

DICK CHENEY GETS JUDY MILLER TO SERVE AS HIS CUT-OUT, AGAIN

When Judy Miller wrote a piece for the WSJ pitching her new autobiographical novel, she was very specific about what she had said and not said with Dick Cheney and when.

I have never met George W. Bush. I never discussed the war with Dick Cheney until the winter of 2012, years after he had left office and I had left the Times.

Particularly given that the only question of those I posed for my book that Miller did not answer was whether she saw Cheney on the trip to Aspen that she used to explain Scooter Libby's Aspen letter, I find her admission that she did and does speak to Cheney – though had not, about the war – telling. (Remember, too, that Cheney did not release journalists he had spoken to to reveal him as a source in the way everyone else in the Executive Branch did.)

Miller goes on to present a nonsense story about how Fitzgerald misled her and caused her to testify incorrectly, falsely testifying to the grand jury that Libby had told her Plame was at the CIA back in June. It doesn't make sense – and doesn't do anything to undermine the other evidence that would have been sufficient to convict Libby, notably Libby's own notes and David Addington's testimony as well as a second, far more important, meeting between Libby and Miller just days before Novak outed Plame.

Maybe Miller just has no fucking clue what got presented at the trial?

But having presented a flimsy excuse to question the verdict against Libby, Miller has presented others with an opportunity to point to another detail she includes in her book: that Fitzgerald offered to drop the charges against Libby if he

would testify against Cheney. Again, that's not surprising. Libby's lies served to cover up Cheney's orders to leak stuff to Judy Miller (not in the meeting she newly focuses on, but in the meeting during the week of Novak's article).

Enter Dick Cheney.

Miller also writes in her book that she learned from Libby's attorney that Fitzgerald "had twice offered to drop all charges against Libby if his client would 'deliver' Cheney to him."

Cheney says that shows what Fitzgerald's real intentions were in going after Libby.

"It was a runaway special prosecutor who, I think, manipulated the system because he was trying to make a name for himself," Cheney said. "I apparently was the target based upon the fact that he went to Scooter's lawyer and told him if Scooter would testify against me he'd drop the charges against Scooter. I hadn't been accused of anything. I hadn't done anything."

This, of course, is bullshit. The key issue at the trial – the key reason why Libby's claims about his lies were important – had to do with his *own notes* reflecting Dick Cheney ordering Libby to leak classified information to Judy Miller, information that Cheney hung Libby out to dry on in his first interview with Fitzgerald. Nevertheless, Cheney uses it to proclaim Libby innocent, *which he can't be* if Cheney's own interview with Fitzgerald was honest.

Either Libby lied to the grand jury, or Cheney lied to Fitzgerald and possibly, in his unreleased second interview, to the grand jury. One of them lied. Probably, both did.

Whatever the evidence against Dick Armitage is (and the evidence shows that both journalists

who learned of Plame's CIA ties from him asked inexplicably leading questions to elicit that response, and both journalists had spoken with OVP before they spoke with Armitage), the evidence is also that Dick Cheney ordered Libby to leak stuff and the record shows (and nothing from Miller's book discussed thus far, at least, contradicts) that Libby included Plame's identity in that.

By the time Fitzgerald subpoenaed Miller, Cheney may not have been accused of anything, but he had been required to give a second, sworn interview with Fitzgerald that could be introduced to the grand jury because his first interview differed in dramatic ways from Libby's grand jury appearances. It was that interview, by all appearances, that led to the Judy subpoena.

Cheney doesn't hide that he's still trying to get the guy who covered up for him a pardon. Judy's book is just the convenient, albeit factually laughable, claim on which he plans to hang that effort.

Whatever information Judy laundered for the Administration back in 2002 (and Libby, at least, claimed it was Condi Rice who did such laundering before the war, not him or Cheney, which is not entirely inconsistent with Miller's currently operative claims) and far more obviously after it, she is back to serving as Cheney's cut-out now.

In nothing yet made public does Judy deny serving as Cheney's cut-out. Which is good, because the whole effort seems to be proof that she continues to do so.

JURY CONVICTS

STERLING ON ALL NINE COUNTS

After having deliberated for slightly over 2 days, the jury today found Jeffrey Sterling guilty of all nine counts today. (See a summary of the charges [here](#).)

I'm not surprised the jury found Sterling guilty of some of the charges: of leaking Risen information on Merlin and the operation he was involved in, and of retaining and then leaking Risen a document involved in that. The government multiplied the charges for both the 2003 *New York Times* story (at which point, Sterling and Risen had only spoken for two minutes and 40 seconds) and the 2006 book (by which point they had had more lengthy discussions), such that each leak amounted to multiple charges. In addition, the jury convicted Sterling of passing government property worth over \$1,000, and of obstruction of justice.

