

Investigations of Cheney Crimes Are Multiplying

The following is a report, compiled by Edward Spannaus for EIR, of the status of probes under way, or pending, of the actions of Vice President Cheney and his immediate faction in government.

United States Congress

• Under Way:

Senate Select Committee on Intelligence (Iraq intelligence): In June 2003, the committee began an inquiry into Iraq pre-war intelligence. In October, the probe was broadened to include the White House; but in November, under pressure from Vice President Cheney, the investigation was all but shut down, and the Republicans have, so far, put the blame on the CIA, not the Administration. However, Senate Democrats are fighting to broaden the investigation, and have threatened to conduct their own investigation, which would implicate Cheney.

The Senate inquiry reportedly includes an examination of the Pentagon's Office of Special Plans (OSP), a rogue intelligence unit operating in the office of Undersecretary of Defense for Policy Douglas Feith, which "cherry-picked" intelligence from Iraqi defectors and others, and then sent it directly to the Office of the Vice President, by-passing normal intelligence channels and procedures.

In October, a group of former CIA officers asked the Committee to investigate the Valerie Plame leak (see DOJ, below)

House Permanent Select Committee on Intelligence (Iraq intelligence): A review of Iraq pre-war intelligence also began in June 2003, and is still apparently under way, but little if anything has been said publicly, and no public hearings or public report are known to be planned.

On July 15, 2003, Rep. Henry Waxman (D-Calif.) asked the Permanent Select Committee to investigate the President's use of the bogus Niger uranium claim in his 2003 State of the Union address.

• Pending requests for investigations blocked by Republican stonewalling

Senate Government Affairs Committee: Sen. Frank Lautenberg (D-N.J.) and others have called for an investigation of Cheney's ongoing financial ties to Halliburton.

House Government Reform Committee (Valerie Plame): Committee Chairman Tom Davis (R-Va.) said on Jan. 23, 2004 that he would only investigate the Plame leak if the

Justice Department fails in its current investigation. "If they don't find it, we will," he said. "It's a troubling and serious violation." Representative Waxman asked on Sept. 29 and Dec. 11, 2003 for the committee to investigate the disclosure.

House (Valerie Plame): Ten retired CIA officers sent a letter to House Speaker Dennis Hastert (R-Ill.) and other House leaders on Jan. 23, 2004, requesting an immediate, bipartisan investigation into who leaked the identity of Valerie Plame (see below) to the media, and describing the leak as "an unprecedented and shameful event" that has "damaged U.S. national security."

House Government Reform Committee (Halliburton/KBR): Waxman has formally requested that the committee investigate "waste, fraud and abuse in Iraq reconstruction contracts," including the Kuwait fuel contract. Waxman has previously asked for investigations of many aspects of the Iraq contracting process, and has submitted numerous requests for information to the Defense Department, the Army Corps of Engineers, and the Office of Management and Budget.

House Appropriations Committee (OSP): Rep. David Obey (D-Wisc.) in July 2003 made a "survey and investigation (S&I) request," for an investigation of how appropriated funds were used by the Pentagon's Office of Special Plans.

House Resolution of Inquiry (Plame): A group of Democratic Congressmen initiated procedures on Jan. 21, 2004 to attempt to force the House leadership to request documents from the White House pertaining to the Plame leak.

Independent Commission (Iraq intelligence): Bills to create a new commission, like that now investigating pre-9/11 intelligence, are pending in both House and Senate: S.1946, introduced on Nov. 24 by Sen. John Corzine (D-N.J.) and others; a parallel bill has been introduced in the House.

• General Accounting Office (investigative arm of Congress)

Halliburton: Reps. Waxman and John Dingell (D-Mich.) , on April 8, 2003, asked the GAO to investigate contracts awarded to Halliburton over the previous two years.

Plame: Democratic Congressional leaders sent a Jan. 26, 2004 letter to the GAO, requesting investigation as to whether required administrative procedures were followed by the White House in connection with the unauthorized disclosure of classified information in the Plame case.

Executive Branch

Department of Justice/Criminal (Plame): In late September 2003, the CIA requested a Department of Justice (DOJ) investigation into the July 2003 disclosure of the identity of CIA covert operative Valerie Plame, wife of former Ambassador Joseph Wilson who blew the whistle on the Niger yellow-cake fraud. On Dec. 30, Attorney General John Ashcroft recused himself from the investigation, and the DOJ appointed a



The investigation which has now reached the sharpest and most dangerous point for Cheney is the one he has ordered stopped, in the Senate Intelligence Committee. Senators Carl Levin (D-Mich., left) and Jay Rockefeller (D-W.Va.) have counterattacked with a frontal criticism of Cheney's control in the White House, and demanded an independent commission of inquiry.

special counsel to conduct the investigation. A Federal grand jury reportedly began taking testimony on Jan. 21.

Cheney's office is at the top of the list of suspects, in particular his chief of staff Lewis Libby, and Libby's deputy John Hannah.

