

Chronology: Last Throes of Credibility

The 2000 Presidential election focused on many issues relating to domestic and foreign policy.² However, the topic of Iraq was virtually unmentioned in the campaign. In a presidential debate with then-Vice President Al Gore, then-presidential candidate George W. Bush emphasized that he would be careful about using troops for “nation building” purposes and that he would not launch a pre-emptive war because he believed the role of the military was to “prevent war from happening in the first place.”³ At the same time, some future members of the Bush Administration, dubbed the neoconservatives, were waiting for war with Iraq. High-ranking officials such as Dick Cheney, Richard Perle and Paul Wolfowitz were part of this group.⁴

“But I think the level of activity that we see today, from a military standpoint, I think will clearly decline. I think they’re in the last throes, if you will, of the insurgency.”

-----May 30, 2005, Vice President Dick Cheney’s Remarks on the Iraqi insurgency, Larry King Live¹

In the aftermath of the September 11 attacks, the Bush Administration began to hint at the coming attack on Iraq. In his January 29, 2002 State of the Union Address, the President remarked that countries like Iraq, Iran and North Korea “constitute an axis of evil. . . . These regimes pose a grave and growing danger. . . . I will not wait on events, while dangers gather.”⁵ On June 1, 2002, during a speech at West Point, President Bush formally enunciated his doctrine of preemption that would be used against Iraq.⁶ It was also around this time that Vice President Cheney and his Chief of Staff, Scooter Libby, began making a series of unusual trips to the Central Intelligence Agency (CIA) to discuss Iraq intelligence.⁷

At the same time, the President’s public statements indicated a reluctance to use military force in Iraq. He assured the public that he had not made up his mind to go to war with Iraq and that war was a last resort.⁸ However, contrary to these public statements, the Bush Administration formed the White House Iraq Group (WHIG) in August 2002 in an apparent effort to bolster public support for war with Iraq.⁹

Shortly thereafter, the Administration began making more alarming and sensational claims about the danger posed to the United States by Iraq including in a September 12, 2002 address to the United Nations, and began to press forward publicly with preparations for war.¹⁰ In the days following the President’s speech to the United Nations, Iraq delivered a letter to UN Secretary-General Kofi Annan stating that it would allow the return of UN weapons inspectors “without conditions.”¹¹ But



on September 18, President Bush discredited Hussein's offer to let UN inspectors back into Iraq as "his latest ploy."¹²

As the Congressional vote to authorize force against Iraq approached, the President and Administration officials raised the specter of a nuclear attack by Iraq.¹³ The President subsequently received from Congress on October 11, 2002, a joint resolution for the use of force in Iraq.¹⁴ Based on the intelligence findings in the National Intelligence Estimate provided to Congress by the Administration, the resolution stated that Iraq posed a "continuing threat" to the United States by, among other things, "actively seeking a nuclear weapons capability."¹⁵

The President's focus then moved on to the United Nations in an effort to persuade the UN to approve renewed weapons inspections in Iraq and sanctions for noncompliance. Once again, the President asserted his reluctance to take military action. Upon signing the resolution, the President stated: "I have not ordered the use of force. I hope the use of force will not become necessary."¹⁶ On November 8, 2002, the United Nations Security Council adopted UN Resolution 1441, which stipulated that Iraq was required to readmit UN weapons inspectors under more stringent terms than required by previous UN Resolutions.¹⁷



Pres. Bush, State of the Union, January 28, 2003: "The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa."

On January 27, 2003, the International Atomic Energy Agency (IAEA) indicated that the Bush Administration's claim that aluminum tubes being delivered to Iraq were part of an Iraqi nuclear weapons program likely was false.¹⁸ In the wake of this claim being discredited President Bush introduced a new piece of evidence to the public in his State of the Union address on January 28, 2003, to demonstrate that Iraq was developing a nuclear arms program: "The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa."¹⁹

