

“THE 9/11 COMMISSION WANTS INTERNAL EMAILS”

I found something rather interesting in Scooter Libby’s notes for July 8, 2003 (here’s the transcription of his chickenscratch). At the tail end of a conversation about the 9/11 Commission (which may have taken place at the White House’s Senior Staff Meeting that morning), and at the beginning of more obsessive notes about Joe Wilson [on how these notes work, see the update below], Libby wrote:

9/11 Commission wants internal e-mails, mark-up drafts of President’s speech, materials for President’s discussions with Blair, etc.

Now, I have no idea what they wanted internal emails pertaining to—though the reference to a Bush speech and discussions with Blair indicates it was a speech about war, most likely the September 20, 2001 speech announcing his response to the 9/11 attacks. Though, the Commission briefly reviewed the early (2001) discussions about hitting Iraq, as well as Afghanistan, and Libby’s note appeared just one day before the Commission held a hearing on Al Qaeda’s relationship with other parts of the Arab world, including Iraq (Laura Mylroie even testified!).

But I find the mention interesting, given all the attention to the White House’s faulty email archiving system. Libby’s note presumably reflects discussions of the 9/11 Commission’s First Interim Report, released on the same day. In the report (and at the press conference accompanying it), Commission described the status of EOP’s document requests as follows:

First, the executive office of the president. The document requests have been filed with the executive office.

Those documents cover every major part of the executive office of the presidency, including, of course, the National Security Council. We will not go into detail on the substance of these or other requests. We can say that we have received and are in the process of receiving access to a wide range of sensitive documents, and that to date no requested access has been denied. Many more documents are being requested. Conditions have been imposed, in some cases, with respect to our access to and usage of materials, and our discussions will continue.

Though the same interim report bragged that the Commission had received detainee interviews, and we know from Phillip Zelikow's recent report on the CIA's stonewalling regarding any tapes of detainee interrogations that as soon as June 2003, the CIA was withholding responsive materials.

The initial document request for interrogation material (DCI Document Request No. 4 filed on June 6, 2003) thus asked broadly for "all TDs and other reports of intelligence information obtained from interrogations" of forty named individuals. Later supplements added requests for information gained from interrogations of seventy-eight other named persons. The initial request included both Abu Zubaydah and Abd al Rashim al Nashiri. Such requests went to the CIA, DOD, and the FBI.

Looking at the 9/11 Commission Report very quickly, I see a number of FBI emails cited, as well as CIA "cables," which may be emails. I see some NSC emails involving Sandy Berger and even Richard Clarke and Condi. For example, in Chapter 8, the report bases its claim that,

On June 25, Clarke warned Rice and Hadley that six separate intelligence reports showed al Qaeda personnel warning of a pending attack.

...on an email from Clarke to Condi and Hadley. So it's clear the White House turned over some of its emails, even some damning ones, to the Commission. Did they turn it all over?

All of this is not to suggest that the White House deleted emails responsive to the 9/11 Commission. By all accounts, the archives are missing for periods starting in March 2003 (though the backup tapes were being scrubbed before that), long after most of the events studied by the Commission.

Still, I find it interesting that the White House was being publicly pressured to turn over some incriminating emails to the 9/11 Commission on precisely the same day when Libby would—apparently on the order of the Vice President—out a CIA spy. And just three days before Karl Rove would send an email—an email that pointed to Rove's involvement in the further leak—which may have conveniently disappeared for over a year.

You'd have to imagine these guys would be thinking seriously about how damning their emails might be in the future.

Update: I've forgotten that few people have immersed themselves in how Libby takes notes and have assumed that everything on this page is related. **It's not.** This is just the running summary of Libby's notes for part of one day. So while it might make for good tinfoil, the reference to the emails has nothing to do with Turkish soldiers or Khodorkovsky or natural gas or, probably, the British Commission evaluating intelligence on Iraq leading up to the war.