That alleged relationship, coupled with the assertion that Iraq possessed stockpiles of weapons of mass destruction (WMD), was the major argument presented by the Administration for invading Iraq. Administration senior officials, including President Bush and Vice President Cheney, alleged at times that Iraq and al-Qaeda were “allies,” that there was a close connection and cooperative contacts between Iraqi officials and members of al Qaeda, including a meeting between an Iraqi intelligence officer and Mohammed Atta, the lead hijacker in the 9/11 attacks on the United States just a few months before the attacks. In fact, Vice President Cheney was still suggesting the possibility of the alleged Atta meeting as late as June 2004, even though the IC was already skeptical in late spring of 2002 that the meeting had taken place.

Although Administration officials cited classified intelligence in support of their statements about the Iraq-al Qaeda relationship, their statements did not accurately reflect the intelligence assessment provided in classified reports to the Executive Branch and Congress by the IC.³ Administration officials were apparently using intelligence analyses that originated outside of the IC. Those intelligence analyses claiming a close relationship were produced by

³ The Intelligence Community is currently comprised of: the Office of the Director of Central Intelligence, the Central Intelligence Agency, the Defense Intelligence Agency, the National Security Agency, the National Reconnaissance Office, the National Geospatial-Intelligence Agency, the intelligence components of the Army, Navy, Air Force, and Marine Corps, the State Department’s Bureau of Intelligence and Research, the of Energy Department’s Office of Intelligence, the Federal Bureau of Investigation’s Office of Intelligence and Divisions of Counterterrorism and Counterintelligence, the Department of Homeland Security’s Directorate of Information Analysis and Infrastructure Protection as well as its Directorate of Coast Guard Intelligence, and the Treasury Department’s Office of Terrorism and Finance Intelligence.

the office of Under Secretary of Defense for Policy Douglas Feith, and presented to high level Administration officials. Vice President Cheney specifically stated that the Feith analysis was the “best source of information.”⁴

The Administration’s pattern of utilizing the stronger, less supportable analyses regarding the Iraq-al Qaeda relationship was not limited to building its case before the Iraq war. It continued well after the war started. For example, it was recently discovered that Under Secretary Feith failed to make corrections requested by the CIA to a classified document on that topic which he first provided to the SSCI in October 2003. The CIA subsequently reviewed the document and requested many changes be made to accurately reflect their assessments of the underlying intelligence. A new document was submitted by the DOD to the SASC in January, 2004, which was represented to contain the required changes. But, in September 2004, when Senator Levin obtained a copy of the changes the CIA originally requested, it became apparent that key changes had not been made and the pattern of misrepresenting intelligence was continuing. This is discussed in more detail below.

The non-IC or “alternative” intelligence analysis conducted by the DOD neatly fit the Administration’s desire to build a strong case for an invasion of Iraq to overthrow the Saddam regime, particularly given the fact that the usual source of intelligence analysis, the IC, was skeptical about the existence of a close or cooperative relationship between Iraq and al Qaeda.

There is ample evidence that the Bush Administration had a predisposition to overthrow Saddam Hussein before the 9/11 attacks.

⁴ *Rocky Mountain News*, January 9, 2004.

- Ron Suskind wrote that the President’s first NSC meeting, on January 30, 2001, concerned Iraq, including discussion of the option of using U.S. military forces to help opposition groups challenge Saddam Hussein.⁵ At the second NSC meeting on February 1, 2001, Defense Secretary Rumsfeld is quoted as saying “what we really want to think about is going after Saddam,” and then described the goal of replacing his regime.⁶
- According to Former Treasury Secretary Paul O’Neill, the Bush Administration had an early interest in going after Saddam: “From the start, we were building the case against Hussein and looking at how we could take him out and change Iraq into a new country. And, if we did that, it would solve everything. It was all about finding a way to do it. That was the tone of it. The President saying, ‘Fine, Go find me a way to do this.’”⁷

The 9/11 attacks were immediately seen by the Administration as a way of going after Saddam.

- According to Bob Woodward, on the day of the 9/11 attacks, Secretary Rumsfeld wondered whether the U.S. should “hit” Saddam Hussein, “not only” Osama bin Laden, and on the next day “in the inner circle of Bush’s war

⁵ *The Price of Loyalty: George W. Bush, the White House, and the Education of Paul O’Neill*, Ron Suskind, (Simon & Schuster, 2004), p. 75.

⁶ *The Price of Loyalty: George W. Bush, the White House, and the Education of Paul O’Neill*, Ron Suskind, (Simon & Schuster, 2004), p. 85.

⁷ *The Price of Loyalty: George W. Bush, the White House, and the Education of Paul O’Neill*, Ron Suskind, (Simon & Schuster, 2004), p. 86.

cabinet, Rumsfeld asked if the terrorist attacks did not present an ‘opportunity’ to launch against Iraq.”⁸

- According to Richard Clarke, the former White House counterterrorism chief, President Bush told him three times on September 12 to go back and look for evidence that Saddam was involved in the 9/11 attacks, including “any shred” of evidence.⁹
- The 9/11 Commission reported that, on September 15, at the first Camp David strategy session on responding to the 9/11 attacks, Deputy Defense Secretary Wolfowitz “made the case for striking Iraq during ‘this round’ of the war on terrorism.” According to the Commission, two days later, he wrote a memo to Secretary Rumsfeld in which he argued that if there was “even a 10 percent chance that Saddam Hussein was behind the 9/11 attack, maximum priority should be placed on eliminating that threat. Wolfowitz contended that the odds were ‘far more’ than 1 in 10.”¹⁰
- In a September 20, 2001 memo apparently from Under Secretary Feith to Rumsfeld, “the author expressed disappointment at the limited options immediately available in Afghanistan and the lack of ground options. The

⁸ *Plan of Attack*, Bob Woodward (Simon & Schuster, 2004), p. 25; see also 9/11 Commission Report, p. 335.

⁹ *Against All Enemies: Inside the White House’s War on Terror*, Richard A. Clarke (Free Press, 2004), p. 32.

¹⁰ *Final Report of the National Commission on Terrorist Attacks Upon the United States* (“The 9/11 Commission Report”), (US Government Printing Office, 2004), p. 335-6.

author suggested ...perhaps deliberately selecting a non-al Qaeda target like Iraq.”¹¹

The IC did not find a substantial link between Iraq and al Qaeda. According to the 9/11 Commission report, shortly after the 9/11 attacks, Richard Clarke’s office sent a memo to the National Security Adviser, Condoleezza Rice, at the President’s direction, concluding that “only some anecdotal evidence linked Iraq to al Qaeda...Arguing that the case for links between Iraq and al Qaeda was weak, the memo pointed out that Bin Ladin resented the secularism of Saddam Hussein’s regime.”¹²

The January 2003 report *Iraqi Support for Terrorism*, the final major IC report prior to the war, acknowledged that its conclusions “especially regarding the difficult and elusive question of the exact nature of Iraq’s relations with al Qaida are based on currently available information that is at times contradictory and derived from sources with varying degrees of reliability.” It stated that the relationship “appears to more closely resemble that of two independent actors trying to exploit each other,” and that “al Qaida, including bin Ladin personally, and Saddam were leery of close cooperation.” Relative to the 9/11 attacks, the report said that the “Intelligence Community has no credible information that Baghdad had foreknowledge of the 11 September attacks or any other al-Qaida strike.”¹³ Moreover, the SSCI, after reviewing all available intelligence, concluded in its report that the CIA “reasonably assessed that there were likely several instances of contacts between Iraq and al-Qaida

¹¹ *Final Report of the National Commission on Terrorist Attacks Upon the United States* (“The 9/11 Commission Report”), (US Government Printing Office, 2004), p. 559, footnote 75.

