

# JERRY DOE “PROVED FUCKING RIGHT”

[That’s a Judy Miller quote, btw, not me actually, um, swearing.]

Joby Warrick reports that Jerry Doe, a former CIA operative who warned that Iraq had no active nuclear program but was told to bury that warning, also warned that Iran had set aside its own program.

A former CIA operative who says he tried to warn the agency about faulty intelligence on Iraqi weapons programs now contends that CIA officials also ignored evidence that Iran had suspended work on a nuclear bomb.

Now, he’s trying to get key paragraphs from his complaint against the CIA for wrongful dismissal unredacted so he can prove that the intelligence he was directed to bury turned out to be correct.

There are a few interesting details about this revelation. As Warrick notes, we have known for years that Doe claimed to have warned the CIA that Iraq had stopped its nuclear program. Doe reported, among other things, that there were Iraqi centrifuge parts available in the arms market. But Doe is now claiming that some of the intelligence he provided pertained to Iran, as well. (He refers to one more country in his complaint: Doe is a fluent Arabic and Farsi speaker, so I invite you to place your bets on whether the third country is Syria, Libya, or Pakistan, accordingly. I’m putting \$5 on Syria, with a side bet of \$2 on Pakistan.)

But there’s another interesting bit, if you put together Warrick’s story and the motion to have key paragraphs from his complaint unredacted.

Warrick quotes Doe’s lawyer, Roy Krieger, as saying that key paragraphs in Doe’s complaint

should no longer remain sealed because what those paragraphs reveal was declassified in last year's Iran NIE.

The consensus view on Iran's nuclear program shifted dramatically last December with the release of a landmark intelligence report that concluded that Iran halted work on nuclear weapons design in 2003. **The publication of the National Intelligence Estimate on Iran undermined the CIA's rationale for censoring the former officer's lawsuit,** said his attorney, Roy Krieger. [my emphasis]

And Friday's motion lists the actual paragraphs that—extrapolating from Krieger's claim—may pertain to Iran. The most interesting of those paragraphs (aside from paragraph 25, which is almost entirely redacted) are paragraphs 21 and 22:

21. Plaintiff was first subjected to a demand that he alter his intelligence reporting in 2000, [2 lines redacted]. Plaintiff reported this information via formal CIA cable channels. Plaintiff was subsequently advised by CIA management that his report did not support the earlier assessment [one line redacted] and instructed that if he did not alter his report to support this assessment it would not be received well by the intelligence community. Plaintiff was aware that earlier reporting underlying the assessment was less-than-genuine and refused to alter his report. As the result, CIA/DO/CPD refused to disseminate his report to the intelligence community despite Plaintiff's efforts.

22. In 2001, Plaintiff met with a highly respected human asset [3 lines redacted]. Plaintiff immediately reported this information to his

supervisor who in-turn met with CIA/DO/CPD management. Plaintiff was later instructed that he should prepare no written report of the matter and that the Deputy Director of Operations ("DDO"), Defendant Pavitt, together with the Chief of CIA/DO/CPD, Defendant John Doe No. 1, would personally brief the President. Upon information and belief, Plaintiff avers that no such briefing ever occurred and therefore the President was misled by the withholding of vital intelligence. Subsequently, in 2002, Defendant John Doe No. 1 advised Plaintiff that his promotion to GS-15 and receipt of the Special Intelligence Medal had been approved by Defendant Pavitt but were being withheld until Plaintiff removed himself from further handling this asset.

Now, I'm a little bit confused here, because Friday's motion asks to have every paragraph specifically referring to the collection of intelligence declassified, so I'm not entirely convinced that both these paragraphs pertain to Iran (though if Krieger's claim that all these paragraphs can be declassified because of the NIE, then perhaps the central allegation in the suit is that Doe was ousted because of his Iran intelligence). But paragraph 21 probably refers to Iran or the third country, since Doe's Iraq intelligence refuted a change in IC opinion that took place later (that is, it showed that, contrary to a new conclusion developed around 2001, Iraq was not reconstituting its nuclear program).

But if these paragraphs refer to Iran, as Krieger suggests they do, then it suggests Iran was backing off its nuclear program earlier than 2003. More importantly, it suggests that Doe considered the underlying assessment as "less-than-genuine."

I wonder on what basis he had that judgment?