On February 5, 2003, Secretary of State Colin Powell took the Bush Administration's case to the United Nations Security Council. In a presentation to the United Nations, Secretary Powell charged, among other things, that Iraq had "mobile production facilities" for biological weapons.²⁰ With its case to the United Nations delivered, for the first time and contrary to earlier claims that the Administration was reluctant to use force, the Administration publicly indicated its readiness and enthusiasm for going to war. The question was no longer whether force would be used, but what - if any - difficulties would accompany the use of force. Vice

President Dick Cheney made an appearance on *Meet the Press* and stated that the war was not going to be long, costly or bloody because “we will, in fact, be greeted as liberators.”²¹

On March 18, 2003, the President submitted a letter to the Speaker of the House of Representatives and the President Pro Tempore of the Senate informing the Congress of his determination that diplomatic and peaceful means alone would not protect the Nation or lead to Iraqi compliance with United Nations demands²² and on March 20, the President launched the preemptive invasion.

A little more than a month into the invasion, President Bush landed aboard the USS Abraham Lincoln and, standing beneath a massive banner reading “Mission Accomplished,” he stated, “Major combat operations in Iraq have ended.”²³ Immediately thereafter, it was self-evident that - despite the premature declaration of victory - numerous problems persisted with regard to the occupation. This was not the only post-war mischaracterization of the truth by the Bush Administration. Since then, they have been dogged by misstatements concerning the size and strength of the insurgency; the preparedness of Iraqi troops; the cost of the war; the existence of weapons of mass destruction (WMD); and the war’s impact on terrorism, among other things.²⁴

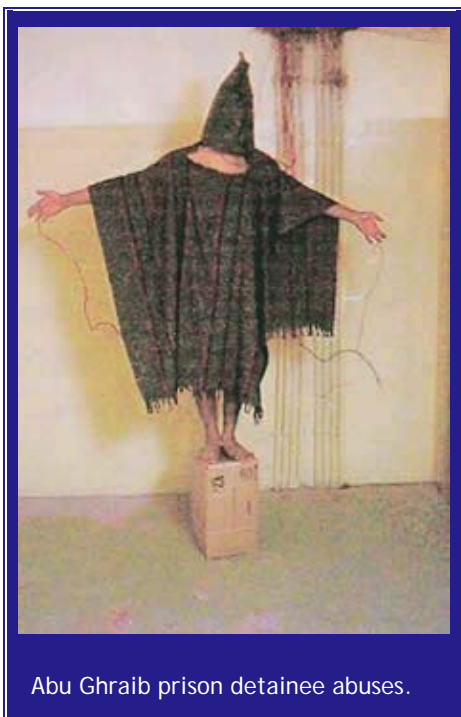


Another significant problem for the Bush Administration was its failure to find any of the WMD that it had used to justify the invasion. On July 6, 2003, Ambassador Joseph Wilson, who was sent to Niger at the behest of the CIA to investigate the uranium claim, wrote in an op-ed piece that the intelligence concerning Niger’s alleged sale of uranium to Iraq was “twisted to exaggerate the Iraqi threat.”²⁵ The following day, the White House issued a rare retraction of the uranium allegations from the President’s State of the Union Address.²⁶ Shortly thereafter, the identity of Wilson’s wife, a covert CIA agent, was revealed in the press through a Robert Novak column sourced to two officials in the Administration.²⁷ Later in the year, Colin Powell also conceded that the information given in his February 5, 2003 speech before the UN “appear[ed] not to be . . . that solid.”²⁸ Capping these retractions were the findings of David Kay, the U.S. official responsible for the WMD search as the head of Iraq Survey Group, who concluded that “there were not large stockpiles of newly produced weapons of mass destruction. We don’t find the people, the documents or the physical plants that you would expect to find if the production was going on.”²⁹



Amid these admissions that the case for war was, generously speaking, faulty, the Administration and Congressional Republicans sought to pre-empt inquiries into the White House use or manipulation of intelligence by launching more limited investigations. On February 6, 2004, President Bush created the Robb-Silberman Commission, which later found that the intelligence community was “dead wrong in almost all of its pre-war judgments about Iraq’s weapons of mass destruction.”³⁰ However, this Commission was specifically prohibited from examining the use or manipulation of intelligence by policymakers.³¹

On March 16, 2004, the Democratic staff of the U.S. House Committee on Government Reform submitted a report to Ranking Member Henry A. Waxman.³² This report, entitled “Iraq on the Record: the Bush Administration’s Public Statements on Iraq,” details public statements made by senior Bush Administration officials regarding policy toward Iraq. The report, which is attached as Exhibit C, indicates that “five officials made misleading statements about the threat posed by Iraq in 125 public appearances. The report and an accompanying database identify 237 specific misleading statements by the five officials.”³³



Abu Ghraib prison detainee abuses.