¹² 9/11 Commission Report, p. 334.

¹³ SSCI Report, pages 322 and 339.

throughout the 1990s, but that these contacts did not add up to an established formal relationship.”¹⁴

Part I of this report describes in detail how DOD, through the office of Under Secretary of Defense for Policy, developed and disseminated an “alternative” assessment of the relationship between Iraq and al Qaeda that went beyond the judgments of intelligence professionals in the IC, and which resulted in providing unreliable intelligence information about the Iraq-al Qaeda relationship to policymakers through both direct and indirect means.

Part II compares public statements made by senior Administration officials about the Iraq-al Qaeda relationship to the then-classified relevant IC assessments. A pattern emerges of senior Administration officials exaggerating the extent of the relationship in public statements which more closely reflect the Feith analysis than those of the IC. These exaggerated statements have had a profound impact on a majority of the American public, which, according to many polls, still incorrectly believes that Saddam Hussein was involved in the 9/11 attacks on the U.S.

Many Administration statements were not supported by IC analyses but more closely reflected the Feith office views. In fact, Vice President Cheney said that the Feith analysis was the “best source of information.” In addition, there are no other known intelligence sources other than the Feith policy office for these assessments, which included, among others, allegations by the President that Iraq was an “ally” of Saddam Hussein; and continued representations by Vice President Cheney that Mohammed Atta may have met with an Iraq intelligence officer before the 9/11 attacks when the CIA was skeptical that the meeting took place at least as far back as late spring 2002.

¹⁴ SSCI Report, p. 346.

Major decisions, such as the decision to take this country to war, should not be based on intelligence shaped to support that decision. The professional objectivity and independence required in the assessment of the Iraq-al Qaeda relationship, a major reason given for going to war, were compromised to support a predetermined policy – to present the government of Saddam Hussein as a serious threat to the security of the United States. Corrective legislation, including better Congressional oversight, is needed. It is the hope that this report will help support that goal.

PART I

DOD'S POLICY OFFICE "REINTERPRETS" INTELLIGENCE ON THE IRAQ-AL QAEDA RELATIONSHIP

A. ESTABLISHING THE "ALTERNATIVE" INTELLIGENCE SOURCE

Within weeks of September 11, Under Secretary of Defense Doug Feith had tasked two consultants to start sifting through all of the intelligence, both finished products and raw reports, relating to terrorist groups and their state sponsors. They were told to prepare a briefing for Secretary of Defense Rumsfeld by early 2002. The 150-plus page briefing they developed, "Understanding the Strategic Threat of Terror Networks and Their Sponsors," was completed in early 2002; it is not clear whether it was ever presented to Secretary Rumsfeld.

In the spring of 2002, another analyst in Under Secretary Feith's Policy office went back to look at earlier intelligence reports, including raw reports involving Iraq and al Qaeda that the IC had previously considered but deemed not suitable to reflect in finished intelligence reports. This information was passed to Secretary Rumsfeld and Deputy Secretary Wolfowitz. Feith's staff subsequently prepared a briefing exclusively on the Iraq-al Qaeda relationship, as will be described below.

Under Secretary Feith has stated that his tasking of policy staff to review intelligence was "routine," and that he did not ask the IC because "the purpose of the review was development of strategy and policy." Yet the products of the review (discussed more fully below) were not strategy or policy recommendations; rather, they were selective reinterpretations of intelligence.

While the policy *question* was relevant in the wake of the 9/11 attacks, intelligence reviews are traditionally done by the intelligence agencies, including the Defense Intelligence Agency (DIA), that works for DOD and which, unlike Under Secretary Feith's policy office, is part of the IC and has the professional expertise and analytic judgment so important in intelligence analysis. The fact that a Policy office undertook such an intelligence review, rather than relying on the IC, suggests a determination to reach a particular conclusion.

Deputy Secretary of Defense Wolfowitz is reported as describing "a phenomenon in intelligence work, that people who are pursuing a certain hypothesis will see certain facts that others won't, and not see other facts that others will." He added, "The lens through which you're looking for facts affects what you are looking for."¹⁵ That approach proved to be precisely the problem with the Feith analysis.

His office was pre-disposed in favor of finding evidence that supported the hypothesis that al Qaeda had a collaborative relationship with the Iraqi regime. That was the lens through which he was looking. In doing so he was providing intelligence support to the Administration's policy of seeking to remove Saddam Hussein from power. The SSCI report on pre-war intelligence on Iraq found evidence of a similar analytic failure of bias (in that case regarding Iraqi weapons of mass destruction) and described it as "a hypothesis in search of evidence."¹⁶ That was the approach taken by the Feith office.

Differences between the Feith office and the IC arose when it became clear that the IC was more skeptical of an Iraq-al Qaeda relationship than Feith's office. Feith's office, convinced

¹⁵ "Pentagon Sets Up Intelligence Unit," Eric Schmitt and Thom Shanker, The New York Times, October 24, 2002.

¹⁶ SSCI Report, page 19.

the relationship was significant, advanced the DOD perspective in two ways: by attempting to change the IC's views (or at least the content of IC products), and by taking its interpretation straight to policymakers, including in the White House.

B. INFLUENCING THE IC'S REPORT ON "*IRAQI SUPPORT FOR TERRORISM*"

In addition to developing their own alternative intelligence analysis, Under Secretary Feith's office was also attempting to convince the IC to incorporate into a major finished report some of the raw intelligence reports the Feith office believed had been undervalued or ignored by the IC, and to change how the intelligence was characterized. The SSCI report summarizes an interview with an analyst assigned to Feith's policy office who described taking intelligence reports to the DIA and asking that they be "republished or incorporated into finished products," an overture in which the DIA reportedly expressed no interest.¹⁷

Under Secretary Feith briefed Director of Central Intelligence (DCI) Tenet and Tenet's senior staff in mid August. The DOD policy office analysts met with IC experts on August 20, 2002 at an IC "coordination meeting" planned to finalize the text of the IC's *Iraqi Support for Terrorism* report. The SSCI interviewed eight of the twelve staff who attended the meeting; each IC analyst described the presence of the DOD staff as "unusual," since "members of an intelligence consumer organization such as OUSDP [the Office of the Under Secretary of Defense for Policy] normally do not participate in the creation of intelligence products."¹⁸ The

¹⁷ SSCI Report, p. 308.

¹⁸ SSCI Report, pp. 362-363.

