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United States Senate
SELECT COMMITTEE ON INTELLIGENCE
WASHINGTON, DC 20510–6475

June 5, 2008

The Honorable Robert C. Byrd
President Pro Tempore
United States Senate
Washington D.C. 20510

Dear Mr. President:

On behalf of all members of the Select Committee on Intelligence, we are filing the Committee's report on "Intelligence Activities Relating to Iraq Conducted by the Policy Counterterrorism Evaluation Group and the Office of Special Plans within the Office of the Under Secretary of Defense for Policy." The report was approved by a majority vote of the Committee at a meeting held on April 1, 2008.

Senate Resolution 400 of the 94th Congress (1976) charges the Committee with the duty to oversee and make continuing studies of the intelligence activities and programs of the United States Government, and to report to the Senate concerning those activities. Pursuant to this charge, the Committee undertook this review in February 2004.

The report is in both classified and unclassified form. The classified report is available to members in the Committee's secure spaces. The classified report is also being provided to appropriately cleared officials of the Executive Branch. The unclassified report, which we are hereby transmitting, includes the Committee's conclusions and the additional and minority views of Committee members.

Sincerely,

John D. Rockefeller IV
Chairman

Christopher S. Bond
Vice Chairman

110th Congress
2d Session

SENATE

S. Report
110–346

REPORT

ON

INTELLIGENCE ACTIVITIES RELATING TO IRAQ CONDUCTED BY THE POLICY COUNTERTERRORISM EVALUATION GROUP AND THE OFFICE OF SPECIAL PLANS WITHIN THE OFFICE OF THE UNDER SECRETARY OF DEFENSE FOR POLICY

together with

MINORITY VIEWS

June 5, 2008.—Ordered to be printed

SELECT COMMITTEE ON INTELLIGENCE

United States Senate

110th Congress

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[redacted]

Intelligence Activities Relating to Iraq Conducted by the Policy Counterterrorism Evaluation Group and the Office of Special Plans within the Office of the Under Secretary of Defense for Policy

Scope and Methodology

(U) In February 2004 the Senate Select Committee on Intelligence revised the terms of reference for its ongoing inquiry into pre-war intelligence on Iraq. The new issue areas included "any intelligence activities relating to Iraq conducted by the Policy Counterterrorism Evaluation Group and the Office of Special Plans within the Office of the Under Secretary of Defense for Policy." The Committee pursued this issue area in 2004, but subsequently the Committee's attention was placed on other aspects of the terms of reference.[1]

(U) In September 2005, the Committee deferred efforts on the issue of intelligence activities within the Office of the Under Secretary of Defense for Policy [OUSD(P)], when then-Committee Chairman Pat Roberts requested that the Department of Defense Inspector General (DoD IG) review whether the OUSD(P)'s Office of Special Plans "at any time conducted unauthorized, unlawful or inappropriate intelligence activities." Later in September 2005 Senator Carl Levin, then ranking member of the Senate Armed Services Committee, issued a similar request for the DoD IG to review the activities of the OUSD(P), including the Policy Counterterrorism Evaluation Group and Policy Support Office, to determine whether any of their activities were either inappropriate or improper. Senator Levin's request included a list of ten questions to be answered by the DoD IG. The Intelligence Committee planned to resume its inquiry based on the outcome of the DoD IG's review.

(U) The DoD IG began the review requested by Senators Roberts and Levin in November 2005. In February 2007, the DoD IG issued the requested report, which was titled *Review of Pre-Iraqi War Activities of the Office of the Under Secretary of Defense for Policy*. That report concluded:

> The Office of the Under Secretary of Defense for Policy [OUSD(P)] developed, produced, and then disseminated alternative intelligence assessments on the Iraq and al-Qaida relationship, which included some conclusions that were inconsistent with the consensus of the Intelligence Community, to senior decision-makers. While such actions were not illegal or unauthorized, the actions were, in our opinion, inappropriate given that the products did not clearly show

[1] To date the Committee has published four reports based on its inquiry into pre-war intelligence on Iraq:

- July 9, 2004, *U.S. Intelligence Community's Prewar Intelligence Assessments on Iraq*,
- September 8, 2006, *Postwar Findings about Iraq's WMD Programs and Links to Terrroism and how they Compared with Prewar Assessments*,
- September 8, 2006, *The Use by the Intelligence Community of Information Provided by the Iraqi National Congress*,
- May 31, 2007, *Prewar Intelligence Assessments about Postwar Iraq*.

[redacted]

[redacted]

the variance with the consensus of the Intelligence Community and were, in some cases, shown as intelligence products. This condition occurred because the OUSD(P) expanded its role and mission from formulating Defense Policy to analyzing and disseminating alternative analysis.[2]

(U) The DoD IG review was focused on intelligence activities within the OUSD(P) only with respect to the production and dissemination of intelligence. The DoD IG stated in materials that accompanied the release of the February 2007 report that the "review focused on OUSD(P) assessments provided to the Executive Branch."[3] The DoD IG did not include within its report an assessment of whether any of the OUSD(P)'s actions could be considered the collection of intelligence even though the "collection of information needed by the President, the National Security Council, the Secretaries of State and Defense, and other Executive Branch officials for the performance of their duties and responsibilities" falls under the definition of intelligence activities as set forth in the Executive Order on United States Intelligence Activities.[4]

(U) In February 2004 when the Committee's terms of reference were updated, the Committee was in the process of looking into issues surrounding a December 2001 meeting in Rome, Italy between DoD officials, including an OUSD(P) representative, and current and former Iranian officials, and a related follow-up meeting in June 2003. The Committee pursued information on these meetings in October 2003 and conducted a number of related interviews in early to mid-2004. The DoD IG touched on these meetings in a separate report, but did not conduct an extensive review.