It's the last charge that really raises questions about how the jury understood their instructions.

That's because the government charged Sterling for obstructing the investigation by destroying a totally unclassified email he sent to James Risen in March 2003; he destroyed that email sometime between April and July 2006. The government made no allegation that Sterling ever entered Virginia during this period, much less destroyed the email there. In other words, there is no way Sterling should have been found guilty on that charge *in Virginia* (though it was easily the charge for which there was the most evidence to convict him of, had it been charged in Missouri). So that guilty verdict should make it easier to prove that the jury misunderstood the venue questions.

The other thing I think the defense might have grounds to appeal was Leonie Brinkema's decision

(which remains classified) that kept out details showing that several of the witnesses against Sterling – up to four of the people cleared into the Merlin operation – had, like Sterling, kept classified documents at home. One of the few concrete pieces of evidence against Sterling was that he had kept (probably retroactively) classified documents at home, which the government presented in big red printed SECRET folders. But, if (as seems highly likely) Bob S also did the same, it might raise questions about why FBI never investigated him as a potential source.

There's much more that raises questions about the legitimacy (though not necessarily the outcome) of the trial, such as the things CIA managed to keep secret, including that the CIA had declared state secrets over some of the evidence submitted at trial to deprive Sterling of the ability to sue for discrimination.

And, finally, the verdict raises real questions about the economy of leaks in DC, in which people may point reporters to stories, only to have the reporters dig up damning evidence from other sources (which is what seems most likely to have happened here). Jeffrey Sterling just got found guilty for causing James Risen to publish a story to (the government claimed) avenge his crummy treatment by the CIA. Sterling's guilty verdict allows no room for Risen to have decided to publish a story about CIA's horrible record on WMD. This verdict will not only send Sterling to prison, but it turns journalists into agency-free vehicles of their sources.

THE TIE BETWEEN JEFFREY STERLING AND CIA-ON-THE-HUDSON

My latest post on the Jeffrey Sterling trial notes that the same guy who called Sterling's performance "extremely sub-par" is also the guy who set up the NYPD's program profiling Muslims.

On Friday, former high ranking CIA officer David Cohen – who headed up the New York office while Sterling was there – **described** how he removed Sterling from the Merlin case because he didn't believe Sterling was performing well at his job (an opinion neither his deputy, Charles Seidel, nor Bob S shared, at least according to their testimony). "His performance was extremely sub-par," Cohen testified. Cohen also seemed to disdain what might be called political correctness, which if true may have exacerbated Sterling's increasing sense of being discriminated against for being African American.

That would be consistent with the action for which Cohen has received more press in recent years: setting up the New York Police Department's intelligence program that profiles the area's Muslim community. In the wake of 9/11, Cohen moved from the CIA to the NYPD. In 2002, he got a federal court to relax the **Handschu guidelines**, which had been set up in 1985 in response to NYPD's targeting of people for their political speech. Handschu required specific evidence before using informants to investigate a group. But, as an **article** from the Pulitzer Prize winning AP series described it, "Cohen told a federal judge that those guidelines made it 'virtually impossible' to detect terrorist plots."

After getting the rules relaxed, Cohen created teams of informants that infiltrated mosques and had officers catalog Muslim-owned restaurants, shops, and even schools. "Cohen said he wanted the squad to 'rake the coals, looking for hot spots,'" the AP reported in 2011.

At almost precisely the same time as jury selection for Sterling's case started, the **Third Circuit Court of Appeals heard a challenge** from those targeted under the program, who claim they had been discriminated against on the basis of their religion.

While the agencies involved are different, it seems notable that the primary person to find fault with Sterling's performance at the CIA – which Sterling claimed arose from problems with his race – is the same guy who started a program targeting Muslims across the New York City area. But that detail won't be presented to jurors at all during the trial.

Click through to see how the Russian involved in the operation invoked Valerie Plame to describe his concern about his name leaking, just weeks before it started to become clear that Vice President Cheney probably ordered that leak.

LANNY BREUER'S CONFLICTS

NYT has a story based off a CREW FOIA for details of FBI's investigations into John Ensign's efforts to buy off his mistress' husband. While the details show Ensign was even more sleazy than we knew, I'm at least as

interested in this passage:

The Justice Department's decision not to charge Mr. Ensign was widely seen as a sign of its skittishness about prosecuting and potentially losing public corruption cases in the wake of stinging courtroom defeats against former Senators [Ted Stevens of Alaska](#) and [John Edwards of North Carolina](#). The documents confirm that speculation: In an internal email in 2011 assessing the chances of prosecuting Mr. Ensign, a top prosecutor wrote that "the legal theory is possible with the right facts" but that the "mere response" of helping a former Senate employee to find work "is not enough." Another prosecutor wrote that "this is a really tough case to win."

