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United States Senate
COMMITTEE ON ARMED SERVICES
WASHINGTON, DC 20510-6050

September 22, 2005

Mr. Tom Gimble
Acting Inspector General
Department of Defense
400 Army-Navy Drive
Arlington, VA 22202

Dear Mr. Gimble:

The Chairman of the Senate Select Committee on Intelligence has recently requested that your office initiate an investigation into the activities of the Office of Special Plans, within the Office of the Under Secretary of Defense for Policy, prior to the war in Iraq to determine if its activities were either unlawful or improper.

I am writing to request that you include all the elements of the Office of the Under Secretary of Defense for Policy, including the Policy Counter Terrorism Evaluation Group (PCTEG), and the Policy Support office. Personnel throughout the Policy organization were involved in activities related to intelligence concerning Iraq.

I am enclosing a copy of a report I issued on October 21, 2004 concerning the activities of the Office of the Under Secretary of Defense for Policy in producing alternative intelligence analysis concerning a relationship between Iraq and al Qaeda. I hope that the report may be useful in your review.

Specifically, I would ask that you consider the following questions in your investigation to determine whether OSD Policy personnel engaged in the activities in question:

1. Did the Office of Under Secretary Feith produce its own intelligence analysis of the relationship between Iraq and al Qaeda and present its analysis to other offices in the executive branch (including the Secretary of Defense and the staffs of the National Security Council and the Office of the Vice President)?
2. Did the intelligence analysis produced by Under Secretary Feith's office differ from the Intelligence Community analysis on the relationship between Iraq and al Qaeda?
3. Was the alternative OSD Policy intelligence analysis supported by the underlying intelligence?
4. Did Under Secretary Feith send CIA ORCON material to the Senate Select Committee on

Intelligence in October of 2003 without CIA approval to release it, even though such approval is required by Executive Order?

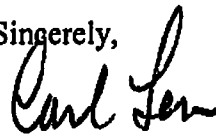
5. Did Under Secretary Feith mislead Congress when he sent to several congressional committees in January 2004 revised ORCON materials that were represented as containing the CIA's requested changes to the October 2003 documents, but which did not fully and accurately reflect the CIA's requested changes? For instance, did the revised material sent by Under Secretary Feith to congressional committees provide a misleading impression of the reliability and credibility of a key intelligence source, as compared to the CIA's required changes to the document? In other words, did the supposedly "corrected" DOD documents suggest that the source was more reliable and credible (having "very close access") than the CIA believed to be the case (a "third hand" source to a foreign government intelligence 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")?
6. Did the Office of the Under Secretary of Defense for Policy (OUSDP) prepare and present briefing charts concerning the relationship between Iraq and al Qaeda that went beyond available intelligence by asserting that an alleged meeting between lead 9/11 hijacker Mohammed Atta and Iraqi intelligence officer al-Ani in Prague in April 2001 was a "known" contact? (*emphasis added*)
7. Did the staff of the OUSDP present a briefing on the Iraq-al Qaeda relationship to the White House (Deputy National Security Adviser Stephen Hadley and Vice President Cheney's Chief of Staff I. Lewis Libby) in September 2002, unbeknownst to the Director of Central Intelligence, containing information that was different from the briefing presented to the DCI, not vetted by the Intelligence Community, and that was not supported by the available intelligence (for example, concerning the alleged Atta meeting), without providing the IC notice of the briefing or an opportunity to comment?
8. Did the staff of the OUSDP undercut the Intelligence Community (IC) in its briefing to the White House staff with a slide that said there were "fundamental problems" with the way the IC was assessing information concerning the relationship between Iraq and al Qaeda, and inaccurately suggesting that the IC was requiring "juridical evidence to support a finding," while not providing the IC notice of the briefing or an opportunity to comment?
9. Did the OSD Policy briefing to the White House draw conclusions (or "findings") that were not supported by the available intelligence, such as the "intelligence indicates cooperation in all categories; mature, symbiotic relationship" [slide7], or that there were "multiple areas of cooperation," and "shared interest and pursuit of WMD," and "some indications of possible Iraqi coordination with al Qaida specifically related to 9/11" [slide

19]? (*emphasis added*)

10. Did OUSDP staff prepare, and did Under Secretary Feith send to the Secretary of Defense and the Deputy Secretary of Defense, a written critique of a report entitled *Iraq and al Qaida: Interpreting a Murky Relationship* prepared by the DCI's Counter Terrorism Center (CTC), stating that the "CIA's interpretation ought to be ignored," without providing the CIA notice or an opportunity to respond?

After reviewing these matters, I would ask that you determine whether you believe these activities were appropriate and proper. If you determine that any of the activities were either inappropriate or improper, I request that you provide your recommendations for remedial action.

Sincerely,



Carl Levin
Ranking Member

Enclosure

cc: Senator Pat Roberts
Senator Jay Rockefeller
Senator John Warner