IC analysts said that Feith's staff were concerned about "too many caveats in the reporting and the 'tone'" of the draft IC report. Feith's staff also pressed dubious information, including criticizing the draft IC report for omitting reference to the "key issue of Atta."¹⁹

The Feith staff also had a harsh critique of the CTC report *Iraq and al Qaida: Interpreting a Murky Relationship*. One of his staff wrote "in its interpretation of this information, CIA attempts to discredit, dismiss, or downgrade much of this reporting, resulting in inconsistent conclusions in many instances. Therefore, the CIA report should be read for content only – and CIA's interpretation ought to be ignored."²⁰ This critique was sent by Under Secretary Feith to Deputy Secretary Wolfowitz and Secretary Rumsfeld. The SSCI report states that while the CIA acknowledged that some changes were made to the document based on the involvement of Feith's staff, the overall analytic judgments of the IC were not affected in the report.

The CIA did not identify to SSCI the specific changes made at the behest of Feith's staff. However, documents provided to the SASC indicate that Feith's staff requested, both verbally and in written form, at least 32 changes to the draft, including inserting raw intelligence reports that had previously been omitted, deleting others, and altering the characterization of certain issues and raw reporting. Although the substance of all the related documents remains classified, a comparison of the Feith staff's requests for changes to the final report indicates that half of the

¹⁹ The Atta issue is discussed more fully in Part II. A report came in shortly after the September 11 attacks, of an alleged meeting between 9/11 hijacker Mohammed Atta and an Iraqi intelligence officer in Prague in April 2001. As the IC began investigating the report, no evidence was found to support it, contradictory evidence came to light, and questions about its credibility grew. The IC has publicly acknowledged being "increasingly skeptical" of the meeting, citing a lack of "any credible information that the April 2001 meeting occurred."

²⁰ SSCI Report, p. 308.

changes they advocated were made, either as requested or with caveats. Specifically, 16 changes were made, 14 were not, and for 2 the outcome is indeterminate.

Thus, even though IC analysts refused to incorporate information which they believed was dubious into their judgments about the Iraq-al Qaeda relationship, and the IC analysis remained skeptical of that relationship, nonetheless raw, questionable intelligence reports were incorporated in the IC document because of advocacy by Under Secretary Feith and his staff.

Administration officials relied on or cited these reports in their public statements about the Iraq-al Qaeda relationship and selectively used or cited questionable reports that went beyond the IC's judgments.

C. PRESENTING AN "ALTERNATIVE" VIEW DIRECTLY TO POLICYMAKERS

Feith's staff went beyond interacting with the IC in an attempt to change an IC-issued product. They were also taking their view of the Iraq-al Qaeda relationship directly to senior officials in the Executive branch.

In February, 2004, DOD provided the SASC with a copy of a classified briefing from the Feith office entitled "Assessing the Relationship between Iraq and al Qaeda." The transmittal letter explained that the briefing had been presented three times: first to Secretary of Defense Rumsfeld in early August, 2002, who recommended that it be shared with the CIA; shortly thereafter Under Secretary Feith took it to DCI Tenet and senior IC officials and analysts; and finally, on September 16, his staff gave the briefing to senior staff from Office of the Vice President (OVP) and the National Security Council (NSC).

Senator Levin subsequently learned that there were differences between the versions of the briefing presented to the IC and that provided to the DOD. He then requested copies of all versions of the briefing that had been presented to senior officials. In May, 2004 DOD provided three versions of the briefing, stating that differences among them primarily reflected ongoing work, and that one specific slide that was critical of the IC was omitted from the briefing to DCI Tenet so that it would not distract from a substantive discussion.

D. ASSESSMENT OF THE “ALTERNATIVE” ANALYSIS

While almost all details about the briefings’ substance remain classified, despite repeated requests from Senator Levin to declassify them, a comparison of the three versions reveals more than 35 differences, ranging from the omission and addition of entire slides to minor wording differences. While some of the changes may well reflect analysis that was evolving, this explanation is insufficient. For example, one slide, omitted from the version presented to the CIA but included in the version presented to the White House, discussed the alleged meeting between 9/11 hijacker Mohammed Atta and an Iraqi intelligence officer in Prague in April, 2001. It described the alleged meeting as one of the “known Iraq-al Qaeda contacts.” The report of the meeting was referred to by senior Administration officials, especially Vice President Cheney, as evidence of a possible Saddam Hussein link to the 9/11 attacks. However, not only has the alleged meeting never been “known,” either at the time this briefing was presented to the White House, or ever, the Intelligence Community was skeptical in late spring 2002 that such a meeting

took place. In August 2002, two Feith staff wrote a critique of a draft version of *Iraqi Support for Terrorism*, still arguing that it “makes no mention of the key issue of Atta.”²¹

The slide claiming weaknesses in IC analysis of the Iraq-al Qaeda relationship is the only slide in the briefing that has been declassified in its entirety. Its degree of accuracy is therefore the only and best unclassified evidence of the overall quality and objectivity of the Feith office analysis in the overall slide presentation. Under Secretary Feith’s slide is reproduced and analyzed below:

**Fundamental Problems with How Intelligence Community
is Assessing Information**

- Application of a standard that it would not normally obtain
 - IC does not normally require juridical evidence to support a finding
- Consistent underestimation of importance that would be attached by Iraq and al Qaida to hiding a relationship
 - Especially when operational security is very good, “absence of evidence is not evidence of absence”
- Assumption that secularists and Islamists will not cooperate, even when they have common interests

Standards for evaluating intelligence reports. The slide asserts that the IC’s standard of evidence was too high. However, in its discussion of the analytic approach relative to the Iraq-al Qaeda relationship utilized in the DCI’s Counter Terrorism Center’s June, 2002 report *Iraq and al Qaida: Interpreting a Murky Relationship*, the report’s Scope Note stated that the approach is “purposefully aggressive” when assessing Iraq-al Qaeda ties, because of the great threat that such

²¹ SSCI Report, p. 310.

a relationship might pose to the U.S.²² The Deputy Director for Intelligence explained this “purposefully aggressive” approach by saying that “I was asking the people who were writing it to lean far forward and do a speculative piece. If you were going to stretch to the maximum the evidence you had, what could you come up with?”²³ This aggressive approach went beyond the traditional practice of basing judgments or findings on reliable reports that had been corroborated. The approach included all reliable reporting, corroborated or not. Put differently, the only reports excluded under this approach were uncorroborated reports whose reliability was in question. Yet Feith’s staff argued that even this “purposefully aggressive” posture was too cautious, suggesting, in effect, that the IC should include information of questionable reliability, and go beyond stretching the evidence “to the maximum.”