(U) The Committee's updated terms of reference called for a review of any intelligence activities relating to Iraq conducted by the Policy Counterterrorism Evaluation Group and the Office of Special Plans within the OUSD(P). The Policy Counterterrorism Evaluation Group was a two person group created in November 2001, after discussions on how to pursue the Rome meeting were already underway in the OUSD(P). No members of that group participated in the meetings that are the subject of this report. The Office of Special Plans was created in October 2002, after the Rome meeting had taken place. One participant in the Rome meeting did join the Office of Special Plans after it was formed, but his activities surrounding the Rome meeting had been completed months before. As noted in the February 2007 DoD IG report, however, "[t]he term OSP [Office of Special Plans] has become generic terminology for the activities of the OUSD(P), including the Policy Counterterrorism Evaluation Group (PCTEG) and Policy Support Office."[5]

(U) The December 2001 Rome meeting involved discussions with alleged current and former members of the Iranian security service and a foreign government entity which included the foreign government intelligence service. While the information obtained was related to Iran instead of Iraq, senior OUSD(P) personnel were directed to conduct the Rome meeting and were

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[2] 2007-0782, February 9, 2007, DoD IG report titled *Review of Pre-Iraqi War Activities of the Office of the Under Secretary of Defense for Policy*, page 4.
[3] 2007-0782, Materials accompanying the February 9, 2007, DoD IG report titled *Review of Pre-Iraqi War Activities of the Office of the Under Secretary of Defense for Policy.* Questions and Answers, Answer to question #5.
[4] Executive Order Number 12333, dated December 4, 1981, Part 1, Paragraph 1.4 (a).
[5] 2007-0782, February 9, 2007, DoD IG report titled *Review of Pre-Iraqi War Activities of the Office of the Under Secretary of Defense for Policy*, pages 1-3.

[redacted]

involved in the decision-making process on how to undertake the meeting, and an OUSD(P) employee attended the meeting. In light of the fact that the DoD IG did not evaluate the propriety of conducting these meetings, Chairman John D. Rockefeller IV directed that the Committee's review of the December 2001 and June 2003 meetings be completed as part of its pre-war intelligence on Iraq inquiry. This report completes the Committee's inquiry into the Rome meeting and the issue of whether the OUSD(P) undertook inappropriate intelligence collection activities.

(U) The Committee's review is based on interviews with current and former Intelligence Community and DoD officials, briefings, and documentation provided by the Central Intelligence Agency (CIA), DoD, and State Department. The DoD Office of the Inspector General provided the Committee with additional information collected as part of its February 2007 review of the activities of the OUSD(P).

The Rome Meeting

Introduction

([redacted]) The "Rome meeting" was actually a series of sessions that took place in an apartment building in Rome, Italy from December 10, 2001 through December 13, 2001. The DoD IG determined that:

> The meeting included Larry Franklin (Office of Assistant Secretary of Defense, International Security Affairs), Harold Rhode (Office of Net Assessments), Michael Ledeen (former Office of the Secretary of Defense and National Security Council consultant), Manucher Ghorbanifar (Iranian exile), [Iranian #1] [redacted] (Iranian exile living in Morocco), [Iranian #2] [redacted] (Iranian Revolutionary Guard Official), and an unidentified employee of [redacted] [a foreign Government]. Michael Ledeen arranged the meeting with the help of his contacts in Italy and [the foreign government] [redacted] who provided the meeting place and other logistical support.[6]

(U) Mr. Franklin joined the OUSD(P) in July 2001 as an Iran desk officer within the office of the Deputy Assistant Secretary of Defense for Near East and South Asia Affairs, William Luti. (Mr. Franklin was assigned to the Office of Special Plans within Mr. Luti's office in late 2002, but retained his responsibilities for Iran.)[7] Mr. Luti reported to the Assistant Secretary of Defense, International Security Affairs, Peter Rodman. Mr. Rodman played a

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[6] 2007-1142, March 6, 2007, DoD IG Report, *DoD Involvement with the Rendon Group*, page 8.

[7] Mr. Franklin is currently awaiting direction from the Department of Justice to report to prison on matters unrelated to those discussed in this report. He was indicted in August 2005 along with two employees of the American Israel Public Affairs Committee (AIPAC) for conspiring with each other to unlawfully disclose classified national defense information. Mr. Franklin subsequently pled guilty, and was sentenced in January 2006 on three felony counts: conspiracy to communicate national defense information to persons not entitled to receive it; conspiracy to communicate classified information to an agent of a foreign government; and the unlawful retention of national defense information.

[redacted]

significant role in the decision-making process on how DoD would participate in the Rome meeting, and reported to the USD(P), Douglas Feith.

(U) Mr. Rhode was a career civilian employee in the Office of Net Assessment and currently remains employed within the DoD. The Office of Net Assessment is not a part of the OUSD(P). The Director of Net Assessment reports to the Secretary and Deputy Secretary of Defense and is responsible for providing assessments on the capabilities of the United States (U.S.) military.

(U) Mr. Ledeen is a U.S. citizen employed by the American Enterprise Institute for Public Policy Research. Mr. Ledeen had numerous contacts within the DoD and other elements of the U.S. Government at the time of the Rome meeting, but at no time during preparations for or throughout the Rome meeting did he have a formal relationship (e.g., employee, contractor, or consultant) with the DoD. Without any such affiliation, Mr. Ledeen organized the Rome meeting with the help of the foreign government. Mr. Ledeen paid his own expenses for the trip and never asked or expected to be reimbursed.[8] The DoD's reliance on Mr. Ledeen to organize the Rome meeting resulted in senior DoD officials, to include Mr. Feith and Mr. Rodman, not being aware of the involvement of Mr. Ghorbanifar and the foreign government until after the Rome meeting.

(U) It is not entirely clear how Mssrs. Franklin and Rhode were selected to attend the meeting. Mr. Ledeen advised the Committee that during a November 2001 discussion with Stephen Hadley, then serving as Deputy National Security Advisor, he was asked who he would recommend sending to a potential meeting with the Iranians. Mr. Ledeen said he offered the names of Harold Rhode and Larry Franklin, due to their expertise and language skills.[9] Mr. Franklin told the Committee that he was informed by his immediate supervisor, Mr. Luti, of a potential trip for which the DoD needed an Iran analyst who was conversant in Farsi. Mr. Franklin said he did not know Mr. Ledeen at that time.[10] Mr. Rhode could not recall who approached him about the trip due to the passage of time, but said it was probably Mr. Luti. Even though he did not work within the OUSD(P), Mr. Rhode often interacted with that office and knew Mr. Luti. Mr. Rhode stated that he was selected most likely because he had studied in Iran and worked on the issue of how to understand Iranians.[11] In 2003, Mr. Luti informed the DoD's Counterintelligence Field Activity[12] that he selected Mr. Franklin, but did not know who had chosen Mr. Rhode to participate in the meeting.[13] Ultimately, Mr. Franklin and Mr. Rhode traveled to Rome under official U.S. government travel orders.

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[8] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 12, 14-15.

[9] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 5-6.

[10] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages. 7-8.

[11] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages. 3-6. NOTE: An attempt was made to reinterview Mr. Rhode to clarify his involvement in a number of the issues raised in this report. Officials within the Office of the Assistant Secretary of Defense for Legislative Affairs informed the Committee that Mr. Rhode declined to be reinterviewed.