On July 7, 2004, the Senate Select Committee on Intelligence reported that it had found numerous failures in the intelligence-gathering and analysis process.³⁴ However, that review also was explicitly not intended to look into the Administration’s use of that wrong intelligence in selling the war.³⁵ To date, there has never been a truly independent, comprehensive non-partisan or bipartisan review of the Administration’s false claims regarding WMD or any other aspect of the war.³⁶

On April 28, 2004, *60 Minutes II* made public a series of photos taken at the Abu Ghraib prison in Iraq documenting apparent torture and other cruel, inhuman, and degrading treatment by U.S. military and other personnel.³⁷ Since then, reports of other alleged violations of international law involving Iraqi prisoners have been reported by the media and human rights organizations.³⁸

As the war continued into 2005, with U.S. casualties approaching 1,500, Iraq held elections on January 30. The Administration heralded the elections as a symbol of freedom and as an event which validated the initial invasion. By that point, however, the reason for attacking Iraq had shifted from an imminent threat of weapons of mass destruction; to combating terrorism after the September 11,

attacks; to regime change; and eventually to promoting democracy, and to ensure that those lives lost were not lost in vain.³⁹

While evidence and accounts of Administration insiders strongly suggested a predetermination to go to war and a manipulation of intelligence to justify it, that evidence and those accounts were attacked by Administration officials as inaccurate or biased. Then, on May 1,

2005, the *Sunday London Times* published the first of a series of important documents known as the “Downing Street Minutes.”⁴⁰

The Downing Street Minutes (DSM) are a collection of classified documents, written by senior British officials during the spring and summer of 2002, which recounted meetings and discussions of such officials with their American counterparts. The focus of these meetings and discussions was the U.S. plan to invade Iraq. The DSM appear to document a pre-determination to go war with Iraq on the part of U.S.

officials, and a manipulation of intelligence by such officials in order to justify the war.



Congressman John Conyers leads Members of Congress bringing over 500,000 letters to the White House from citizens demanding the President answer questions raised by the Downing Street Minutes.

The DSM generated significant media coverage in Great Britain in the lead up to the British elections, but initially received very little initial media attention in the United States. However, a concerted effort to call attention to them by Congressman John Conyers, Jr., and a number of Members of Congress, grassroots groups, and Internet activists was ultimately successful. On May 5, 2005, Congressman Conyers, the Ranking Member of the House Judiciary Committee, along with 87 other Members of Congress (eventually 121), wrote to the President demanding answers to the allegations presented in the Minutes.⁴¹ In his letter, Representative Conyers questioned the President on whether there “was there a coordinated effort with the U.S. intelligence community and/or British officials to ‘fix’ the intelligence and facts around the policy.”⁴²



On June 16, 2005, Congressman Conyers and 32 Members of Congress convened an historic hearing on the Downing Street Minutes, covered by numerous press outlets. The hearing was forced to a cramped room in the basement of the Capitol since Democrats were denied ordinary hearing room space by the Republican leadership. The Republicans tried to disrupt the hearings further by holding 12 consecutive floor votes during the hearing, an unprecedented number.⁴³ After the hearing, Congressman Conyers led a congressional delegation to the White House to personally deliver a letter signed by over 500,000 citizens, demanding answers from the President.⁴⁴ To date, the White House has declined to respond to these questions that were posed by these citizens and their elected representatives in Congress.