Indeed, this suggestion appears to be borne out by another small portion of the briefing declassified in the SSCI report, which notes that one slide summarizing “Known Iraq-al Qaida Contacts” included, without qualification, an item stating “2001: Prague IIS Chief al-Ani meets with Mohammed Atta in April.” As was mentioned above and will be discussed more fully below, after the initial unverified report of a possible meeting had been passed to the U.S. by the Czech government, the IC’s investigation identified increasing problems with the Atta report,

²² See SSCI Report, p. 205. The SSCI report describes, in some detail, the differences between two offices within the Intelligence Community: the CIA’s Near East and South Asia (NESA) division and the DCI’s Counter Terrorism Center (CTC). When assessing the Iraq-al Qaeda relationship, NESA took a more “traditional” analytic approach, limiting the reports considered in forming its assessments to those that had been corroborated and were deemed to be from reliable sources. After the September 11 attacks, the CTC took a more “aggressive” approach by including uncorroborated but reliable raw reports in its products, and incorporating all of those reports into its assessments. Despite the variations in approach, the SSCI report notes that the three major IC products on the Iraq-al Qaeda relationship that were issued between the summer of 2002 and early 2003, the first of which, the purposefully aggressive one, was done by the CTC without NESA input, and the latter two which were coordinated across the IC, reached very similar conclusions.

²³ SSCI Report, p. 307.

and by the spring of 2002 was skeptical that the meeting had actually taken place. To call this meeting a “known” contact in September of 2002, as Under Secretary Feith did, was a crucial misstatement about the intelligence, especially since it suggested a link that did not exist between Iraq and the 9/11 attack on the U.S.

Underestimating the value of a hidden relationship. Under Secretary Feith’s second charge in the slide was that the IC undervalued the importance that both Iraq and al Qaeda would place on concealing a relationship, and therefore that the absence of evidence of such a relationship did not necessarily mean that such a relationship did not exist. Taken to its logical extreme, this argument implies that absence of evidence may in fact be evidence itself – that the fact that no evidence can be found is an indication that evidence exists but is being hidden. But, in fact, the IC’s reluctance to assert an Iraq-al Qaeda relationship was based on the information it possessed, not on hypotheticals, and the IC acknowledged lack of evidence as a factor limiting the strength of their conclusions. In its January 2003 report *Iraqi Support for Terrorism*, the CIA explicitly stated that its reporting on the relationship was based on sources of “varying degrees of reliability” and the reporting was contradictory. From the available declassified information, the IC’s report characterized the overall body of intelligence as indicating “a number of contacts, incidents of training, and discussions of Iraqi safehaven for Usama bin Ladin and his organization dating from the early 1990s.”²⁴ The reasonableness of the IC’s approach has subsequently been endorsed by the SSCI. The 9/11 Commission, after reviewing all of the

²⁴ SSCI Report, p. 314.

available intelligence, reiterated the IC's position that there was "no evidence" of a "collaborative operational relationship."

Assumption of non-cooperation. The Feith office's final critique of the IC in its slide was that it discounted the possibilities of cooperation between secular and Islamic groups. Given the radically fundamentalist Islamist nature of al Qaeda and the secularist nature of the Iraqi regime, it is understandable that some IC analysts analyzed the likelihood of cooperation in a religious context, as the SSCI report acknowledges. The report states that some analysts "would contend that mistrust and conflicting ideologies and goals probably tempered these contacts [between Iraq and al Qaeda] and severely limited the opportunities for cooperation."²⁵ The report continued, however, that "[t]hese analysts do not rule out that Baghdad sought and obtained a non-aggression agreement or made limited offers of cooperation, training or even safehaven (ultimately uncorroborated or withdrawn) in an effort to manipulate, penetrate, or otherwise keep tabs on al-Qaida or selected operatives."²⁶ Thus while some of the IC analysts might have doubted that the two entities would collaborate, they acknowledged that Iraq might have other motivations for seeking some sort of relationship with al Qaeda.

²⁵ SSCI Report, p. 306. What Under Secretary Feith's office termed an IC "assumption" of non-cooperation was in fact an assessment based on intelligence reports. The SSCI report states that the CIA provided two raw reliable reports supporting the assessment that Saddam Hussein viewed Islamic extremism as a threat to his regime, as well as a report indicating he tried to prevent young Iraqis from joining al Qaeda. There were also reports from al Qaeda detainees about al Qaeda's attitudes toward cooperation with Iraq, though these reports were inconsistent (i.e., reporting both favorable and unfavorable attitudes). (SSCI report, p. 323.) Based on the available intelligence reporting, the IC judged, rather than "assumed", that the two sides were wary of cooperation and that it was not in their best interests.

²⁶ SSCI Report, 306.

DCI Tenet's testimony before the SSCI in February, 2002, as Feith's office's al Qaeda-specific analysis was getting off the ground, very clearly shows that he was aware of, open to, and seeking evidence of any potential collaboration because of the potential threat such collaboration would represent.²⁷ It is clear, therefore, that the IC was not foreclosing the possibility of an Iraq-al Qaeda relationship: to the contrary, the CIA found in its January 2003 report that "Iraq's interaction with al-Qaida is impelled by mutual antipathy toward the United States and the Saudi royal family and by bin Ladin's interest in unconventional weapons and relocation sites."²⁸

On all these charges in the Feith briefing slide, Under Secretary Feith's characterization of IC views was highly inaccurate. It is not surprising, therefore, that DOD chose not to share this criticism with IC leadership when Under Secretary Feith briefed DCI Tenet and the IC.

In addition, a number of slides which contained information that varied from the IC assessments were added to the version presented to the White House, which meant that unbeknownst to the IC, policymakers were getting information that was inconsistent with, and thus undermined, the professional judgments of the IC experts. The changes included

²⁷ Tenet said "[i]t would be a mistake to dismiss the possibility of state sponsorship [of al Qaeda], whether Iranian or Iraqi and we'll see where the evidence takes us." He also noted that "Baghdad has a long history of supporting terrorism, altering its targets to reflect changing priorities and goals. It has also had contacts with al Qaida. Their ties may be limited by divergent ideologies, but the two sides' mutual antipathy toward the United States and the Saudi Royal family suggests that tactical cooperation between them is possible – even though Saddam is well aware that such activity would carry serious consequences." Finally, he explicitly refuted the notion that the CIA discounted links between Iraq and al Qaeda, stating that "you don't dismiss linkages when you have a group like al Qaeda who probably buys and sells all kinds of capabilities for people who have converging interest, whether Sunni or Shia, and how they mixed and matched – training capabilities, safe harboring, money – [it's] something we're taking a look at." *Testimony before the Senate Select Committee on Intelligence, February 6, 2002.*

²⁸ SSCI Report, p. 322.

information that was dubious, misrepresented, or of unknown import.²⁹ These changes conveyed a perception that the U.S. had firm evidence of a relationship between the Hussein regime and al Qaeda when it did not.

This judgment is confirmed by reviewing the briefing's findings. Relying on selective reporting, irrespective of credibility and reliability, Under Secretary Feith's briefing concluded the following:

- Iraq had “more than a decade of numerous contacts” with al Qaeda;
- there were “multiple areas of cooperation” between Iraq and al Qaeda;
- Iraq and al Qaeda had a “shared interest and pursuit of WMD;” and
- there was “[o]ne indication of Iraq coordination with al Qaeda specifically related to 9/11,” presumably a reference to the alleged (but doubted by the IC) Atta meeting in Prague.³⁰

The IC's position on many of these issues will be discussed in greater detail in Part II of this report, but can be summarized as follows: The IC shared Feith's office's conclusion that there had been some contacts between Iraq and al Qaeda, although they disagreed about the extent of those contacts. The IC did not agree that Iraq cooperated with al Qaeda, only that al Qaeda may have sought cooperation on training. The IC assessed there was no evidence of operational cooperation (a conclusion also reached by the 9/11 Commission). The IC may have agreed that Iraq and al Qaeda shared an interest in pursuit of WMD, but did not conclude that they did this together. Finally, the IC did not find any reliable evidence of an Iraqi connection or

²⁹ For example, there was additional information about the alleged Atta meeting.