[12] As discussed later in this report, the DoD Counterintelligence Field Activity conducted a review of DoD contact with Mr. Ghorbanifar in 2003 at the direction of the Under Secretary of Defense for Intelligence. Interviews conducted by the Counterintelligence Field Activity are referenced throughout this report and were also a primary source for the DoD IG review.

[13] 2007-1561, DoD IG Rome Meeting Review Source Document #6, CIFA Report, Luti Interview.

[redacted]

(U) Mr. Ghorbanifar was a long time friend of Mr. Ledeen's who lived in France and had offered to arrange a meeting with current and former Iranian officials.[14] Mr. Ghorbanifar's attendance at the meeting ultimately raised concerns because of his prior history with the Intelligence Community and his participation in the Iran-Contra scandal in 1986. As a result of the CIA's prior dealings with Mr. Ghorbanifar, the agency in 1984 had issued a fabrication notice on Mr. Ghorbanifar to its operational personnel stating that he was regarded as an unreliable source of intelligence. A publicly available Congressional report on the Iran-Contra scandal includes a redacted copy of the notice that states Mr. Ghorbanifar "should be regarded as an intelligence fabricator and a nuisance. Any further approaches by subject or his brother Ali should be reported but not taken seriously."[15] The Iran-Contra scandal involved the illegal sale of arms to Iran by the U.S. Government and use of the profits to fund rebels in Nicaragua. Mr. Ghorbanifar had been a middleman in the weapons exchange. Mr. Ledeen was a consultant to the National Security Council at the time of the Iran-Contra scandal and also played a role in the weapons exchange.[16]

([redacted]) According to Mr. Ledeen, the first Iranian participant in the Rome meeting, [redacted], was a former Islamic Revolutionary Guards Corps member who was subsequently branded a traitor, but was able to escape Iran after more than a year of torture. Mr. Ledeen told the Committee that the second Iranian, [redacted] was "a high-ranking officer in the intelligence establishment of Iran."[17] The Committee's attempts to corroborate this information with the Central Intelligence Agency (CIA) were complicated by several factors. The first Iranian has a common name and there are multiple variations of the spelling of both names. The CIA provided information on three versions of the first name, two of which could have been the participant in the Rome meeting. It appears the second Iranian [redacted] was deemed an "information peddler" based on his attempts to sell information. The information the CIA collected on this individual was sufficient for the Agency [redacted].[18]

(U) During the Rome meeting the two Iranians provided biographic details on themselves and information on the political and economic conditions in Iran. Specific issues discussed during the meeting included Iran's long standing relationship with the Palestinian Liberation Organization, Iran's perception on Saddam Hussein's grip on Iraq, the growth of anti-regime sentiment in Iran, and the Iranian regime's attitudes toward the U.S.[19]

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[14] 2007-1561, DoD IG Rome Meeting Review Source Document #4, Undated DIA Contact Memorandum on Office of the Secretary of Defense Executive Referral, pages 1-2.
[15] Declassified July 25, 1984 CIA Cable Director 023056, Subject: Fabricator Notice – Manuchehr Gorbanifar
[16] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, page 3.
[17] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 17-18.
[18] 2007-4174, October 22, 2007 & November 28, 2007 CIA responses to Questions for the Record
[19] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 7, Mr. Franklins notes on the Iranian interviews. Two versions, one undated and one dated January 21, 2001 (presumed to be a typo).

[redacted]

Origins of the Rome Meeting

(U) The December 2001 Rome meeting was initiated by Mr. Ledeen. According to Mr. Ledeen, soon after September 11, 2001, probably in the October 2001 timeframe, Mr. Ghorbanifar contacted him about "people in Iran who were willing to come out and meet with officials of the American government to provide accurate information about what was going on inside the country, ... Iranian support of terrorist organizations and ... plans to kill Americans in Afghanistan."[20] This discussion prompted Mr. Ledeen to contact U.S. Government officials.

(U) Mr. Rodman informed the Committee that Mr. Ledeen had contacted him at some point and suggested that DoD officials meet with the Iranian contacts, but Mr. Rodman had deferred at that time. The tasking later came back to him through senior DoD channels as a request from Deputy National Security Advisor Hadley for the DoD to pursue the meeting with the Iranians.[21] Mr. Ledeen advised the Committee that he had contacted Mr. Hadley, who he described as an "old friend,"[22] and subsequently met with Mr. Hadley and another National Security Council official to present Mr. Ghorbanifar's offer to arrange meetings with Iranian officials. Mr. Ledeen advised the Committee that he did not endorse Mr. Ghorbanifar's information, but felt obliged to convey the offer to the U.S. Government. Mr. Ledeen indicated that he was certain that the Intelligence Community would not be interested in pursuing the information due to their distrust of Mr. Ghorbanifar.[23]

(U) According to an April 16, 2004, letter to the Committee from the Assistant Secretary of Defense for Legislative Affairs, "in November 2001, the Deputy National Security Advisor, Stephen Hadley, called the Deputy Secretary of Defense, Paul Wolfowitz, and reported that Iranians with inside knowledge of Iranian security and intelligence operations, including involvement in terrorism and threats to U.S. forces in Afghanistan, wished to defect." The letter also indicated that the Iranians did not want to deal with the CIA and that Mr. Hadley asked Deputy Secretary Wolfowitz to have the DoD handle the contact. Deputy Secretary Wolfowitz agreed to do so and subsequently informed the Secretary of Defense, Donald Rumsfeld.[24]

(U) A February 2004 draft chronology prepared by staff from the Office of the Secretary of Defense and provided to the Committee in April 2004 by the Assistant Secretary of Defense for Legislative Affairs indicates that the call from Mr. Hadley to Deputy Secretary Wolfowitz occurred on November 7, 2001.[25] The request from Mr. Hadley prompted Mr. Rodman to ask the DoD Office of General Counsel to review whether contact with potential defectors could take place without CIA involvement.[26] In mid-November 2001, Mr. Rodman learned from Mr.

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[20] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, page 4.
[21] 2008-0836, Memorandum for the Record, September 27, 2007 Staff Interview of Mr. Rodman, page 1.
[22] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, page 4.
[23] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, page 5.
[24] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, pages 1-2.
[25] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 1, February 2004 Chronology.
[26] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 3, November 15, 2001, Memo from the DoD office of General Counsel, and Tab 4, November 16, 2001 Memo from Mr. Rodman to Deputy Secretary Wolfowitz.