The documents show that the investigation was also complicated by a legal conflict; Lanny A. Breuer, head of the Justice Department's criminal division at the time, had worked with a defense lawyer in the Ensign camp at Mr. Breuer's prior law firm, Covington & Burling. Mr. Breuer was temporarily recused from the Ensign investigation as a result of the conflict, the records show, but later got a waiver that allowed him to oversee it with certain restrictions, officials said.

In 2012, Mr. Breuer and the Justice Department decided not to bring criminal charges against Mr. Ensign.

Even the Senate (!) was willing to discipline Ensign. But DOJ chose not to. And at the center of that decision was Lanny Breuer, whose once and future firm, Covington & Burling, represented Ensign. And yet Breuer found a way to un-recuse himself from the case.

It is not at all a surprise that Breuer didn't

manage his conflicts well. I argued that he didn't back in 2009, when he made the decision to bury Dick Cheney's CIA leak investigation interview (and make no mention of his quasi-grand jury appearance), even though he had represented John Kiriakou in the CIA leak case (and in helping him avoid grand jury testimony, hide that Cheney and Libby knew Plame was CIA earlier than they said they did).

Ironically, that was also for a CREW FOIA.

Maybe CREW should just skip the interim step and FOIA all the times Breuer ignored the conflicts he had on issues he presided over?

TIME FOR AN EXECUTIVE BRANCH INTERNET DRAGNET

As George Zornick and Josh Hicks laid out (saving me the trouble) the news that IRS lost Lois Lerner's emails from the period during which she reviewed the tax status of political groups is not all that surprising. After all, there's a long history of the Executive Branch "losing" emails from a period that ends up being scandalous, including:

- John Yoo's emails from the period when he was working with David Addington to pre-authorize torture
- SEC's emails on the earliest non-investigations of Bernie Madoff
- OVP's emails from the days after DOJ initiated an investigation into the CIA

leak case (and 5 million other emails)

I'd add two things to their list. This whole tradition started when the Reagan and Bush White House tried to destroy emails concerning the Iran-Contra scandal. And there's a parallel tradition of having White House political staff conduct official business on non-White House emails, as both Bush and Obama's White House have done.

And unfortunately, Steven Stockman hasn't been paying attention. He asked NSA Director Mike Rogers for the metadata from Lerner's missing emails. But NSA has already claimed they destroyed all their Internet dragnet records when they shut down the program in 2011. Perhaps Stockman should ask FBI whether they've got an Internet dragnet that might have collected on Lois Lerner?

Stockman is a nut.

But he might be onto something here. The government argues it is reasonable to collect all the records of all Americans in order to protect against the worst kinds of crimes people in the US might commit. Yet every time emails go missing, they do so amidst allegations of the worst kind of bad faith from the Executive Branch. If the threat of terrorism justifies comprehensive dragnets, based in part on the possibility the culprits will destroy evidence, then doesn't the Executive Branch's serial inability to fulfill its archival responsibilities under the law in the face of allegations of abuse of office do so too?

Besides, making a central repository of all the Executive Branch's emails would address an asymmetry that corrodes democracy. Such a dragnet would ensure that the governed – and those who represent their interests – will always be able to exercise the same kind of scrutiny on those who govern as the government does on them.

Of course this will never happen, in part for justifiable reasons (cost, the privacy of federal employees), in part for unjustifiable reasons (the Executive would never agree to this). But given that it won't happen, doesn't it suggest the NSA's dragnets shouldn't either?

Update: In somewhat related news, Ron Wyden and Chuck Grassley are concerned that ODNI's plan to continually monitor employees to prevent leaks will improperly chill whistleblowers. If someone besides the Intelligence Community tracks that information, then access to the records could be provided more due process.

PETER BAKER, MEAT GRINDER FOR BUSH

Not going to protect one staffer + sacrifice the guy ~~that~~ that was asked to stick his neck in the meat grinder because of it

In the NYT, Peter Baker presents his version of George Bush's decision not to pardon Scooter Libby as the best pitch for his new book, *Days of Fire, Bush and Cheney in the White House*. Given that the piece is not at all newsworthy (and as I'll show, Baker's version of it is badly flawed), I suppose Baker thought that Bush's refusal to fulfill Cheney's request supports Baker's contention that Bush, not Cheney, was the dominant player in the relationship.