³⁰ These findings are quoted in the SSCI report, p. 309.

“coordination ... related to” the 9/11 attacks.

With respect to the Feith briefing given to the White House, the differences between the judgments of the IC and the DOD policy office might have been addressed by a discussion between the IC and DOD of underlying assumptions and the credibility and reliability of sources of raw intelligence reports. However, the IC never had the opportunity to defend its analysis, nor point out problems with DOD’s “alternative” view of the Iraq-al Qaeda relationship when it was presented to the policymakers at the White House. Under Secretary Feith never informed the IC that he was taking the briefing they saw (with the addition of the slide critical of the IC and two other slides) to the White House. In fact, DCI Tenet had been unaware of the Feith staff September 2002 briefing to the White House until February 2004, when Senator Levin raised the issue at an SSCI hearing. Thus the nation’s foremost intelligence experts, and the President’s chief intelligence officer, were deprived of the opportunity first to correct inaccuracies about IC analysis of the Iraq-al Qaeda relationship, and, more importantly, deprived of the opportunity to inform the White House of significant concerns about the reliability of some of the reporting upon which Under Secretary Feith’s White House briefing was based. When Senator Levin asked DCI Tenet at a hearing in March 2004 if this type of briefing was a normal situation, Director Tenet responded that he had never been in that situation.

E. RESPONSES TO CONGRESS

On July 10, 2003, Under Secretary Feith appeared before the SSCI in a classified hearing. Senators Roberts and Rockefeller posed some additional questions to be answered for the

hearing record, one of which addressed relations between Iraq and al Qaeda. Under Secretary Feith responded to that question on October 27, 2003, and attached to his answer a classified annex entitled “*Summary of Body of Intelligence on Iraq-al Qaeda Contacts (1990-2003)*.”

Much of the information included in the *Summary* had been collected by the CIA, and was, as a result, “originator controlled,” or “ORCON.” When disseminated by anyone other than the originator, ORCON material must be “cleared” by the originating agency to ensure it is being used properly. Therefore, Under Secretary Feith should have cleared his Summary with the CIA before submitting it to the SSCI. He did not do so.

On November 15, 2003, the *Weekly Standard* published an article written by Stephen Hayes entitled “Case Closed: The U.S. Government’s Secret Memo Detailing Cooperation Between Saddam Hussein and Osama bin Laden.” The article said it was based on a top secret document “dated October 27, 2003,” and “sent from Undersecretary of Defense for Policy Douglas J. Feith to...the Senate Intelligence Committee.” The article, which purported to quote extensively from the top secret DOD document, asserts that “Osama bin Laden and Saddam Hussein had an operational relationship from the early 1990s to 2003,” and concludes that “there can no longer be any serious argument about whether Saddam Hussein’s Iraq worked with Osama bin Laden and al Qaeda to plot against Americans.”

The publication of the *Weekly Standard* article triggered considerable interest in the Feith material that had been sent to the SSCI, including press requests to the Defense Department. In response, DOD issued a press release on November 15th that made a number of interesting and sometimes inaccurate points.

It began by saying that “News reports that the Department of Defense recently confirmed new information with respect to contacts between al Qaeda and Iraq in a letter to the Senate Intelligence Committee are inaccurate.” After explaining the genesis of the classified October 27th Feith annex sent to SSCI, it stated that the “provision of the classified annex to the Intelligence Committee was cleared by other agencies and done with the permission of the intelligence community.” This was incorrect, since the CIA did not clear the release of the document before Under Secretary Feith sent it to SSCI, as DCI Tenet later testified. In fact, as described below, during its later review to consider releasing the document to SASC, the CIA found a number of mischaracterizations of the intelligence and asked Mr. Feith to correct those inaccuracies before sending the document to SASC and other Congressional committees.

In November 2003, following publication of the *Weekly Standard* article and the DOD press release, Senator Levin requested a copy of the Feith classified annex *Summary* as part of his SASC- based intelligence review. In mid-December, after reviewing the Feith *Summary*, the CIA sent Under Secretary Feith a letter indicating the corrections he should make to his *Summary* document before sending it to SASC. On January 15, 2004 DOD sent the original Feith *Summary* to the SASC along with an Addendum which DOD represented “contain[ed]” the CIA’s corrections to the *Summary*. In September, 2004 the CIA provided to the SASC a copy of the corrections it had sent to Under Secretary Feith in December 2003 (the document Under Secretary Feith purportedly reflected in his Addendum).

The CIA’s corrections applied to numerous entries in Feith’s *Summary*, including some of the reports that claimed the most direct and potentially threatening connections between Iraq and al Qaeda (i.e., training in bombmaking and meetings between senior al Qaeda members and

Iraqi intelligence officials). A comparison of the classified CIA-requested corrections and Feith's Addendum reveals that while some of the CIA's corrections were made, highly significant corrections relating to Iraq-al Qaeda contacts were not made.

For example, Under Secretary Feith's original *Summary* cited numerous raw intelligence reports, including some which came "from a well placed source." The CIA requested that Under Secretary Feith delete the words "from a well placed source," noting that the source was actually third hand, through a foreign government service. The CIA noted that the underlying report from which Under Secretary Feith's characterization was drawn explicitly stated that the foreign government service had never met with the source directly and that the information had come from the source through two unidentified intermediaries.

Under Secretary Feith deleted the words "from a well placed source" per the CIA's direction. However, rather than substituting language noting the third-hand nature of the information, he instead directed the readers to "the italicized paragraph above." That paragraph states that the source had "very close access" to the reported information and suggests that the source was very credible. The CIA's corrections, had he made them, would have made clear that the CIA (and the U.S. Government) had no information about the actual source, as no U.S. personnel, nor even those of the foreign government service, had met directly with the source, and that the U.S. was, therefore, not in a position to judge the source's (or sources') reliability, credibility, or access to the reported information.