[redacted]

[redacted]

Ledeen that the Iranians did not want to defect, but merely wanted to pass on information.[27] The DoD chronology indicated this newfound knowledge prompted Mr. Rodman to inform Mr. Hadley that the DoD could make the initial contact and Mr. Hadley proceeded to obtain approval for this course of action from the National Security Advisor, Condoleezza Rice.[28] A memorandum dated November 16, 2001, from Mr. Rodman to Deputy Secretary Wolfowitz indicated that the Deputy Secretary authorized this course of action,[29] and a subsequent action memo from Mr. Rodman to Secretary Rumsfeld dated July 19, 2002, stated that Mr. Hadley "strongly encouraged the meeting."[30]

(U) According to the April 2004 letter from the Assistant Secretary of Defense for Legislative Affairs, in early December 2001 Mr. Hadley coordinated the proposed DoD contact with Iranian officials with the Deputy Secretary of State, Richard Armitage, and the Director of Central Intelligence (DCI), George Tenet, and they did not object to the DoD's making the contact.[31] Deputy Secretary Armitage and DCI Tenet were not provided with significant details regarding the proposed meeting. A 2004 State Department response to Committee questions indicated that Deputy Secretary Armitage recalled Mr. Hadley contacting him in the November/December 2001 timeframe and advising that the DoD wished to debrief some Iranians with information on Iraq. The State Department response further indicated that Deputy Secretary Armitage voiced no objections, but was provided no details on who would attend the meeting or its location.[32]

(U) Director Tenet's 2007 book titled *At the Center of the Storm* states that in early December 2001 Mr. Hadley mentioned only "that DoD might meet with some Iranians in Europe who had terrorist threat information." Director Tenet notes that there was no mention of the involvement of Mr. Ledeen or Mr. Ghorbanifar. He also indicates that the discussion made him uncomfortable and that he did not understand why the CIA was not being asked to get involved. He adds, however, that "if there was information available about a threat to U.S. interests, I wasn't going to let bureaucratic reasons stand in the way of our getting the details."[33] In March 2008, DCI Tenet provided the Committee with his recollections of his conversation with Mr. Hadley. He recalled being provided no details on the proposed meeting other than it involved access to terrorist threat information. He reiterated that he had concerns about the information provided by Mr. Hadley, but he was not going to stand in the way of collecting threat information so soon after September 11, 2001. Former Director Tenet also stated his view that Mr. Hadley's call was not intended to gain his permission. For these reasons he did not pursue further details at that time.[34]

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[27] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 1, February 2004 Chronology, and Tab 4, November 16, 2001 Memo from Mr. Rodman to Deputy Secretary Wolfowitz.
[28] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 1, February 2004 Chronology.
[29] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 4, November 16, 2001 Memo from Mr. Rodman to Deputy Secretary Wolfowitz..
[30] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 25, July 19, 2002, Action Memo from Mr. Rodman to Secretary Rumsfeld.
[31] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, page 2.
[32] 2004-3535, State Department August 24, 2004 Response to Questions for the Record, Question #7.
[33] *At the Center of the Storm*, George Tenet, Page 312.
[34] March 10, 2008, Staff Telephone Conversation with George Tenet, page 1.

[redacted]

[redacted]

([redacted]) According to Mr. Ledeen, once he received concurrence from the DoD he directly contacted the foreign government official, who he described as an old friend, and told him the background on the proposed meeting. Mr. Ledeen told the Committee that the foreign government made any necessary arrangements for the Iranian participants, and provided a secure location and full time interpreter for the meeting.[35] [redacted][36]

([redacted]) It is not clear at what point senior DoD officials knew the foreign government and foreign government intelligence service would play a role in facilitating and attending the meeting. When Mr. Rhode was asked if he knew before the meeting whether the foreign government would be involved, he stated "I think so."[37] Mr. Franklin told the Committee that Mr. Ledeen advised him on the first morning of the Rome meeting that "the [redacted] [foreign government] was involved and [redacted] had helped out a great deal in setting up the place of the meeting and that they would be present at the meeting."[38] A February 2004 chronology prepared by staff from the Office of the Secretary of Defense indicated DoD awareness that the foreign government arranged for the meeting site, but it is not stated when this became known.[39] In a September 2007 interview, Mr. Rodman, advised the Committee that DoD officials knew the foreign government was involved, but they did not know the full extent of that involvement, to include the intelligence service, in advance.[40]

(U) Regarding Mr. Ghorbanifar's attendance at the Rome meeting, Mr. Ledeen told the Committee that he had made it clear to Mr. Hadley that it was Mr. Ghorbanifar who had the ability to organize the Rome meeting. Mr. Ledeen did not indicate that he made Mr. Hadley aware that Mr. Ghorbanifar would attend the meeting.[41] Correspondence to the Committee from the Assistant Secretary of Defense for Legislative Affairs in 2004 stated "[n]one of the senior DoD officials involved in this matter – Mr. Wolfowitz, Mr. Feith, Mr. Rodman, and Mr. Luti – anticipated that the Iranian security officials would be joined by Ghorbanifar, nor, I am informed, did Mr. Hadley."[42] Mr. Rodman confirmed to the Committee in September 2007 that he did not know in advance that Mr. Ghorbanifar was going to be at the meeting.[43] A memorandum prepared by counsel representing Mr. Feith included the following statement: "Before the Rome meeting occurred, neither Hadley, Wolfowitz nor Feith knew that Ghorbanifar was involved."[44] None of the three DoD-provided documents that were written during preparations for the Rome meeting contain a reference to Mr. Ghorbanifar.

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[35] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 9-10.
[36] 2003-4209, Cable, 11 February 2002.
[37] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 15 and 20-21.
[38] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, page 18.
[39] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, page 2 and Tab 1, February 2004 Chronology.
[40] 2008-0836, Memorandum for the Record, September 27, 2007 Staff Interview of Mr. Rodman, page 2.
[41] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, page 6, and October 24, 2007, staff interview of Mr. Ledeen, page 2.
[42] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, page 2.
[43] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman, page 1.
[44] 2007-1561, July 13, 2006, Memorandum from Patton Boggs LLP to the DoD IG, page 21.