One piece of evidence Baker provides to support that contention is this quote from Alan Simpson.

Cheney "never did anything in his time serving George W. that George W. didn't either sanction or approve of," said Alan Simpson, a former Republican senator from Wyoming and a close friend

of Cheney's.

If Baker believes Simpson's claim, however, then his entire reading of Cheney's involvement in leaking Valerie Plame's identity is wrong (and not just because he quotes Liz Cheney pretending PapaDick had no role in the leak).

Baker provides dialogue suggesting that Bush and certain lawyers – Baker identifies them as White House Counsel Fred Fielding and his Deputy William Burck – debated whether Libby was protecting Cheney.

"All right," the president said when the lawyers concluded their assessment. "So why do you think he did it? Do you think he was protecting the vice president?"

"I don't think he was protecting the vice president," Burck said.

Burck figured that Libby assumed his account would never be contradicted, because prosecutors could not force reporters to violate vows of confidentiality to their sources. "I think also that Libby was concerned," Burck said. "Because he took to heart what you said back then: that you would fire anybody that you knew was involved in this. I just think he didn't think it was worth falling on the sword."

Bush did not seem convinced. "I think he still thinks he was protecting Cheney," the president said. If that was the case, then Cheney was seeking forgiveness for the man who had sacrificed himself on his behalf.

Baker implies that Bush's conclusion – that Libby believed he was protecting Cheney – convinced himself it would not be ethical to pardon Libby based on Cheney's insistence. (Note, whatever you and I were paying Burck, it was far too much, because his logic as portrayed

here is pathetically stupid.)

That would imply that Bush believed – Burck’s shitty counsel to the contrary – that Cheney played some role in the leak.

But Alan Simpson, who truly does know Cheney well, says Cheney never did anything without either Bush’s sanction or approval. Which would imply that whatever Cheney did to leak Plame’s identity, he did with the approval of Bush.

Which brings us to the other gaping hole in Baker’s account (aside from his complete misunderstanding of the evidence surrounding the leak itself). Baker uses the word “lawyers” 11 times in this excerpt, including (but not limited to) the following.

In the final days of his presidency, George W. Bush sat behind his desk in the Oval Office, chewing gum and staring into the distance as two White House lawyers briefed him on the possible last-minute pardon of I. Lewis Libby.

“Do you think he did it?” Bush asked.

“Yeah,” one of the lawyers said. “I think he did it.”

[snip]

At the time, Bush said publicly that he was not substituting his judgment for that of the jury. So how would he explain a change of mind just 18 months later? That was the argument Ed Gillespie, the president’s counselor, made to Cheney when he came to explain why he was advising Bush against a pardon. **“On top of that, the lawyers are not making the case for it,” Gillespie told Cheney, referring to the White House attorneys reviewing the case for Bush. “We’ll be asked, ‘Did the lawyers recommend it?’ And if the lawyers didn’t, it’s going to be hard to justify for the president.”**

[snip]

The following Monday, Bush had his final, definitive meeting with the White House lawyers, ending any possibility of reconsideration. There would be no pardon for Libby. [my emphasis]

Lawyers lawyers lawyers. Baker emphasizes how important the counsel of Nixon's old lawyer and his apparently half-witted deputy were to Bush's decision, and he implies, with his description of which lawyers Ed Gillespie referred to, that those lawyers were limited to official White House lawyers.

Nowhere – at least nowhere in this excerpt – does Baker mention that Bush **also** consulted with his own lawyer, Jim Sharp, as reported by Time 4 years ago.

Meanwhile, Bush was running his own traps. He called Jim Sharp, his personal attorney in the Plame case, who had been present when he was interviewed by Fitzgerald in 2004. Sharp was known in Washington as one of the best lawyers nobody knew.

[snip]

While packing boxes in the upstairs residence, according to his associates, Bush noted that he was again under pressure from Cheney to pardon Libby. He characterized Cheney as a friend and a good Vice President but said his pardon request had little internal support. If the presidential staff were polled, the result would be 100 to 1 against a pardon, Bush joked. Then he turned to Sharp. "What's the bottom line here? Did this guy lie or not?"

The lawyer, who had followed the case very closely, replied affirmatively.

Yet neither Time then nor Baker now considered

the implications of Bush consulting with the lawyer who knew what questions he got asked when Pat Fitzgerald interviewed the President.