In the meantime, after some initial false starts, delays, and denials concerning possible misconduct in the Bush Administration's "outing" of Valerie Plame Wilson,⁴⁵ then-Attorney General John Ashcroft recused himself from the investigation due to conflicts of interest and, on December 30, 2003, U.S. Attorney Patrick J. Fitzgerald was appointed to conduct the investigation of the Plame leak.⁴⁶ By July 2005, it became apparent that Karl Rove, a senior aide to the President, was involved in the leak; a *Time* reporter's notes revealed that he had spoken to Karl Rove about the case.⁴⁷ Then, on July 18, 2005, President Bush conspicuously changed the standard



After indicting Scooter Libby, Special Counsel Peter Fitzgerald has announced his intention to continue the investigation and has empaneled a second grand jury.

for White House ethics from stating that he would fire anyone who leaked the information to only firing someone if he or she "committed a crime."⁴⁸ With a lack of response from the Administration or from congressional Republicans, on July 22, 2005, Congressman Henry Waxman and Senator Byron Dorgan conducted a joint Democratic hearing on the "National Security Consequences of Disclosing the Identity of a Covert Intelligence Officer."⁴⁹

Ambassador Wilson was not the only individual facing apparent retribution from the Bush Administration for criticizing its conduct. For example, on August 27, 2005, Bunnatine Greenhouse, the Chief Contracting officer at the Army Corps of Engineers, was demoted in apparent retaliation for exposing Pentagon favoritism toward a Halliburton subsidiary in awarding no-bid contracts in Iraq.⁵⁰ As discussed later in this Report, a long line of individuals were subject to other forms of sanctions and retribution by the Administration for exposing Administration wrongdoing concerning Iraq.

On October 28, 2005, Vice Presidential Chief of Staff Scooter Libby resigned after a federal grand jury indicted him on five charges, totaling a maximum 30-year sentence, related to the leak probe.⁵¹ Patrick Fitzgerald has yet to indict other

individuals but has publicly stated that his investigation would remain open to consider other matters.⁵² On November 1, 2005, after numerous attempts to open an investigation on the issue, Democrats demanded answers to the Administration's use of pre-war intelligence and led the Senate into a rare closed-door session, finally receiving a promise from the Republican majority to speed up the process.⁵³

Since that time, numerous additional disclosures have come out calling into question the Bush Administration's pre-war veracity concerning WMD intelligence. On November 6, Senator Levin disclosed a classified Defense Department document showing that an al Qaeda prisoner, Iba al Shaykh al-Libi had been identified as a fabricator months before the Bush Administration used his claims to allege that Iraq had trained al Qaeda members to use biological and chemical weapons.⁵⁴ On November 20, the *Los Angeles Times* revealed that German intelligence officials had informed the Administration that the Iraqi defector known as "Curveball" was not a reliable source for their mobile biological weapons charges.⁵⁵

Today, more than half of all Americans believe the Administration "deliberately misled" the public on the reasons for going to war.⁵⁶ The invasion appears to have increased and emboldened the terrorist movement.⁵⁷ As of the date of this report, United States casualties are 2,138 and the Iraq war costs approximately \$6 billion a month and by some estimates the eventual cost could approach a trillion dollars.⁵⁸



¹*Larry King Live: Interview with Dick Cheney and Lynne Cheney* (CNN television broadcast, May 30, 2005) available at <http://transcripts.cnn.com/TRANSCRIPTS/0505/30/IKI.01.html>.

²Texas Governor George W. Bush's campaign focused on issues of "compassionate conservatism," his stated view that conservative policies could be brought to bear to address social ills. Another focus of his campaign was the perceived ethical transgressions of the Clinton Administration, and the Starr Investigation in particular. Governor Bush promised to restore "honor and dignity to the White House." *Capital Gang: Lieberman Takes the Heat; Bush, McCain Meet in Arizona; Are the Democrats Getting Tough on Hollywood?* (CNN television broadcast, Aug. 13, 2000) available at <http://transcripts.cnn.com/TRANSCRIPTS/0008/13/cg.00.html>.