[redacted]

(U) The only DoD official who indicated an awareness that Mr. Ghorbanifar would attend the Rome meeting was Mr. Rhode. Mr. Rhode informed the Committee in April 2004 that prior to departing for the trip he was aware that Mr. Ghorbanifar would be involved in the meeting. When Committee staff asked Mr. Rhode if he was certain that he was aware Mr. Ghorbanifar would be attending the Rome meeting before the meeting, Mr. Rhode said, "yes."[45] Material provided to the Committee by the DoD in March 2008 indicates that Mr. Rhode does not now recall whether or not he knew in advance of Mr. Ghorbanifar's involvement. The material also states that Mr. Rhode can no longer recall anything he told the Committee on this point in 2004.[46] Mr. Franklin informed the Committee that he did not know that Mr. Ghorbanifar was involved until he was informed by Mr. Ledeen on the morning of the first day of the Rome meeting.[47]

Authority to Conduct the Rome Meeting

(U) The U.S. Government officials involved in approving the Rome meeting had the authority to do so, even if it was considered an intelligence activity. Under the National Security Act of 1947, the National Security Council (through the Committee on Foreign Intelligence) is given broad authority to identify intelligence needs, establish priorities to meet those intelligence needs, and establish policies relating to the conduct of intelligence activities of the United States, "including appropriate roles and missions for the elements of the intelligence community and appropriate targets of intelligence collection activities."[48] These specified authorities are in addition to "performing such other functions as the President may direct."[49]

(U) Thus, Mr. Hadley, who received concurrence from National Security Advisor Rice, had the authority to request Deputy Secretary Wolfowitz, who coordinated with Secretary Rumsfeld, to dispatch two DoD employees to Rome to meet with Iranians who may have been able to provide information related to the national security.

Coordination of the Rome Meeting

(U) While the DoD had the authority to conduct the meeting in Rome, there was limited advance coordination of the activity outside of the Department. Mr. Rodman informed the Committee that Mr. Hadley had advised the DoD to pursue the matter on a close-hold basis due to its unusual nature and Deputy Secretary Wolfowitz had reiterated that guidance. Mr. Rodman continued by saying that had the National Security Council or Deputy Secretary Wolfowitz not requested that it be close-hold the meeting would have been handled through normal channels. But, since that request had been made, it was decided that the first meeting would not involve any element of the Intelligence Community.[50]

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[45] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 4 and 9-10.
[46] 2008-1182, March 12, 2008 DoD Response to Questions for the Record, Question #4.
[47] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 7-8 and 19-20.
[48] National Security Act of 1947, § 101(h).
[49] *id.*, § 101(b).
[50] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman , pages 2 and 5.

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(U) Hand written notes prepared by Mr. Rodman on November 7, 2001 indicated that in a discussion with Deputy Secretary Wolfowitz, the Deputy Secretary conveyed that the Iranians' mistrust of the CIA had prompted Mr. Hadley to refer the matter to the DoD.[51] The draft chronology prepared by the Department in February 2004 specifically stated that Mr. Ledeen, "who was facilitating the contact, stressed the Iranians' mistrust of CIA officials."[52] In his September 2007 interview, Mr. Rodman reiterated that Mr. Ledeen was adamant about not having any CIA involvement, citing the Iranian's paranoia about the CIA.[53]

(U) The Committee received testimony from Mssrs. Ledeen, Franklin, and Rhode that calls into question the willingness of the Iranians who were met in Rome to deal with the CIA. When Mr. Ledeen was asked whether he had suggested that the Iranians would not meet with the CIA he replied that he did not think so. Mr. Ledeen stated that Iranians to be met in subsequent meetings had made it clear they would not meet with the CIA, but he reiterated that the two Iranians at the Rome meeting had expressed no qualms about dealing with the CIA.[54] Mr. Franklin informed the Committee that neither of the Iranians he met in Rome expressed concerns about who in the U.S. Government they were meeting with. When asked if there had been an indication beforehand that there were limitations on whom the Iranians would talk to, Mr Franklin responded "no."[55] When asked whether it had been conveyed to him during the meeting that the Iranians did not want to deal with the CIA, Mr. Rhode also responded "no."[56]

(U) The perceived intention of the Iranians was also a factor in the decision about whether to coordinate the Rome meeting outside of the DoD. According to the April 2004 letter to the Committee from the Assistant Secretary of Defense for Legislative Affairs, when Mr. Hadley first approached Deputy Secretary Wolfowitz, Mr. Hadley indicated that the Iranians wished to defect.[57] This prompted Mr. Rodman to seek guidance from the DoD Office of General Counsel and the Director of the Defense Intelligence Agency (DIA) about whether contact with potential defectors required coordination with the CIA. Mr. Rodman received a memo, dated November 15, 2001, from the DoD Deputy General Counsel (Intelligence) indicating that Director of Central Intelligence Directive (DCID) 4/1[58] required each Intelligence Community component to "report promptly [redacted] the identity of any walk-in or other disaffected person who may be of interest together with all available and pertinent information."[59] He further advised that the "DIA may initiate an intelligence collection operation with a foreign

[51] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 2, November 7, 2001, Handwritten notes of Mr. Rodman.
[52] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 1, February 2004 Chronology.
[53] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman, page 1.
[54] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 7-8.
[55] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 31-32.
[56] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, page 26.
[57] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Page 1.
[58] A DCID was a directive issued by the Director of Central Intelligence providing guidance to the Intelligence Community on a specific topic of interest. With the creation of the Director of National Intelligence, DCIDs are being replaced by Intelligence Community Directives.
[59] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 3, November 15, 2001, Memo from the DoD office of General Counsel.

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military member subject to internal DoD regulations and DCID 5/1 coordination."[60] Directive 5/1 stated that "the CIA is primarily responsible for the conduct and coordination of espionage to meet the national security intelligence needs of the U.S. Government..." The Directive allows that the DoD may conduct such activities in response to tasking from the DCI or "as required for the execution of the Secretary of Defense's responsibilities."[61] The DIA Director, Admiral Thomas Wilson, provided Mr. Rodman similar advice, noting that an individual could defect to a DoD employee, but further handling would be the legal responsibility of the CIA.[62]

(U) The General Counsel's memo was written under the assumption that the Iranians wished to defect. Their true purpose, however, became known to Mr. Rodman about the same time the memo was written. Once it was determined that the Iranians did not want to defect, but merely wanted to pass on information, DoD personnel did not advise CIA personnel of the pending meeting, and DIA officials were not included in further planning for the meeting. In a September 2003 written response to the Committee's Vice Chairman, the CIA Director of Congressional Affairs stated on behalf of the DCI that "DoD officials did not coordinate their contacts with CIA, and CIA subsequently raised objections and questions about such contacts." The response further stated that the CIA was not in a position to conclude whether DCID 5/1 requirements were applicable to the Rome meeting, but noted that official trips to a country would routinely be cleared through the ambassador.[63] Mr. Rhode advised the Committee that he was unaware of the content of DCIDs 4/1 and 5/1, while Mr. Franklin expressed some awareness, but assumed any required action had been taken by his chain of command.[64]

(U) Materials prepared by counsel on behalf of Under Secretary of Defense Feith expressed the view that "[a]lthough the U.S. ambassador to Italy and the CIA [redacted] complained that they were not informed about the meeting, it was not the responsibility of the Defense Department to inform them." The material noted that the Deputy National Security Advisor had consulted with the Deputy Secretary of State and the DCI in advance.[65] This response fails to consider that the DCI and Deputy Secretary were not provided enough information to know who to inform of the pending activity.