Those questions would have included whether – as Libby’s grand jury testimony recorded Cheney as having claimed – the President declassified the information, including Plame’s identity, Cheney ordered Libby to leak to Judy Miller. They also would have included why – as the note above shows – Cheney almost wrote that “~~the Pres~~” had ordered Libby to stick his neck in a meat grinder and rebut Joe Wilson, before he crossed out the reference to the President and used the passive voice instead. They would have also included questions about Bush’s public comments about rebutting Wilson in meetings. (I laid out these details in this post.)

Peter Baker pretends that Bush had no personal knowledge of the leak or – more importantly – of Fitzgerald’s reasons for suspecting Cheney ordered the leak. He somehow forgets that Bush consulted his own lawyer, along with Fielding and Fielding’s lackey, either to interpret what Libby did or, more likely, what implications pardoning Libby would have for his own legal exposure.

Which is pretty bizarre. While including these details might make Bush look like a self-interested asshole, they are the only details that make sense if – as Baker suggests with the Simpson quote – whatever Cheney did that required Libby’s protection, he did with Bush’s sanction.

THE LATEST PLOY TO AVOID FEDERAL AND

PRESIDENTIAL RECORDS ACT, FOIA

As if the AP and the Administration weren't already enjoying a contentious relationship, today it details the Administration's use of second, secret emails.

Some of President Barack Obama's political appointees, including the secretary for Health and Human Services, are using secret government email accounts they say are necessary to prevent their inboxes from being overwhelmed with unwanted messages, according to a review by The Associated Press.

The scope of using the secret accounts across government remains a mystery: Most U.S. agencies have failed to turn over lists of political appointees' email addresses, which the AP sought under the Freedom of Information Act more than three months ago. The Labor Department initially asked the AP to pay more than \$1 million for its email addresses.

[snip]

Google can't find any reference on the Internet to the secret address for HHS Secretary Kathleen Sebelius. Congressional oversight committees told the AP they were unfamiliar with the non-public government addresses identified so far by the AP.

Ten agencies have not yet turned over lists of email addresses, including the Environmental Protection Agency; the Pentagon; and the departments of Veterans Affairs, Transportation, Treasury, Justice, Housing and Urban Development, Homeland Security, Commerce and Agriculture. All have said they are

working on a response to the AP.

Now, the Administration claims people are doing this just to cut down on clutter in their email boxes. But thus far, it appears that the second emails aren't being turned over under FOIAs or, if they are, aren't being identified as belonging to the principal.

And so we move into another chapter of the Executive Branch hiding or deleting emails to avoid transparency, which of course goes back to Poppy Bush's efforts to hide PROFS notes as part of the Iran-Contra coverup. The National Security Archive's timeline, of course, misses the several efforts under the Bush Administration to either delete massive amounts of emails, particularly those from sensitive days of the CIA Leak Investigation, and the political staff's use of RNC email addresses to take emails entirely out of Presidential Records Act retention.

This is getting tiresome: we're going on 5 presidential administrations now that have played games with emails, a tedious series of efforts to avoid transparency.

Maybe it's time for Congress to put some real teeth onto laws requiring the President to retain such records?

DICK CHENEY'S BIGGEST STRATEGIC FAILURE

Dick Cheney's biggest failures are surely moral. The hundreds of thousands of Iraqis killed, senselessly. The thousands of Americans killed, senselessly. The hundreds of thousands, perhaps over a million, on both sides, maimed and poisoned and scarred both physically and mentally.

Senselessly.

See Juan Cole and Tomas Young (who will shortly die from wounds suffered in the Iraq War) for an accounting of that cost.

But there has been far too little accounting of the cost of Dick Cheney's strategic choices.

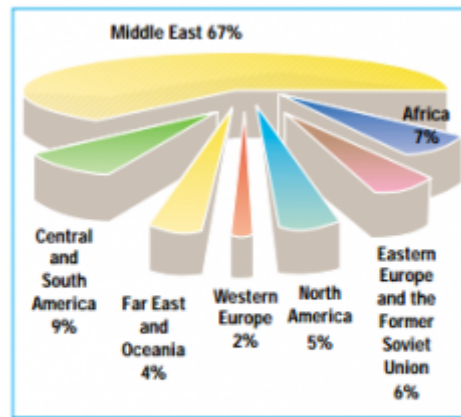
Dick Cheney spent the first several months of the Bush Administration assessing where the US would get its energy in future years and how that would sustain our hegemonic role in the world. In his autobiographical novel, published in 2011, he had this to say about his Energy Task Force.

The report is one I am very proud of. I commend it to anyone looking to understand America's energy challenges still today.

