

TOM DAVIS, VIRGINIA,
CHAIRMAN

DAN BURTON, INDIANA
CHRISTOPHER SHAYS, CONNECTICUT
ILEANA ROS-LEHTINEN, FLORIDA
JOHN M. McHUGH, NEW YORK
JOHN L. MICA, FLORIDA
MARK E. SOUDER, INDIANA
STEVEN C. LATOURETTE, OHIO
DOUG OSE, CALIFORNIA
RON LEWIS, KENTUCKY
JO ANN DAVIS, VIRGINIA
TODD RUSSELL PLATTS, PENNSYLVANIA
CHRIS CANNON, UTAH
ADAM H. PUTNAM, FLORIDA
EDWARD L. SCHROCK, VIRGINIA
JOHN J. DUNCAN, JR., TENNESSEE
NATHAN DEAL, GEORGIA
CANDICE MILLER, MICHIGAN
TIM MURPHY, PENNSYLVANIA
MICHAEL R. TURNER, OHIO
JOHN R. CARTER, TEXAS
MARSHA BLACKBURN, TENNESSEE
PATRICK J. TIBERI, OHIO
KATHERINE HARRIS, FLORIDA

ONE HUNDRED EIGHTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074
FACSIMILE (202) 225-3974
MINORITY (202) 225-5051
TTY (202) 225-6852

www.house.gov/reform

October 4, 2004

HENRY A. WAXMAN, CALIFORNIA,
RANKING MINORITY MEMBER

TOM LANTOS, CALIFORNIA
MAJOR R. OWENS, NEW YORK
EDOLPHUS TOWNS, NEW YORK
PAUL E. KANJORSKI, PENNSYLVANIA
CAROLYN B. MALONEY, NEW YORK
ELIJAH E. CUMMINGS, MARYLAND
DENNIS J. KUCINICH, OHIO
DANNY K. DAVIS, ILLINOIS
JOHN F. TIERNEY, MASSACHUSETTS
WM. LACY CLAY, MISSOURI
DIANE E. WATSON, CALIFORNIA
STEPHEN F. LYNCH, MASSACHUSETTS
CHRIS VAN HOLLEN, MARYLAND
LINDA T. SANCHEZ, CALIFORNIA
C.A. DUTCH RUPPERSBERGER,
MARYLAND
ELEANOR HOLMES NORTON,
DISTRICT OF COLUMBIA
JIM COOPER, TENNESSEE
BETTY McCOLLUM, MINNESOTA

BERNARD SANDERS, VERMONT,
INDEPENDENT

The Honorable Tom Davis
Chairman
Committee on Government Reform
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

On Sunday, an exhaustive front-page article in the *New York Times* described in detail how the Bush Administration exaggerated the nuclear threat posed by Iraq in building the case for war.¹ This extraordinary exposé should be the subject of immediate hearings in our Committee.

The *New York Times* article analyzed the evidence supporting a key argument that was made repeatedly by top White House officials in the months leading up to the war: that shipments of aluminum tubes into Iraq were evidence that Iraq was reconstituting its nuclear weapons program. The article detailed the serious doubts that the Administration's leading nuclear experts had about this assertion, as well as the evidence that the White House deliberately ignored these doubts.

As the *New York Times* revealed, Administration officials learned in early 2001 of a plan by Iraq to purchase 60,000 aluminum tubes from Hong Kong.² In April 2001 a "junior analyst" at the CIA posited that the tubes were suitable for use in a uranium centrifuge, and the CIA subsequently presented these arguments in briefings to policy makers.³ However, the nation's foremost nuclear experts at the Department of Energy "immediately challenged" this theory, based on the fact that the tubes were the wrong size for use in a centrifuge.⁴ These DOE experts

¹ *The Nuclear Card: The Aluminum Tubes Story: How the White House Embraced Suspect Iraq Arms Intelligence*, *New York Times* (Oct. 3, 2004).

² *Id.* (citing the report by the Senate Intelligence Committee on pre-war intelligence).

³ *The Nuclear Card: The Aluminum Tubes Story*, *supra* note 1.