(U) In a September 2007 interview, Mr. Rodman summarized the issue of coordinating the Rome meeting by stating that Deputy Secretary Wolfowitz had wanted to keep this meeting "close-hold" until the DoD could determine if there was any value to the contact and how it should be pursued further. He added that if there had been an attempt to go through normal channels, the State Department and CIA would have never wanted to speak with the Iranians.[66] A National Security Council legal advisor informed the Counterintelligence Field Activity in 2003 that Mr. Hadley had been surprised to learn there had been no coordination with the

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[60] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 3, November 15, 2001, Memo from the DoD office of General Counsel.
[61] DCID 5/1, [redacted], effective December 19, 1984, Section 3.
[62] 2007-1561, DoD IG Rome Meeting Review Source Document #1, August 2003 Chronology of Events.
[63] 2003-4116, September 23, 2003 letter from CIA, Director of Congressional Affairs.
[64] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr Rhode, page 18, and 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 10-11.
[65] 2007-1561, July 13, 2006, Memorandum from Patton Boggs LLP to the DoD IG, page 21.
[66] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman, page 5.

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ambassador and CIA.[67] DCI Tenet's 2007 book notes that after the Rome meeting Mr. Hadley asked him if Mr. Wolfowitz had previously called him to explain the situation and DCI Tenet had responded "no."[68] In March 2008, DCI Tenet informed the Committee that at no time prior to or after the Rome meeting did Mr. Wolfowitz contact him to discuss the Rome meeting.[69]

(U) The limited awareness of the Rome meeting within the CIA and the State Department, as well as the involvement of the foreign government and Mr. Ghorbanifar, would have a significant impact on the ultimate outcome of this activity.

Country Clearance through the Ambassador

(U) Most U.S. Government employees are required to receive country clearance from the appropriate U.S. ambassador prior to foreign travel on official business. The U.S. ambassador and the CIA were under the impression that DoD employees traveling to Rome on official business would be required to clear their travel through the embassy. According to the State Department, no one from the office of the Secretary of Defense or the foreign government notified the Rome embassy about the meeting.[70]

(U) Clearing DoD personnel travel through the ambassador is addressed in a series of DoD guidance. Mr. Rhode had a blanket travel order issued through the Office of Net Assessment that was valid through September 30, 2002. Such a travel order removes the administrative burden of obtaining a new travel order for each trip and is generally only provided to frequent travelers. Mr. Rhode's blanket travel order specified that the "[c]learance requirements of DoD Directive 4500.54 must be observed." Mr. Franklin's travel order was issued through the OUSD(P) and made no reference to country clearance regulations.[71]

(U) The subject of DoD Directive 4500.54 is Official Temporary Duty Travel Abroad. The text applicable to Mr. Franklin and Mr. Rhode stated that all travelers other than DoD civilian officials appointed by the President "must obtain a 'theater clearance' from the Unified Commander and/or 'country clearance' from the U.S. Embassy."[72] The Directive notes that the DoD Foreign Clearance Guide outlines the procedures for obtaining these clearances. The Directive indicates, however, that in some cases "country or theater clearance may not be required," and again refers to the Foreign Clearance Guide. If the Foreign Clearance Guide is not clear on this requirement the reader is referred to the applicable embassy U.S. Defense Attaché Officer or Office of Defense Cooperation for additional information.[73]

([redacted]) A review of the Foreign Clearance Guide in effect for Italy at the time of the Rome meeting would indicate that in the specific instance of Mssrs Franklin and Rhode, country clearance was not required because they were not of sufficient rank and did not visit the U.S.

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[67] 2007-1561, DoD IG Rome Meeting Review Source Document #6, CIFA Report, Bellinger Interview.
[68] *At the Center of the Storm*, George Tenet, page 312.
[69] March 10, 2008, Staff Telephone Conversation with George Tenet, page 1.
[70] 2004-3535, State Department August 24, 2004 Response to Questions for the Record, Question #1.
[71] The term country clearance refers to the process of notifying a U.S. embassy or mission of the pending travel of a U.S. Government employee to that facility and requesting the appropriate approval for that visit.
[72] DoDD 4500.54, Official Temporary Duty Travel Abroad, Paragraph 5.2
[73] DoDD 4500.54, Official Temporary Duty Travel Abroad, Paragraph 5.4

[redacted]

embassy or a consulate. A country clearance would have been required to visit an Italian government, military, or industry organization; however, prior to their departure the DoD officials involved were unaware of the involvement of [redacted].[74] Also, it is not clear whether the Rome meeting took place in an actual [redacted].

(U) There is no evidence that the DoD officials involved in planning for or attending the Rome meeting researched the general requirement for country clearance. Despite the fact that his travel order said that the clearance requirements of DoD Directive 4500.54 must be observed, Mr. Rhode seemed to be unaware of these requirements and noted that he was given no guidance to contact the embassy.[75] The 2003 Counterintelligence Field Activity report on DoD contact with Mr. Ghorbanifar stated that Mr. "Franklin assumed that all the necessary coordination had been done at a higher level and that there was no 'coordination problem' since the DEPSECDEF [Deputy Secretary of Defense] and the [redacted] were involved in this matter."[76] Mr. Franklin gave a similar explanation to the Committee in 2004, noting that he had been told it had been approved up the chain of command and therefore he did not think it was his responsibility to check in at the embassy.[77] Mr. Rodman informed the Committee in 2007 that he was puzzled by all of the interest in whether a country clearance was obtained for the Rome meeting. He reiterated that the whole process was directed by Mr. Hadley to be "close-hold" and by the very definition of the term a lot of people would not be told about the trip. He pointed out again that Mr. Hadley had told both DCI Tenet and Deputy Secretary Armitage about the trip in advance.[78]

Content of the Rome Meeting

(U) During the Rome meeting, Mr. Rhode took contemporaneous notes on a laptop computer, while Mr. Franklin took handwritten notes. These notes were provided to the Committee by the DoD. Based on a review of the notes, the specific issues discussed during the meeting included the following:[79]

- Iranian "hit teams" targeting U.S. personnel and facilities in Afghanistan;
- Iran's long standing relationship with the Palestinian Liberation Organization;
- Tunnel complexes in Iran for weapons storage or exfiltration of regime leaders;
- Iran's perception on Saddam Hussein's grip on Iraq;
- The growth of anti-regime sentiment in Iran;
- Iranian regime attitudes toward the U.S.; and
- Internal rivalries among Iran's intelligence agencies.