[snip]

The environmental groups that criticized the report are all too often, in my experience, opposed to any increase in the production of conventional sources of energy. They don't want to drill anyplace. They don't want to mine coal

Proven World Oil Reserves in January 2000



The world's proven crude oil reserves remain relatively concentrated. The Middle East holds 664 billion barrels, or roughly two-thirds of the world's conventional oil reserves, followed by the Western Hemisphere (14%) and Africa (7%).

anyplace. They seem to believe we can depend on alternative sources of energy, such as solar or wind. It's my view – and it's the view reflected in the report – that while we should develop alternative sources, in the final analysis, we can't effectively address our energy problems in the near term nor can we remain competitive in the global economy unless we also produce more energy from conventional, domestic sources.

Right now, none of the alternative sources of energy can compete economically with petroleum and coal and other conventional sources. **It's also the case that time and time again, we have found that developing alternative sources has undesirable, unanticipated consequences.** The push for ethanol fuel produced from corn, for example, resulted in driving the price of a bushel of corn up significantly. This had a huge impact on people who used corn for purposes other than fuel – purposes that weren't subsidized. Cattleman, for example, were suddenly faced with significantly higher feed prices. [my emphasis]

While Cheney's report did have a chapter on "Nature's Power," (which is not, interestingly, one of the two he accused critics of having not read), just one paragraph on any alternative source of power but hydropower shows up on the chapter on "Energy for a New Century."

Hydropower is, to date, the most successful form of renewable energy. However, some forms of renewable energy generation—wind, geothermal, and biomass— have the potential to make more significant contributions in coming years, and the cost of most forms of renewable energy has declined sharply in recent years. The most important barrier

to increased renewable energy production remains economic; nonhydropower renewable energy generation costs are greater than other traditional energy sources. The following chapter discusses renewable and alternative energy in greater detail

Never mind that Cheney's understanding of the competitiveness of alternatives by 2011, particularly with coal, which the report boosted aggressively, was badly mistaken.

He argued in 2011 – 10 years after 9/11 and 7 years after the Iraq War had descended into a clusterfuck – that alternative energy has some nasty unintended consequences (he might have a point if he talked about how Ethanol contributed to increase food insecurity for actual human beings, which contributes to political instability, but apparently he sees feeding Americans cheap grain fed beef to be a higher priority).

And of course, the nasty unintended consequence that is climate change did not show up in this discussion in the least.

On May 16, 2001, Dick Cheney released a report declaring (based partly on a shortage in CA artificially caused by Enron) an energy crisis, and proposing recommendations to bring more fossil fuels online quickly, as well as nuclear power.

America in the year 2001 faces the most serious energy shortage since the oil embargoes of the 1970s.

[snip]

This imbalance, if allowed to continue, will inevitably undermine our economy, our standard of living, and our national security.

[snip]

Present trends are not encouraging, but

they are not immutable. They are among today's most urgent challenges, and well within our power to overcome. Our country has met many great tests. Some have imposed extreme hardship and sacrifice. Others have demanded only resolve, ingenuity, and clarity of purpose. Such is the case with energy today.

We submit these recommendations with optimism. We believe that the tasks ahead, while great, are achievable. The energy crisis is a call to put to good use the resources around us, and the talents within us. It summons the best of America, and offers the best of rewards – in new jobs, a healthier environment, a stronger economy, and a brighter future for our people.

Four months later, 19 Arabs, 15 of whom were Saudis, destroyed the World Trade Center and damaged the Pentagon. All of them were motivated, in part, by America's increasing presence in the Middle East.

The Bush Administration would suppress a good deal of evidence showing that not just those 15 Saudi hijackers but some highly placed members of the Saudi elite had ties to the attack. And while occasionally Bush Administration figures would suggest the Iraq War would enable Iraq to serve as a counterpoint to the Saudis and their ties to terror, the real reason was oil.

We went to war in Iraq because long before Bush won office, Cheney and his friends decided the US needed to put Iraqi production in hands more amenable to American wishes. And that unexamined decision prevented Cheney from seeing just how short-sighted such a policy would be.

In the decade since Dick Cheney decided to go to war in Iraq because renewable resources were too expensive and had some nasty unintended consequences, the US has spent \$2 trillion on

that war. Along the way, we have created an entire generation of new enemies, partly because of the incompetence and arrogance with which the war was waged.

We remain as reliant on our Saudi allies as we were at the start of the Iraq War.

By the end of November the US had already imported more than 450m barrels of crude from Saudi Arabia, more than it imported from Riyadh in the whole of 2009, 2010 or 2011, according to figures from the US energy department. For the first time since 2003, Saudi imports accounted for more than 15 per cent of total US oil imports. The Gulf as a whole accounted for more than 25 per cent, a nine-year high.