Indeed, the 9/11 Commission report commented on this issue and questioned the credibility of the information. The report stated:

“Two CIA memoranda of information from a foreign government report that the chief of Iraq’s intelligence service and a military expert in bomb making met with Bin Ladin at his farm outside Khartoum on July 30, 1996. The Source claimed that Bin Ladin asked for and received assistance from the bomb-making expert, who remained there giving training until September 1996, which is when the information was passed to the United States.... The information is puzzling, since Bin Ladin left Sudan for Afghanistan in May 1996, and there is no evidence he ventured back there (or anywhere else) for a visit. In examining the source material, the reports note that the information was received ‘third hand,’ passed from the foreign government service that ‘does not meet directly with the ultimate source of the information, but obtains the information from him through two unidentified intermediaries, one of whom merely delivers the information to the Service.’”³¹

In another case, the CIA noted that Under Secretary Feith’s assertion in the *Summary* that the Iraqi intelligence service knew of Zarqawi’s entry into Iraq was unsupported by the underlying report cited by Under Secretary Feith. Rather, the report actually contradicted Under Secretary Feith’s assertion. In response to this CIA correction, Under Secretary Feith, in the *Addendum*, cited a different CIA report in support of his assertion, but left the assertion itself unchanged. However, the CIA report that he substituted for the original report he relied on also does not support Under Secretary Feith’s assertion. While it notes Zarqawi’s presence in Iraq,

³¹ 9/11 Commission Report, page 468, footnote 55.

the substituted report does not state that the Iraqi regime knew he was there. Instead, that CIA report notes that Zarqawi apparently used an alias to travel to Iraq, suggesting that the Iraqi regime may not have been aware of his presence, and/or his real identity.

PART II

**COMPARISON OF ADMINISTRATION PUBLIC STATEMENTS AND
INTELLIGENCE COMMUNITY JUDGMENTS**

Although Under Secretary Feith ran a policy office, the office had a direct impact on the intelligence information that reached senior policymakers. It did so by influencing the IC to include raw intelligence of questionable reliability and/or credibility in its major assessment of the Iraq-al Qaeda relationship, and by developing and providing its own briefing of an “alternative” intelligence assessment of that relationship to senior members of the DOD and the White House.

The discussion which follows compares senior Administration public statements on the Iraq-al Qaeda relationship, which advanced the view put forth by Under Secretary Feith’s office, with the intelligence assessments of the IC. Because the IC has not declassified most of its assessments relative to the Iraq-al Qaeda relationship, this report includes declassified portions of the IC reports cited in the reports of the Senate Select Committee on Intelligence (SSCI) and the 9/11 Commission. (See Preface and footnotes therein.)

A. THE OVERALL RELATIONSHIP – AL QAEDA AS AN “ALLY”

March 16, 2003 **“[W]e know that he has a long-standing relationship with various terrorist groups, including the al-Qaeda organization.” Vice President Cheney, *Meet the Press***

The SSCI report includes a thorough discussion of the IC’s judgments about Iraq’s relationship with regional terrorist groups; the IC had voluminous, corroborated, all-source reporting about these relationships. The IC judged, without qualification, that “Iraq has a long history of supporting terrorism,” but at the same time, the IC specifically contrasted the relationship Iraq had with Palestinian terrorist groups, which it described as “patron-client,” with the relationship it had with al Qaeda, which it stated was more like “two independent actors trying to exploit each other.” Rather than acknowledge the distinction the IC had made, Administration officials frequently framed the Iraq-al Qaeda relationship as part of a larger pattern of Iraqi cooperation with terrorist groups, resulting in a misleading characterization of the Iraq-al Qaeda relationship.

May 1, 2003 **“We have removed an ally of al Qaeda and cut off a source of terrorist funding.” President Bush, *Remarks on the U.S.S. Abraham Lincoln***

May 2, 2003 **“ the al Qaeda no longer have an ally in the regime in Iraq.” President Bush, *Remarks in Santa Clara, CA***

The 9/11 Commission, after reviewing the relevant intelligence reports, concluded that, despite contacts between Iraq and al Qaeda, the relationship was limited and somewhat distant, and that there was “no evidence” of a “collaborative operational relationship.” As noted above, the IC characterized the relationship as “independent actors.”

September 14, 2003 “[T]he Iraqi government and the Iraqi intelligence service had a relationship with al Qaeda that developed throughout the decade of the ‘90s. That was clearly official policy.... If we’re successful in Iraq...we will have struck a major blow right at the heart of the base, if you will, the geographic base of the terrorists who have had us under assault now for many years, but most especially on 9/11.” Vice President Cheney, *Meet the Press* (Emphasis added)

The SSCI report concluded that the CIA had “reasonably assessed” that likely contacts between Iraq and al Qaeda during the 1990s “did not add up to an established, formal relationship.”

January 9, 2004 “With respect to the ... general relationship... [o]ne place you ought to go look is an article that Stephen Hayes did in the *Weekly Standard* here a few weeks ago, that goes through and lays out in some detail, based on an assessment that was done by the Department of Defense and forwarded to the Senate Intelligence Committee some weeks ago. That's your best source of information.” Vice President Cheney, *Rocky Mountain News* (Emphasis added)

The Weekly Standard article to which Vice President Cheney referred starts with the conclusion that “Osama Bin Laden and Saddam Hussein had an operational relationship from the early 1990s to 2003 that involved training in explosives and weapons of mass destruction, logistical support for terrorist attacks, al Qaeda training camps and safe haven in Iraq... according to a top secret U.S. government memorandum...” The article ends with the conclusion that “there can no longer be any serious argument about whether Saddam Hussein’s Iraq worked with Osama bin Laden and al Qaeda to plot against Americans.”³²

The article to which the Vice President referred represented that it was based on a leaked, Top Secret Defense Department document prepared by Under Secretary Feith and sent to the SSCI. By referring to the article in the way he did (including his comment that the article was “based on an assessment that was done by the Department of Defense and forwarded to the Senate Intelligence Committee”), the Vice President not only implicitly condoned the unauthorized release of highly classified material; he explicitly endorsed the article’s contents.

Vice President Cheney’s view that the Feith document was the “best source of information” of the Iraq-al Qaeda relationship was not shared by the IC. Director Tenet, in testimony before the SASC on March 9, 2004, said that the CIA “did not agree with the way the data was characterized in that document” and that he would speak to Vice President Cheney to inform him of the IC’s disagreements with the information. As previously discussed, the article claimed that it was based on the Feith *Summary* document described earlier in this report. The CIA provided numerous corrections to that *Summary* to Under Secretary Feith, some key ones of which he did not make before sending the purportedly corrected version to the SASC.

³² “Case Closed: The U.S. Government’s Secret Memo Detailing Cooperation Between Saddam Hussein and Osama bin Laden,” Stephen Hayes, *Weekly Standard*, November 24, 2003.

January 22, 2004 “I think there's overwhelming evidence that there was a connection between al-Qaeda and the Iraqi government.” Vice President Cheney, *NPR Morning Edition*

The IC's judgment in the January 2003 *Iraqi Support for Terrorism* report was that information about the relationship was inconclusive, incomplete, sometimes unreliable, and contradictory.³³

B. CONTACTS BETWEEN IRAQ AND AL QAEDA

September 25, 2002 “We clearly know that there were in the past and have been contacts between senior Iraqi officials and members of al-Qaida going back for actually quite a long time.... So, yes, there are contacts between Iraq and al-Qaida.... But, yes, there clearly are contacts between al-Qaida and Iraq that can be documented. There clearly is testimony that some of these contacts have been important contacts and there's a relationship here.” National Security Advisor Rice, *News Hour with Jim Lehrer*

³³ SSCI Report, pp. 322-323.