[74] December 10, 2001, DoD Foreign Clearance Guide, Europe, Italy, Section II A. 1.
[75] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, page 17.
[76] 2007-1561, DoD IG Rome Meeting Review Source Document #3, CIFA Report, Franklin Interview.
[77] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, page 10.
[78] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman, page 2.
[79] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 7, Mr. Franklin's notes on the Iranian interviews. Two versions, one undated and one dated January 21, 2001 (presumed to be a typo).

[redacted]

(U) When the Rome meeting ended on December 13, 2001, Mr. Franklin returned to the Pentagon and began preparing a summary of the information provided by the Iranians. It appears there were multiple versions of the summary as a result of the editing process. Mr. Franklin's summary was completed in early January 2002. Mr. Franklin informed the Committee that he considered the information provided by the two Iranians to be "good".[80] The information on Iranian hit teams targeting U.S. interests in Afghanistan was particularly interesting to him because prior to the Rome meeting, Mr. Franklin had traveled to Afghanistan and been in contact with U.S. Special Operations Forces. When the issue was raised by the second Iranian at the Rome meeting, Mr. Franklin requested details on the hit team in a particular part of Afghanistan and the Iranian provided names and a photograph of a team member.

(U) While preparing his summary, Mr. Franklin attempted to corroborate the hit team information with some of his contacts at the DIA. He could not recall the content of his discussion with a former colleague in the Defense HUMINT Service beyond going over the general details of the meeting, but Mr. Franklin provided the Committee details of his discussion with a DIA analyst. Mr. Franklin understood that the analyst had been able to corroborate that one of the names associated with the hit team in Afghanistan was a current member of the Iranian intelligence structure.[81] During a 2007 Committee interview the DIA analyst recalled that he found no information in the DIA database that specifically corroborated the name and unit data provided by Mr. Franklin. The analyst stated, however, that the information provided by Mr. Franklin had sounded plausible and credible because he had other information indicating that Iranian forces were involved in covert activities in Afghanistan.[82]

(U) Based on his exchange with the DIA analyst, Mr. Franklin contacted a Special Forces Commander in Afghanistan and relayed the hit team information via secure telephone. Mr. Franklin indicated that this exchange would have taken place not long after he returned from the Rome meeting while he was writing his summary report.[83] That Commander subsequently invited Mr. Franklin to attend a briefing he was giving to Secretary Rumsfeld upon his return to the Pentagon. Mr. Franklin believed that he was invited because his information had proved valuable. He stated that the Commander had advised him that the information had allowed them to turn "the tables on these Iranians" and offered as an example the fact that they had been able to take pictures of the Iranians loading weapons into a van registered to a warlord. Based on his discussions with the Commander, Mr. Franklin concluded that some of the information provided by the Iranians had "saved American lives."[84] The DIA analyst contacted by Mr. Franklin upon his return informed the Committee that it genuinely seemed to be Mr. Franklin's perception that the information saved American lives, but added that he could not speculate on whether it was truly useful.[85] Mr. Franklin's notion that the Iranian information "saved American lives" would

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[80] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, page 27. Note also that on page 1 of the September 25, 2003 Counterintelligence Field Activity interview with Mr. Rhode, he indicated that the information was "very good."

[81] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 27 and 38-41.

[82] 2008-0836, Memorandum for the Record, December 19, 2007, Staff Interview with [DIA Analyst #1], pages 1-2.

[83] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 24-25 and 32-33.

[84] 2007-1561, DoD IG Rome Meeting Review Source Document #3, CIFA Report, Franklin Interview. See also 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 24-25.

[85] 2008-0836, Memorandum for the Record, December 19, 2007, Staff Interview with [DIA Analyst 1], page 2.

[redacted]

become widely used by DoD officials and Mr. Ledeen to describe the utility of attending the Rome meeting.

(U) After the memo was completed, Mr. Franklin went back to his regular duties with almost no role in the decision on whether to continue contact with the Iranians. He remained in contact with Mr. Ledeen, and for a number of weeks after the trip received phone calls and faxes from Mr. Ghorbanifar. Mr. Franklin advised the Committee that he returned the calls for a while to be polite on the chance that Mr. Ghorbanifar could facilitate future access, however the faxes offered no new information and he eventually discontinued the contact.[86] Mr. Franklin retained the faxed material for a period of time, but it appears it was destroyed prior to the Counterintelligence Field Activity's 2003 review.[87]

(U) Mr. Rhode advised the Committee that he passed his Rome meeting notes to Mr. Luti. He subsequently played no further role in the follow up to the Rome meeting.[88]

Mr. Ghorbanifar's Plan

(U) While in Rome, Mr. Franklin and Mr. Rhode became involved in discussions that went beyond obtaining information from the Iranian sources. Mr. Franklin informed the Committee that during the trip to Rome Mr. Ghorbanifar pressed his own agenda for regime change in Iran.[89] Mr. Franklin stated that late one night during a discussion in a bar Mr. Ghorbanifar laid out his plan on a napkin. The plan involved the simultaneous disruption of traffic at key intersections leading to Tehran that would create anxiety, work stoppages and other disruptive measures. Mr. Franklin recalled that Mr. Ghorbanifar asked for $5 million in seed money to facilitate this activity. He added that Mr. Ghorbanifar indicated that if the first action was successful additional money may be needed later on, but Mr. Franklin could not recall specific amounts being discussed beyond the $5 million.[90] Mr. Rhode recalled Mr. Ghorbanifar discussing a plan to set up a network that could lead to the overthrow of the regime, but could not recall a specific dollar amount.[91] Mr. Ledeen provided the Committee similar recollections, noting that Mr. Ghorbanifar offered a variety of different schemes for regime change in Iran dating to the time the two had first met. Mr. Ledeen added that he believed the U.S. Government should be supporting Iranians who want to overthrow the regime. He stated that he had passed the notion of the plan on to Mr. Hadley, Mr. Luti and Mr. Rodman upon returning from the Rome meeting.[92]

(U) The proposed funding for, and foreign involvement in, Mr. Ghorbanifar's plan for regime change were never fully understood. When the DoD began receiving questions on this topic in early 2002, several summaries were produced. A synopsis of the discussions in Rome on Mr. Ghorbanifar's plan, prepared by Mr. Rodman in mid-February 2002 with input from Mr.