³See Commission on Presidential Debates, Unofficial Debate Transcript, Oct. 3, 2000, available at <http://www.debates.org/pages/trans2000a.html>. Vice President Cheney also stated in an interview, in the midst of the 2000 presidential campaign, that the US should not act as though "we were an imperialist power, willy-nilly moving into capitals in that part of the world, taking down governments." *Meet the Press: Interview with Dick Cheney* (NBC television broadcast, Aug. 27, 2000).

⁴Bryan Burrough, Evgenia Peretz, David Rose, & David Wise, *The Path to War*, VANITY FAIR, May 1, 2004, at 228, 232.

⁵President George W. Bush, State of the Union Address (Jan. 29, 2002), available at <http://www.whitehouse.gov/news/releases/2002/01/20020129-11.html>.

⁶President George W. Bush, Graduation Speech at West Point (June 1, 2002), available at <http://www.whitehouse.gov/news/releases/2002/06/20020601-3.html>. He further noted that "[t]he war on terror will not be won on the defensive. We must take the battle to the enemy. . . . And this nation will act." *Id.*

⁷On "multiple" occasions, Cheney and Libby questioned analysts studying alleged Iraq's weapons programs and links to al-Qaeda.. Walter Pincus, *Some Iraq Analysts Felt Pressure From Cheney*, WASH. POST, June 5, 2003, at A1.

⁸For example, on August 22, 2002, the President stated that he was willing to "look at all options." Adam Nagourney & Thom Shanker, *A 'Patient' Bush Says He'll Weigh All Iraq Options*, N.Y. TIMES, Aug. 22, 2002, at A1. Later that year, he stated, "Of course, I haven't made up my mind we're going to war with Iraq." President George W. Bush, Remarks on Terrorism Insurance (Oct. 1, 2002), available at <http://www.whitehouse.gov/news/releases/2002/10/20021001-1.html>.

⁹Frank Rich, *It's Bush-Cheney, Not Rove-Libby*, N.Y. TIMES, Oct. 16, 2005, at 12.

¹⁰The President stated that Iraq was a "grave and gathering danger." President George W. Bush, Remarks at the U.N. General Assembly (Sept. 12, 2002), available at <http://www.whitehouse.gov/news/releases/2002/09/20020912-1.html>. He also said that the US would "not allow any terrorist or tyrant to threaten civilization with weapons of mass murder." President George W. Bush, Remarks to the Nation on the Anniversary of Terrorist Attacks (Sept. 11, 2002), available at <http://www.whitehouse.gov/news/releases/2002/09/20020911-3.html>.

¹¹Letter from Dr. Najji Sabri, Iraq Minister of Foreign Affairs, to Kofi Annan, U.N. Secretary-General (Sept. 16, 2002), available at <http://www.sfgate.com/cgi->



bin/article.cgi?f=/news/archive/2002/09/16/international1954EDT0706.DTL.

¹²The President, President Discusses Iraq, Domestic Agenda with Congressional Leaders (Sept. 18, 2002), *available at* <http://www.whitehouse.gov/news/releases/2002/09/20020918-1.html>. The next day, the President stated how important it was that Congress pass a resolution authorizing the use of force in Iraq. President George W. Bush, President Bush to Send Iraq Resolution to Congress Today (Sept. 19, 2002), *available at* <http://www.whitehouse.gov/news/releases/2002/09/20020919-1.html>.

¹³On October 7, 2002, President Bush warned that the final proof of Iraq's weapons of mass destruction (WMD) could come in the form of a "mushroom cloud" and subsequently requested Congressional authorization for war. President George W. Bush, Remarks in Cincinnati Museum Center (Oct. 7, 2002), *available at* <http://www.whitehouse.gov/news/releases/2002/10/20021007-8.html>.

¹⁴H.J. Res. 114, 107th Cong. 2d Sess. (2002) (enacted as Authorization for Use of Military Force Against Iraq Resolution of 2002, Pub. L. No. 107-243, 116 Stat. 1498 (2002)). Several Members of Congress, including Ranking Member Conyers, filed suit in Federal court arguing the resolution was Constitutionally deficient. Among other things, the suit alleged that the text of the resolution did not explicitly invoke the War Powers Act and unconstitutionally delegated the Congressional power to declare war to the Executive Branch. The suit was ultimately unsuccessful [*Doe v. Bush*, 323 F.3d 133 (1st Cir. 2003).] While substantial questions remain about whether this resolution appropriately authorized the use of force in Iraq, it has come to be known as a joint resolution "for the use of force" and will be referred to as such in this report.