September 26, 2002 “We have what we consider to be very reliable reporting of senior level contacts going back a decade.... And when I say contacts, I mean between Iraq and al Qaeda. The reports of these contacts have been increasing since 1998.” Secretary of Defense Rumsfeld, *DOD News Briefing*

November 14, 2002 “[T]here is no question but that there have been interactions between the Iraqi government, Iraqi officials, and al Qaeda operatives. They have occurred over a span of some eight or ten years to our knowledge.” Secretary of Defense, Donald Rumsfeld, *CBS Radio*

The SSCI report recounts the IC’s judgment that, since the 1990s, some meetings had occurred between Iraqi officials and al Qaeda leaders. The IC assessed some intelligence reports of meetings as reliable, but also described reporting on other meetings it viewed as less credible, including reports from foreign governments and opposition groups. In *Iraqi Support for Terrorism*, dated January 2003, the IC concluded that “intelligence reports during the last decade point to various Iraq-al-Qaida contacts through high-level and third-party intermediaries,” but that Saddam Hussein and Osama bin Ladin were “far from being natural partners.”³⁴

The 9/11 Commission report describes a handful of the reported meetings in greater detail. It also notes evidence that in 1997, bin Laden “sent out a number of feelers to the Iraqi

³⁴ SSCI Report, p. 326.

regime, offering some cooperation,” although “[n]one are reported to have received a significant response.”³⁵ The Commission concluded that while intelligence reports “describe friendly contacts and indicate some common themes,” it saw “no evidence that these or the earlier contacts ever developed into a collaborative operational relationship.”³⁶

February 5, 2003 **“Early al-Qaida ties were forged by secret high-level intelligence service contacts with al-Qaida, secret Iraqi intelligence high-level contacts with al-Qaida. We know members of both organizations met repeatedly and have met at least eight times at very senior levels since the early 1990s. In 1996, a foreign security service tells us that bin Laden met with a senior Iraqi intelligence official in Khartoum and later met the director of the Iraqi intelligence service.” Secretary of State Powell, *Speech to the United Nations***

Currently there is not enough declassified information to say which individual reports were called into question by the CIA. However, the raw report cited by Powell about a foreign government reporting that bin Laden met with a senior Iraqi intelligence official in Khartoum, and later the Iraqi intelligence service director, sounds similar to two reports described by the 9/11 Commission. In its report, the Commission describes “Two CIA memoranda of information from a foreign government” that report that the chief of Iraq’s intelligence service

³⁵ 9/11 Commission Report, p. 66.

³⁶ 9/11 Commission Report, p. 66.

and a military bomb expert met with bin Laden outside Khartoum in July 1996. The Commission describes this report as “puzzling,” since bin Laden had left Sudan by that time and there is no evidence to suggest he returned to visit. The Commission also notes that the information was provided to the foreign government third-hand, so neither the foreign government nor any US intelligence personnel ever met with the ultimate source of the information.³⁷ (This is the same reporting that Under Secretary Feith mischaracterized in the *Summary* he sent to the SSCI, which the CIA later asked him to correct before sending it to the SASC, which he represented he did but which he did not.) Secretary Powell’s comment appears to rely on the dubious third-hand source information, although he did not acknowledge that the report’s source was unknown and the information was questionable.

February 6, 2003 **“And, worst of all, his connections with terrorists, which go back decades, and which started some 10 years ago with al Qaeda, are growing every day.” Deputy Secretary of Defense Wolfowitz, *Interview with KGO-TV, San Francisco Bay area***

June 17, 2004 **“[T]here clearly was a relationship. It’s been testified to; the evidence is overwhelming. It goes back to the early '90s. It involves a whole series of contacts - high-level contacts between Osama bin Ladin and Iraqi intelligence officials.” Vice President Cheney, *CNBC***

³⁷ 9/11 Commission Report, p. 468, footnote 55.

As the 9/11 Commission and SSCI reports convey, the intelligence appears to indicate that contacts were sporadic and not fruitful, belying a relationship (as opposed to contacts alone) between Iraq and al Qaeda.

C. IRAQI COOPERATION/INVOLVEMENT IN 9/11 ATTACKS

December 9, 2001 **“[I]t’s been pretty well confirmed that he [Atta] did go to Prague and he did meet with a senior official of the Iraqi Intelligence Service in Czechoslovakia last April, several months before the attack.”** Vice President Cheney, *Meet the Press* (Emphasis added)

September 8, 2002 **“We’ve seen in connection with the hijackers of course, Mohammed Atta, who was the lead hijacker, did apparently travel to Prague on a number of occasions. And on at least one occasion, we have reporting that places him in Prague with a senior Iraqi intelligence official a few months before the attack on the World Trade Center. The debates about, you know, was he there or wasn’t he there, again, it’s the intelligence business.”** Tim Russert: **“What does the CIA say about that? Is it credible?”** Cheney: **“It’s credible. But, you know, I think a way to put it would be that it’s unconfirmed at this point.”** Vice President Cheney, *Meet the Press*

January 9, 2004 **“We did have reporting that was public, that came out shortly after the 9/11 attack, provided by the Czech government, suggesting there had been a meeting in Prague between Mohammed Atta, the lead hijacker, and a man named al-Ani, who was an Iraqi intelligence official in Prague, at the embassy there, in April of ‘01, prior to the 9/11 attacks. It has never been - we’ve never been able to collect any more information on that. That was the one that possibly tied the two together to 9/11.” Vice President Cheney, *Rocky Mountain News***

June 17, 2004 **BORGER: Was Iraq involved [in 9/11]?**
CHENEY: We don't know. You know, what the commission says is they can't find any evidence of that. We had one report, this was the famous report on the Czech intelligence service, and we've never been able to confirm it or to knock it down. We just don't know.

BORGER: Well, let's get to Mohamed Atta for a minute because you mentioned him as well. You have said in the past that it was, quote, "pretty well confirmed."

CHENEY: No, I never said that.

BORGER: Ok.

CHENEY: I never said that... Absolutely not. What I said was the Czech intelligence service reported after 9/11 that Atta had been in Prague on April 9 of 2001, where he allegedly met with an Iraqi

intelligence official. We have never been able to confirm that nor have we been able to knock it down, we just don't know.

BORGER: Well, this [9/11 Commission] report says it didn't happen.

CHENEY: No, this report says they haven't found any evidence.

BORGER: That it happened.

CHENEY: Right.

BORGER: But you haven't found the evidence that it happened either, have you?

CHENEY: No. All we have is that one report from the Czechs. We just don't know.

BORGER: So does this put it to rest for you or not on Atta?

CHENEY: It doesn't add anything from my perspective. I mean, I still am a skeptic. I can't refute the Czech claim, I can't prove the Czech claim, I just don't know. It's the nature of the intelligence business lots of times.

BORGER: Saddam Hussein had nothing to do with 9/11?

CHENEY: We have never been able to prove that there was a connection there on 9/11. The one thing we had is the Iraq--the Czech intelligence service report saying that Mohamed Atta had met with senior Iraqi intelligence official at the embassy on April 9, 2001. That's never been proven; it's never been refuted.

CHENEY: We never said that Iraq was responsible for 9/11. We have never said that. You can't find any place where I said it, where the president said it. I was asked that, as a matter of fact, by Tim Russert on "Meet the Press" on the Sunday after the attack... and said, 'No, we don't have any evidence of it.' Later on we received this information from the Czechs, but again as I say, we have never been able to prove that nor have we been able to knock it down.