⁴ *Id.*

soon determined the tubes actually had the same dimensions — a “perfect match” — as tubes used to make combustion chambers for artillery rockets.⁵

After analyzing a June 2001 intercept of the tubes, a group of DOE experts described as the “A-team of the intelligence community” for questions on nuclear centrifuges produced a detailed assessment on August 17, 2001. They found that the use of the tubes in centrifuges was “unlikely” and that “rocket production is the much more likely end use for these tubes.”⁶ DOE analysts produced another classified analysis by the end of 2001 that “even more firmly rejected” the centrifuge theory, concluding that “it was ‘unlikely that anyone’ could build a centrifuge site capable of producing significant amounts of enriched uranium ‘based on these tubes.’”⁷

According to the *New York Times* article, the White House knew about the serious doubts of nuclear experts based on multiple reports and presentations to the White House:

- On May 9, 2001, initial findings of DOE scientists were published on “Intelink, a Web site for the intelligence community and the White House”;
- “[I]n interviews, CIA and administration officials disclosed that the dissenting views were repeatedly discussed in meetings and telephone calls” between the CIA and the White House, and one senior official noted, “There was certainly nothing that was hidden”;
- “Four agency officials insisted that Winpac [the CIA division for Weapons Intelligence, Nonproliferation and Arms Control] analysts repeatedly explained the contrasting assessments during briefings with senior National Security Council officials who dealt with nuclear nonproliferation issues.” Further, a “senior administration official” confirmed that Winpac had presented these differing views, acknowledging that “he knew by late 2001 that there were differing views on the tubes”;
- A DOE spokeswoman said that DOE “strongly conveyed its viewpoint to senior policy makers,” and a senior Administration official said that “he also spoke to senior officials at the Department of Energy about the tubes”; and
- The “bureaucratic infighting” within the Administration on the tubes issue was “so widely known that even the Australian government was aware of it,” noting in a July 2002 intelligence report that “U.S. agencies differ on whether aluminum tubes . . . were meant for gas centrifuges.”⁸

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

Although the *Times* exposé was the most exhaustive account to date, other news organizations have published similar accounts. As early as March 18, 2003, the *Washington Post* reported that the International Atomic Energy Agency (IAEA) had determined that the aluminum tubes “were for conventional weapons and ‘it was highly unlikely’ that the tubes could have been used to produce nuclear material.”⁹ On August 10, 2003, a lengthy article in the *Washington Post* raised many doubts about the Administration’s statements about the aluminum tubes.¹⁰

Despite the fact that the Administration’s best experts disputed the evidence, President Bush, Vice President Cheney, National Security Advisor Condoleezza Rice, and other senior Administration officials repeatedly pointed to the aluminum tubes as proof of Iraq’s nuclear ambitions. President Bush and National Security Advisor Condoleezza Rice cited the aluminum tubes shipments as evidence that Iraq was reconstituting its nuclear weapons programs, without noting that the nation’s top nuclear design experts disputed this theory.¹¹ Vice President Cheney was particularly outspoken, stating in September 2002 that the tubes were “irrefutable evidence.”¹² Appearing on *Meet the Press* just days before the war, Vice President Cheney publicly derided the IAEA’s conclusion that the tubes were intended for conventional arms, claiming that the IAEA was “wrong” and that Iraq “has, in fact, reconstituted nuclear weapons.”¹³

This weekend Ms. Rice explained her previous public assertions about the tubes by claiming that she “actually didn’t really know the nature of the dispute.”¹⁴ This explanation is extraordinary in light of the evidence laid out in the *New York Times* account. It was her job, as National Security Advisor, to be aware of these disputes and ensure that the President received only the most accurate information.

In effect, what the *New York Times* is reporting is that President Bush, Vice President Cheney, and their top advisors may have taken the nation to war on false pretenses. These are

⁹ *Bush Clings to Dubious Allegations about Iraq*, Washington Post (Mar. 18, 2003).

¹⁰ *Depiction of Threat Outgrew Supporting Evidence*, Washington Post (Aug. 10, 2003); see also *Case for War Relied on Selective Intelligence: Bush Administration Bypassed Internal Disputes in Laying out Evidence of Iraqi Weapons*, Wall Street Journal (June 5, 2003).

¹¹ *E.g.*, *President Bush Outlines Iraqi Threat; Remarks by the President on Iraq*, White House (Oct. 7, 2002); *Late Edition with Wolf Blitzer*, CNN (Sept. 8, 2002).

¹² *The Nuclear Card: The Aluminum Tubes Story*, *supra* note 1 (reporting that the Vice President made this statement to a group of Wyoming Republicans).

¹³ *Meet the Press*, NBC News (Mar. 16, 2003).

¹⁴ *This Week with George Stephanopoulos*, ABC News (Oct. 3, 2004).

The Honorable Tom Davis
October 4, 2004
Page 4

gravely serious charges that our Committee has a constitutional duty to investigate. I ask that you hold immediate hearings to pursue this matter.

Sincerely,

A handwritten signature in black ink that reads "Henry A. Waxman". The signature is written in a cursive, flowing style.

Henry A. Waxman
Ranking Minority Member