¹⁵*See id.*

¹⁶President George W. Bush, Remarks at the Signing of the Iraq Resolution (Oct. 16, 2002), *available at* <http://www.whitehouse.gov/news/releases/2002/10/20021016-1.html>.

¹⁷S.C. Res 1441, U.N. SCOR, 4644th mtg., S/2002/1198 (2002), *available at* <http://www.un.int/usa/sres-iraq.htm>. The resolution made clear that only the United Nations Security Council had the right to take punitive action against Iraq in the event of noncompliance. *Id.*

¹⁸Mohamed ElBaradei, Report to the U.N. Security Council (Jan. 27, 2003), *available at* <http://www.un.org/News/dh/iraq/elbaradei27jan03.htm>. According to the IAEA, the tubes were not suitable for manufacturing centrifuges as the Administration had claimed. *Id.*

¹⁹President George W. Bush, State of the Union Address (Jan. 28, 2003), *available at* www.whitehouse.gov/news/releases/2003/01/20030128-19.html.

²⁰Secretary Colin Powell, Remarks to the U.N. Security Council (Feb. 5, 2003), *available at* <http://www.whitehouse.gov/news/releases/2003/02/20030205-1.html>. During his speech, he assured the world that, "every statement I make today is backed up by sources, solid sources. These are not assertions. What we're giving you are facts and conclusions based on solid intelligence." *Id.*

²¹Meet the Press: Interview with Vice President Cheney (NBC television broadcast, Mar. 16, 2003), *available at* <http://msnbc.msn.com/id/3080244/s>.

²²The letter stated that "Reliance by the United States on further diplomatic and other peaceful means alone will neither (A) adequately protect the national security of the United States against the continuing threat posed by Iraq nor (B) likely lead to enforcement of all relevant United Nations



Security Council resolutions regarding Iraq." Letter from President George W. Bush to Congress (Mar. 18, 2003), *available at* <http://www.whitehouse.gov/news/releases/2003/03/20030319-1.html>.

²³President George W. Bush, Remarks from the U.S.S. Abraham Lincoln (May 1, 2003), *available at* <http://www.whitehouse.gov/news/releases/2003/05/iraq/20030501-15.html>.

²⁴Massive unchecked looting, including that of radioactive material, may have taken place days after the fall of Baghdad. See Barton Gellman, *U.S. has Not Inspected Iraq Nuclear Facility*, WASH. POST, Apr. 25, 2003, at A14. The Administration's disbanding of the Iraqi army effectively created 400,000 or so available recruits for the insurgency. See Ellen Knickmeyer, *Under U.S. Design, Iraq's New Army Looks a Good Deal Like the Old One*, WASH. POST, Nov. 21, 2005, at A1. In addition, months after the invasion, up to 51,000 American military and civilian personnel had not been provided with proper body armor and thus had to ask friends and relatives in the United States to buy and mail off-the-shelf models. Peter Brownfield, *U.S. Troops in Iraq have limited Body Armor*, FOXNEWS.COM, Oct. 24, 2003, *available at* <http://www.foxnews.com/story/0,2933,101061,00.html>.

²⁵Joseph C. Wilson IV, Op-Ed, *What I Didn't Find in Africa*, N.Y. TIMES, July 6, 2003, §4, at 9.

²⁶White House Press Secretary Ari Fleischer, Press Gaggle (July 7, 2003), *available at* <http://www.whitehouse.gov/news/releases/2003/07/20030707-5.html#9>.

²⁷Robert D. Novak, *Mission to Niger*, WASH. POST, July 14, 2003, at A21. Around July 7, just a week prior to the Novak column, a State Department memorandum containing information about CIA officer Valerie Plame in a paragraph marked "(S)" for secret was circulated within the administration, a clear indication that any Bush administration official who read it should have been aware the information was classified. See Walter Pincus & Jim VandeHei, *Plame's Identity Marked as Secret*, WASH. POST, July 21, 2005, at A1.