That's true, in part, because our foreign policy continues to be dominated by dangerous plans – this time, some way to put Iranian oil resources in friendlier hands – to get more oil.

And throughout the 12 years since Cheney's energy report, throughout the 10 years since he decided to go to war against Iraq rather than invest all that treasure into more effective solutions, we have been inching closer and closer to the tipping point at which climate change will spiral out of control.

Cheney was absolutely right to reevaluate where and how the US gets its energy in 2001. But he came to all the wrong conclusions from that reevaluation, and he pursued the worst possible strategy to deal with it.

He bears utmost responsibility for all the lives wasted. But he also needs to be held responsible for the opportunities wasted as well.

THE LAST IRAQI WMD PRISONER: THE SCIENTIST WHO TRIED TO REVEAL ON MARCH 2, 2003 HE DESTROYED THE CW/BW

The 10th anniversary of the Iraq War has refocused attention on the Iraqis who warned America before the war that Iraq had no WMD.

Naji Sabri, Saddam's foreign minister, told the CIA's station chief in Paris at the time, Bill Murray, through an intermediary that Iraq had "virtually nothing" in terms of WMD.

[snip]

Panorama confirms that three months before the war an MI6 officer met Iraq's head of intelligence, Tahir Habbush al-Tikriti, who also said that Saddam had no active WMD. The meeting in the Jordanian capital, Amman, took place days before the British government published its now widely discredited Iraqi weapons dossier in September 2002.

But as far as I can tell, there has been no significant media discussion of what happened with Mahmud Faraj Bilal al Samarraï, the Iraqi who, in 1991, destroyed Iraq's chemical and biological weapons.

Following a particularly invasive IAEA inspection in late-June 1991, Saddam ordered Dr. Mahmud Faraj Bilal, former deputy of the CW program, to destroy all hidden CW and BW materials, according to an interview with Bilal after OIF.

[snip]

ISG interviewed Dr. Mahmud Firaj Bilal, the Iraqi scientist who supervised the destruction of Iraq's undeclared chemical munitions, along with a number of Iraqi higher officials who were knowledgeable of the weapons destruction. Although other sources have corroborated parts of Dr. Bilal's account, ISG's understanding of Iraq's chemical and biological warfare agent unilateral destruction is heavily dependent on Dr. Bilal's information, which is a weakness in our analysis. Nevertheless, as with Iraq's long range missiles, we obtained a reasonably coherent account of the disposition of the CW munitions, though we were not able physically to verify the story. The UN has, however, verified some of it.

When Bilal was finally released last year (according to his lawyer, the very last scientist in custody to be released) Charles Duelfer reported his statements—the statements describing the destruction of the CW/BW we started a war to find—were mostly credible.

Bilal was interviewed at length by UN inspectors and Iraq Survey Group inspectors. His statements have not been found to be in great error. Yet he spent 9 years in jail. His superior in the Iraq CW program, General Faiz Abdullah Shahine (head of the infamous CW research and production facility known as the al Muthanna State Establishment) was never even detained and has reportedly lived a very successful business life—as he did during the Saddam regime.

Yet Duelfer, who has a piece today insisting the intelligence wasn't cooked, professed last year to have no idea why Bilal was held so long.

Why? Bilal, must have been asking

himself this question for a long time. I suspect "Why?" is a question many Iraqis ask themselves every day...

Maybe this is why:

In a letter to the CIA in 2006, made public by his lawyer, the former head of research and development at the military industries ministry recalled that he had given himself up to the CIA on March 2, 2003.

The guy who destroyed Saddam's CW/BW stocks 12 years before Bush started a war because of those WMD tried to turn himself in to the CIA more than two weeks before Bush started the Iraq War. And yet that guy – who has never been anything but cooperative, even according to Charles Duelfer, but who tried to avert the war – is the guy our allies in Iraq kept locked up for 9 years.

CIA CONTINUES TO COVER UP DICK CHENEY'S WAR- MONGERING

10 years ago today, George Bush gave his final warning to Saddam Hussein to leave Iraq or face war. While the first half of Bush's speech cited Saddam's purported refusal to give up his WMD program, the second half of the speech was littered with insinuations about Saddam's terrorist allies.

If Saddam Hussein attempts to cling to power, he will remain a deadly foe until the end. **In desperation, he and**

terrorists groups might try to conduct terrorist operations against the American people and our friends. These attacks are not inevitable. They are, however, possible. And this very fact underscores the reason we cannot live under the threat of blackmail. **The terrorist threat to America and the world will be diminished the moment that Saddam Hussein is disarmed.**

[snip]

We are now acting because the risks of inaction would be far greater. In one year, or five years, the power of Iraq to inflict harm on all free nations would be multiplied many times over. With these capabilities, **Saddam Hussein and his terrorist allies could choose the moment of deadly conflict when they are strongest.** We choose to meet that threat now, where it arises, before it can appear suddenly in our skies and cities.