Department of Justice/Criminal (OSP): There have been persistent reports of an FBI investigation, centering around OSP staffer Michael Maloof, concerning the unlawful transfer to Israel of classified information on U.S. Iraq war plans. Maloof was suspended from OSP in the Spring of 2003, and his security clearance was lifted.

Central Intelligence Agency (Iraq intelligence, Niger yellowcake): An internal CIA investigation was launched in late Spring 2003, headed by former CIA Deputy Director Richard Kerr. In November 2003, the probe was expanded, and as of late January, Kerr was reportedly awaiting materials from the Iraq Survey Group—still headed by David Kay at that time.

Department of Defense (Halliburton/KBR): A DCAA audit of food-service contracts reported finding dirty facilities and rotten food in four mess halls run by Halliburton/KBR in Iraq. The DOD Inspector General was asked by DCAA on Jan. 15, 2004, to open a formal investigation into "suspected irregularities" in operation of fuel contracts, in which DCAA had determined that Halliburton had overcharged the government by at least \$61 million through September 2003. The DOD Inspector General has referred the Halliburton fuel contract to the Defense Criminal Investigative Service for investigation of possible criminal violations.

President's Foreign Intelligence Advisory Board (Niger yellowcake): PFIAB began an inquiry in May at the request

of the President. Its reports are secret, and nothing official has been made public. In December, press reports cited sources saying that PFIAB had blamed the inclusion of the uranium yellowcake claim in the 2003 State of the Union address, on White House desperation "to grab onto something" which would support claims about Iraq's nuclear program—claims which were being made most prominently by Dick Cheney.

Securities and Exchange Commission (Halliburton): Halliburton has disclosed \$2.4 million in "improper payments" (i.e., bribes) in connection with the Nigerian contract (see below, under France). The SEC is conducting a review, with which Halliburton says it is co-operating.

White House: A citizens group, Citizens for Responsibility and Ethics in Washington, sent a letter to President Bush on Jan. 28, 2004, requesting that he direct the White House Counsel to investigate Cheney's confirmation

of leaked classified information. This referred to a classified memorandum from Undersecretary of Defense Douglas Feith, sent to the Senate Intelligence Committee, containing raw and unevaluated intelligence purporting to demonstrate links between Saddam Hussein and al-Qaeda. In an interview with the *Rocky Mountain News* on Jan. 9, Cheney praised and recommended the Feith memo. In doing so, he committed a serious violation of Executive Branch regulations concerning classified information.

Courts

- An appeal by Cheney is pending before the U.S. Supreme Court, of a ruling of the District of Columbia Circuit Court of Appeals, which ordered the disclosure of documents and information concerning Cheney's Energy Task Force in 2001; this is in a civil suit brought by Judicial Watch and others. Cheney and the White House have stonewalled on the release of information to the public concerning the secretive operations of the Energy Task Force, which produced the Administration's energy policy. Judicial Watch has already obtained some Task Force documents, which included plans for the Middle East and a map of Iraqi oil fields.

Other

- CBS "60 Minutes" on Jan. 25 reported how Halliburton and other U.S. companies have used foreign subsidiaries to do business with "rogue states" such as Iran and Syria; such trading is banned for U.S. companies. New York City Comptroller William Thompson was quoted as saying that Halliburton and other companies "appear to have violated the spirit of the law" through such commercial activities.



Former UN and then CIA chief inspector in Iraq, Dr. David Kay, has added to the calls for an independent commission of inquiry into the misuse of Iraq intelligence, after failing to find any WMD in Iraq.

Foreign

France (Halliburton): A French magistrate is investigating \$180 million in alleged bribes paid by Halliburton and others in connection with a gas project in Nigeria, undertaken while Cheney headed Halliburton in the 1990s. Reports in the European press say that Cheney is a target of the investigation, and that he could be indicted for misuse of corporate assets.

United Kingdom (Halliburton): The Department of Trade and Industry is investigating the Nigeria bribery allegations involving Halliburton and Cheney.

United Kingdom (Iraq intelligence): In June 2003, senior Labor MP Tam Dalyell raised the question in the House of Commons concerning "Operation Rockingham," and demanded an explanation of its operations from the British government. Operation Rockingham is a special intelligence unit within the Ministry of Defence which reportedly operates in parallel with the Pentagon's Office of Special Plans.

Israel (Iraq intelligence): A select Knesset (parliament) committee, the Investigative Committee for the Intelligence Picture Prior to the War in Iraq, has been investigating Israel's pre-war Iraq intelligence. Yossi Sarid, a member of the Knesset Foreign Affairs and Defense Committee, filed a request for a broader investigation in early December 2003, after the Jaffee Center for Strategic Studies issued a report stating that "Israeli intelligence was a full partner with the U.S and Britain in developing a false picture of Saddam Hussein's (WMD) capability." Sources have reported that elements of Israeli intelligence had significant input into the Pentagon's OSP. In particular, there was a unit created in the office of Prime Minister Ariel Sharon, which by-passed the official Israeli intelligence agencies and functioned in tandem with the Pentagon's OSP, which in turn by-passed regular U.S. intelligence channels and fed information directly into the office of Vice President Cheney.