²⁸*Powell: Some Iraq Testimony Not Solid*, CNN.COM, Apr. 3, 2004, *available at* <http://www.cnn.com/2004/US/04/03/powell.iraq>.

²⁹*Testimony on Efforts to Determine the Status of Iraqi Weapons of Mass Destruction and Related Programs: Hearing Before the S. Comm. on Armed Services, 108th Cong., 2d Sess. (Jan. 2004)* (statement of David Kay). Kay's conclusion was confirmed by the CIA chief weapons inspector, Charles A. Duelfer, in his report released later in the year. SPECIAL ADVISOR TO THE DCI ON IRAQ'S WMD, COMPREHENSIVE REPORT (Sept. 20, 2004), *available at* http://www.cia.gov/cia/reports/iraq_wmd_2004/transmittal.html.

³⁰THE COMM'N ON THE INTELLIGENCE OF THE U.S. REGARDING WEAPONS OF MASS DESTRUCTION, REPORT TO THE PRESIDENT OF THE U.S. (2005) (transmittal letter).

³¹The Situation Room: Debate Continues Over Iraq Withdrawal; Holiday Crunch Hits Home; Hillary vs. Condoleeza in 2008? (CNN television broadcast Nov. 23, 2005) *available at* <http://transcripts.cnn.com/TRANSCRIPTS/0511/23/sitroom.01.html>.

³²MINORITY STAFF OF H. COMM. ON GOV'T REFORM, 108TH CONG., REPORT ON IRAQ ON THE RECORD (Comm. Print 2004).

³³*Id.* at i.



³⁴SENATE SELECT COMMITTEE ON INTELLIGENCE, 108TH CONG., REPORT ON THE U.S. INTELLIGENCE COMMUNITY'S PREWAR INTELLIGENCE ASSESSMENTS ON IRAQ (Comm. Print 2004).

³⁵*Id.* (additional views of Vice Chairman John D. Rockefeller, IV, Sen. Carl Levin * Sen. Dick Durbin).

³⁶The Administration also attempted to minimize its mistakes or misdeeds. At a black-tie dinner for journalists on March 24, 2004, President Bush narrated a slide show attempting to make light of the failure to find WMD. One picture showed the President looking under a piece of furniture in the Oval Office, at which he remarked: "Those weapons of mass destruction have got to be here somewhere." *Bush's Iraq WMD Joke Backfires*, BBC NEWS, Mar. 26, 2004, available at <http://news.bbc.co.uk/2/hi/americas/3570845.stm>.

³⁷*60 Minutes II* (CBS television broadcast, Apr. 28, 2004).

³⁸See, e.g., HUMAN RIGHTS WATCH, GETTING AWAY WITH TORTURE: COMMAND RESPONSIBILITY FOR THE U.S. ABUSE OF DETAINEES (Apr. 2005).

³⁹Farah Stockman, *Bush Calls Vote 'Resounding Success' for Democracy*, BOSTON GLOBE, Jan. 31, 2005, at A1.

⁴⁰Michael Smith, *Blair Planned Iraq War From Start*, THE SUNDAY TIMES, May 1, 2005, available at <http://www.timesonline.co.uk/article/0,,2087-1592724,00.html>.

⁴¹Letter from 87 Members of Congress to the President (May 5, 2005), available at http://www.house.gov/judiciary_democrats/letters/bushsecretmemoltr5505.pdf.

⁴²*Id.*

⁴³Congressman Charles Rangel summed up the hearing best: "Quite frankly, evidence that appears to be building up points to whether or not the president has deliberately misled Congress to make the most important decision a president has to make, going to war." *Downing Street Minutes: Democratic Hearing Before the H. Comm. on the Judiciary*, 105th Cong., 1st Sess. (2005).

⁴⁴Letter to President George W. Bush (June 16, 2005), available at <http://www.johnconyers.com/index.asp?Type=SUPERFORMS&SEC={8771D3DA-2F3D-49F7-895C-DF473CAEFA2C}>.