[snip]

Terrorists and terror states do not reveal these threats with fair notice, in formal declarations – and responding to such enemies only after they have struck first is not self-defense, it is suicide. The security of the world requires disarming Saddam Hussein now.
[my emphasis]

We know that Dick Cheney tried, in the days leading up to this speech and an earlier March 14 one, to boost these vague allegations in part by resuscitating the claim that Mohammed Atta met with Iraqi diplomat-spook Ahmad Khalil Ibrahim Samir al-Ani in April 2001. The CIA pushed back hard on the claim. An account of that fight is one of the most significant redactions in the Senate Intelligence Committee's 2006 assessment of the bullshit lies

told to get us into Iraq (see numbered page 96), as explained by Mark Hosenball.

According to two sources familiar with the blacked-out portions of the Senate report that discuss the CIA cable's contents, the document indicates that White House officials had proposed mentioning the supposed Atta-Prague meeting in a Bush speech scheduled for March 14, 2003. Originated by Czech intelligence shortly after 9/11, the tendentious claim was that in April 2001, Atta, the 9/11 hijack leader, had met in Prague with the local station chief for Iraqi intelligence. The sources said that upon learning of the proposed White House speech, **the CIA station in Prague sent back a cable explaining in detail why the agency believed the anecdote was ill-founded.**

According to one of the sources familiar with the Senate report's censored portions, who asked for anonymity due to the sensitivity of the subject, **the tone of the CIA cable was "strident" and expressed dismay that the White House was trying to shoehorn the Atta anecdote into the Bush speech to be delivered only days before the U.S. invasion of Iraq.** The source said the cable also suggested that policymakers had tried to insert the same anecdote into other speeches by top administration officials. [my emphasis]

And yet here we are, 10 years after Cheney made that last ditch attempt to claim Iraq had a tie to al Qaeda, and the CIA is still trying to keep the cable classified.

CARL LEVIN: Now, there's one final point, and that has to do with a very famous document. My – my time is not quite yet up. And that has to do with a – a cable that came in that relates to

the so called "Atta" matter. Are you familiar with that issue?

BRENNAN: Yes I am, Senator.

LEVIN: The issue here is whether or not there ever was a meeting in Prague between Mohammed Atta who is one of the people who attacked the Trade Center and the Iraqi intelligence.

The cable that came in has been classified by the CIA even though the report of – this is what the CIA did to the cable. Now, will you check with the checks for the source of this cable and see if they have any objection to the release of this cable relative to the report of that meeting?

BRENNAN: Yes, Senator. And since our courtesy call, I have looked into this issue, and I know that you and Director Petraeus were involved in – in a discussion on this. And I would be happy to – to follow-up on it. **But there does seem to be some concerns about release of that – the cable.**

LEVIN: Well, the report of the CIA, by the way – excuse me – the unclassified report of the intelligence committee, which was not classified, it was not redacted by the CIA, it made at least four references to the Czech intelligence service providing the CIA with reporting based on a single source about this alleged meeting which never took place.

LEVIN: We knew it never took place. And yet repeatedly, particularly the vice president, made reference to there was a report of a meeting between these two.

Now, it's very significant to the historical record here. We went to war based on allegations that there was a relationship between Iraq and the

attackers, the 9/11 attacks. **It's very important that this cable be declassified. The only reason to keep it redacted and classified, frankly, is to protect the administration.** Not to protect sources and methods, because the sources and methods, if you will check with the Czechs, I'm sure will tell you they have no objection to the release of that cable.

My question to you is: Will you check with the Czechs, if you're confirmed, and determine whether they have any objection to the release of the cable which makes reference to them?

BRENNAN: Absolutely, Senator, I will.

LEVIN: Thank you. My time is up. [my emphasis]

Now, it's not entirely clear from this exchange (which took place at Brennan's confirmation hearing in February) whether Carl Levin is trying to get the original intelligence or the March 2003 cable declassified (there are aspects of what Levin says that support both).

But one thing's clear. CIA is still hiding the evidence of how persistently Cheney tried to recycle debunked intelligence claims to get us into the Iraq War – and to do so as part of the fight against al Qaeda.

I have a gut feeling that even under John Brennan, the CIA will continue to hide proof of Cheney's deceit.