CHENEY: [The 9/11 commission] concluded based on the work they have done that there was no connection, Iraq was not responsible for 9/11. And I can't say they were. I have never seen evidence that supports that except for this one report from the Czechs.

– *MSNBC Capital Report* (Emphasis added)

With respect to the Atta issue, the SSCI report states that the CIA judged that, despite the initial Czech report, “other evidence indicated that these meetings [between Atta and al-Ani] *likely never occurred.*” [Emphasis added] The report goes on to say that FBI analysts “agreed with the CIA assessment and had no further information suggesting or disproving that the meetings had taken place.” The report concludes that “no additional information has emerged” to suggest that Iraq contributed to al Qaeda attacks, which indicates that, since the January 2003 IC report, there has been no additional information challenging the IC’s judgment that the meeting apparently did not happen. The 9/11 Commission also concluded that “[t]he available evidence

does not support the original Czech report of an Atta-Ani meeting.”³⁸ Although the Commission acknowledges that the available evidence cannot absolutely rule out the possibility the meeting took place, the report cites numerous problems with the story that call the initial, single-source, allegation into question.

Although most senior Administration officials did not explicitly claim that Iraq had been involved in the 9/11 attacks, they failed to reflect the IC’s judgment that there was no credible evidence of collaboration. Vice President Cheney has consistently gone beyond or ignored the IC’s assessment that, as the SSCI states, the alleged meeting between 9/11 hijacker Mohammed Atta and an IIS officer in Prague in April 2001 likely never occurred.³⁹ Even when explicitly asked in September 2002 if the CIA believed the report was credible, the Vice President responded that the report was “credible,” even though the SSCI report indicates that the CIA’s view that the meeting had likely not taken place could be traced back to at least June 2002. As late as June 17, 2004, Vice President Cheney was stating that the United States had not been able to prove or disprove the Czech “claim” that the Atta meeting took place (one unsubstantiated report not believed by the CIA was still being described by Vice President Cheney as “the Czech claim,” and that “we’ve never been able to confirm it or to knock it down”).

In that same interview, the Vice President went on to say, regarding the larger question of an Iraqi connection to or responsibility for the 9/11 attacks, “I have never seen evidence that

³⁸ 9/11 Commission Report, pp. 228-229.

³⁹ For additional information on the Vice President’s exaggeration of the Atta issue, see “New CIA Response Shows Administration Exaggeration of Intelligence,” Press Release, Senator Carl Levin, July 8, 2004, [available on Levin Web site, <http://levin.senate.gov/newsroom/release.cfm?id=225368>]

supports that except for this one report from the Czechs,” thus leaving the erroneous impression that it was still an open question in the view of the IC.

Vice President Cheney’s statements were, however, consistent with the views put forth by Feith’s policy office, whose briefing cited the Atta meeting as one of the “known Iraq-al Qaeda contacts.” And, again, Vice President Cheney specifically stated that the Feith assessment on the relationship between Iraq and al Qaeda was the “best source of information.”

CONCLUSION

Life and death decisions are based on the accuracy of intelligence. When intelligence is distorted or exaggerated to support the policies of an administration, it jeopardizes our nation's security and the lives of the men and women of our armed forces. This report provides compelling evidence of the importance of objective, independent intelligence upon which to base major policy decisions. It demonstrates how intelligence relating to the Iraq-al Qaeda relationship was manipulated by high ranking officials in the DOD to support the Administration's decision to invade Iraq when the intelligence assessments of the professional analysts of the Intelligence Community did not provide the desired compelling case.

The IC's analysis of the Iraq-al Qaeda relationship as a relatively weak one was as definitive as reliable reporting would permit, and their conclusions were subsequently supported by the 9/11 Commission and the SSCI investigations.

Some senior DOD policymakers were predisposed to conclude that there was a significant relationship between Iraq and al Qaeda. However, the IC failed to support that conclusion in repeated analyses. An alternative intelligence assessment process was established in the office of Under Secretary for Policy Doug Feith to look at the evidence through a different lens, one that was predisposed to finding a significant relationship between Iraq and al Qaeda. His staff then conducted its own review of raw intelligence reports, including reporting of dubious quality or reliability. Drawing upon both reliable and unreliable reporting, they arrived at an "alternative" interpretation of the Iraq-al Qaeda relationship that was much stronger than that assessed by the IC and more in accord with the policy views of senior officials in the

Administration.

The “alternative” views of the Iraq-al Qaeda relationship were provided to senior policymakers both directly, in briefings and written materials later submitted to Congress, and indirectly, by obtaining the inclusion of questionable raw reporting in IC reports to which policymakers could refer. These intelligence activities, which at times included misrepresenting the IC’s conclusions and criticizing their standards without the IC’s knowledge, went far beyond the normal practices of a policy office.

Misleading or inaccurate statements about the Iraq-al Qaeda relationship made by senior Administration officials were not supported by IC analyses but more closely reflected the Feith policy office views. These assessments included, among others, allegations by the President that Iraq was an “ally” of Saddam Hussein; assertions by National Security Advisor Rice and others that Iraq “had” provided training in WMD to al-Qaeda; and continued representations by Vice President Cheney that Mohammed Atta may have met with an Iraq intelligence officer before the 9/11 attacks when the CIA didn’t believe the meeting took place.

Major decisions, such as the decision to take this country to war, should not be based on intelligence shaped to support that decision. The professional objectivity and independence required in the assessment of the Iraq-al Qaeda relationship, a major reason given for going to war, were compromised to support a predetermined policy – to present the government of Saddam Hussein as an imminent threat to the security of the United States. Corrective legislation, including better Congressional oversight, is needed. It is the hope that this report will help support these needed changes.

APPENDIX A: MATERIALS REQUESTED BUT NOT RECEIVED

Outstanding Information Requested from the Department of Defense

- Two binders of documents being reviewed for a determination of executive privilege
- An unspecified number of documents containing CIA originator-controlled (ORCON) material, already reviewed by the CIA for release, and now being reviewed for a determination of executive privilege
- Documents relating to Feith office staff reviews of or contributions to other agencies' documents
- Communications from Feith office staff to other agencies and offices related to the relationship between Iraq and al Qaeda
- Documents related to information from defectors, including those provided or assisted by the Iraqi National Congress
- Documents or records relating to detainee debriefings cited by Feith as important in helping his office develop its perspective on Iraq-al Qaeda links

Outstanding Information Requested from the Central Intelligence Agency

- Declassification of the Feith briefing slides "Assessing the Relationship between Iraq and al Qaeda"
- Declassification of portions of three Intelligence Community reports:
 - *Iraq and al Qaida: Interpreting a Murky Relationship*, June 2002
 - *Iraqi Support for Terrorism*, January 2003
 - *Iraq's Continuing Programs for Weapons of Mass Destruction*, October 2002
- Questions for the Record from March 9, 2004 SASC Worldwide Threats hearing with DCI Tenet
- Documents relating to the debriefing and custody of detainee al Libi