⁴⁵Letter from Stanley M. Moskowitz, Director of Congressional Affairs, CIA, to the Honorable John Conyers, Jr., Ranking Member, U.S. House Comm. on the Judiciary (Jan. 30, 2004).

⁴⁶Letter from James B. Comey, Acting Attorney General, to Patrick J. Fitzgerald, U.S. Attorney (Dec. 30, 2003), available at http://www.usdoj.gov/usao/iln/osc/documents/ag_letter_december_30_2003.pdf.

⁴⁷Matthew Cooper, *What I Told the Grand Jury*, TIME, July 25, 2005, available at <http://www.time.com/time/archive/preview/0,10987,1083899,00.html>. On July 14, 2005, Congressman Conyers wrote a letter to President Bush, signed by 91 members of Congress, urging the President to demand either that Karl Rove explain his role in the leak or that Karl Rove resign. Letter from 91 Members of Congress to President George W. Bush (July 14, 2005), available at http://www.house.gov/judiciary_democrats/letters/presroveltr71405.pdf.



⁴⁸President George W. Bush, Remarks in the East Room (July 18, 2005), *available at* <http://www.whitehouse.gov/news/releases/2005/07/20050718-1.html>.

⁴⁹*National Security Implications of Disclosing the Identity of a Covert Intelligence Officer: Hearing Before the S. Democratic Policy Comm. & Democratic Members of the H. Gov't Reform Comm.*, 109th Cong., 1st Sess. (2005).

⁵⁰Erik Eckholm, *Army Contract Official Critical of Halliburton Pact is Demoted*, N.Y. TIMES, Aug. 29, 2005, at A9.

⁵¹David Johnston & Richard W. Stevenson, *Cheney Aide Charged with Lying in Leak Case*, N.Y. TIMES, Oct. 29, 2005, at A1. *See also* United States v. Libby (D.D.C. Oct. 26, 2005) (grand jury indictment), *available at* www.usdoj.gov/usaoil/n/osc/libby_indictment_28102005.pdf. There was one count of obstruction of justice, two counts of perjury and two counts of making false statements. *Id.*

⁵²Special Counsel Patrick J. Fitzgerald, Press Conference (Oct. 28, 2005).

⁵³Carl Hulse & David D. Kirkpatrick, *Partisan Quarrel Causes Senators to Bar the Doors in an Unusual Closed Session*, N.Y. TIMES, Nov. 2, 2005, at A22.

⁵⁴Press Release, Senator Carl Levin, Levin Says Newly Declassified Information Indicates Bush Administration's Use of Pre-War Intelligence Was Misleading (Nov. 6, 2005), *available at* <http://levin.senate.gov/newsroom/release.cfm?id=248339>.

⁵⁵Bob Drogin & John Goetz, *How U.S. Fell Under the Spell of 'Curveball'*, L.A. TIMES, Nov. 20, 2005.

⁵⁶Richard Morin & Dan Balz, *Survey Finds Most Support Staying in Iraq; Public Skeptical About Gains Against Insurgents*, WASH. POST, June 28, 2005, at A1.

⁵⁷Warren P. Strobel, *Iraq Emerges as a Terrorist Training Ground*, KNIGHT RIDDER, July 5, 2005. According to classified studies by the CIA and the State Department, "Iraq has replaced Afghanistan as the prime training ground for foreign terrorists who could travel elsewhere across the globe and wreak havoc." *Id.*

⁵⁸Linda Bilmes, Op-Ed, *The Trillion-Dollar War*, N.Y. TIMES, Aug. 20, 2005, at A13 ("Factors keeping costs high include inducements for recruits and for military personnel serving second and third deployments, . . . as well as more than \$2 billion a year in additional foreign aid to Jordan, Pakistan, Turkey and others to reward their cooperation in Iraq and Afghanistan. . . . The biggest long-term costs are disability and health payments for returning troops, which will be incurred even if hostilities were to stop tomorrow. . . . These payments are likely to run at \$7 billion a year for the next 45 years.").