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[86] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 29, 37 and 48-49.
[87] 2007-1561, DoD IG Rome Meeting Review Source Document #3, CIFA Report, Franklin Interview.
[88] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 33-34.
[89] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, page 26.
[90] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 26-27 and 63-65.
[91] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, page 27.
[92] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 21-22, and 2008-0836, Memorandum for the Record, October 24, 2007, Staff Interview of Mr. Ledeen, page 2.

[redacted]

Franklin, stated that Mr. Ledeen and Mr. Ghorbanifar advised Mr. Franklin and Mr. Rhode of "the [foreign government] support for this information collection opportunity and financing by [foreign] corporate enterprises midway through the interviews....." The summary goes on to indicate the costs would be in the millions and entailed "exfiltration/reentry of numerous sources, granting visas, and eventual resettlement outside of Iran..." A later version of this summary dated February 12, 2002 referenced contracts "that would assure oil and gas sales in the event of regime change."[93] An action memo prepared by Mr. Rodman in July 2002 referred to "[m]ultimillion-dollar business deals that the [foreign government] arranged for the two Iranian interlocutors."[94] Despite the changing descriptions of foreign involvement, there was no attempt by the DoD, or any other entity of the U.S. Government, to determine the true intentions of the foreign government with regard to interacting with the Iranians or Mr. Ghorbanifar.

(U) The confusion within DoD channels over Mr. Ghorbanifar's plan and foreign involvement partially reflects that Messrs. Franklin and Rhode had focused on the assigned task of listening to the information provided by the Iranians. Officials from the DoD were consistent in stating that the DoD participants had been instructed prior to the meeting that their sole purpose in attending was to listen and bring back any useful information provided by the Iranians.[95] Mr. Franklin and Mr. Rhode were also consistent in stating that they viewed the information gathering with the two Iranians and Mr. Ghorbanifar's plan to weaken the Iranian regime as two entirely separate issues. Mr. Franklin indicated that upon his return he made it clear to those in the OUSD(P) that there should be no follow up on Mr. Ghorbanifar's plan. He added that at no time during the follow-on contact with Mr. Ghorbanifar did he offer encouragement for the plan.[96]

Ambassador and CIA Inquire About the Rome Meeting

(U) Upon the return of Mssrs. Franklin and Rhode, and the completion of the Rome meeting summary, two series of events began to unfold. First, State Department and CIA officials attempted to determine what Mr. Ledeen and the DoD representatives had done in Rome, and second, DoD officials debated the next course of action. These deliberations eventually became intertwined, but the decision to limit coordination prior to the meeting, and concerns about Mr. Ghorbanifar's plan for regime change, essentially eliminated the potential for further contact with Iranian officials via Mr. Ledeen and Mr. Ghorbanifar. The two series of events are outlined below.

(U) The U.S. ambassador to Italy at the time of the Rome meeting was Melvin Sembler. Ambassador Sembler had been sworn in on November 16, 2001. On December 12, 2001, during

[93] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tabs 21, February 12, 2002, Note on Foreign Government Support, and 22, February 12, 2002, Rome Meeting: References to Financing.
[94] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 25, July 19, 2002, Action Memo from Mr. Rodman to Secretary Rumsfeld.
[95] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 27 and 58, 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, page 13, and 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 1, February 2004 Chronology.
[96] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 37 and 48-49.

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the course of the Rome meeting, Ambassador Sembler had breakfast with Mr. Ledeen. A February 2002 State Department cable indicated that Mr. Ledeen informed Ambassador Sembler that he was in Italy "under the auspices of the U.S. Department of Defense and that two DoD employees were with him. Their project was to make contact with high-level officials of the Iranian Intelligence Service."[97] In Mr. Ledeen's 2004 testimony to the Committee he added that he had told the ambassador they were going to have conversations with Iranians who were promising to be helpful with terrorism, and that he had informed the ambassador as a courtesy and requested that he keep it to himself.[98] In an August 2004 response to questions for the record, the State Department indicated that Mr. Ledeen offered the ambassador no explanation for his wish to keep it confidential. The response further stated that Ambassador Sembler speculated that it derived from the involvement of the foreign government.[99] The February 2002 State Department cable further indicated that Mr. Ledeen told that ambassador that he would provide additional information after the Rome meeting. Later on December 12, 2001, Ambassador Sembler had dinner with the foreign government official and his wife, and Mr. Ledeen. The Rome meeting was not discussed over dinner.[100]

(U) According to the February 2002 State Department cable, following the events of December 12, 2001, Ambassador Sembler asked a senior official at the embassy whether U.S. officials were required to seek country clearance to travel to Rome on official business. The ambassador also expressed awareness that Mr. Ledeen was not a U.S. Government employee and a lack of comfort with his activities. The senior official at the embassy denied any knowledge of Mr. Ledeen's activities and confirmed the need for country clearance. The senior official at the embassy agreed to check with the embassy's Defense Attaché for any further information.[101] The Defense Attaché was unable to find anyone requesting such a clearance who matched the information provided by the senior official at the Embassy.[102]

(U) According to the February 2002 State Department cable, on December 23, 2001, Ambassador Sembler had dinner with Mr. Ledeen and his family at the ambassador's residence. The cable stated that in a private conversation with the ambassador Mr. Ledeen indicated that he had made contact with the Iranian officials and there was a "sizeable financial involvement to secure their cooperation." During the conversation Mr. Ledeen also expressed his belief that it was a deal the U.S. should take.[103] The ambassador did not focus on the matter again until a call from the Under Secretary of State for Political Affairs, Marc Grossman, on February 1, 2002, which the ambassador and his deputy were under the impression was prompted by the Under Secretary becoming aware of a summary of the Rome meeting prepared by Mr. Ledeen for Mr. Hadley.[104] During that call the ambassador was provided what were believed to be the names of the DoD participants in the Rome meeting. Unbeknownst to the ambassador, one of the names was wrong, but after the call he contacted his deputy and the senior official at the embassy to

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[97] 2003-4617, Rome 00628, 8 February 2002 (State Department Cable).
[98] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 11-12.
[99] 2004-3535, State Department August 24, 2004 Response to Questions for the Record, Question #4.
[100] 2003-4617, Rome 00628, 8 February 2002 (State Department Cable).
[101] 2003-4617, Rome 00628, 8 February 2002 (State Department Cable).
[102] 2003-4209, Cable, February 1, 2002.
[103] 2003-4617, Rome 00628, 8 February 2002 (State Department Cable).
[104] 2004-3535, State Department August 24, 2004 Response to Questions for the Record, Question #3.

[redacted]

[redacted]

discuss the matter. Neither of them recognized the correct name of Mr. Rhode.[105] The ambassador would memorialize his recollections of his prior discussions with Mr. Ledeen in a February 8, 2002 cable to Under Secretary Grossman, and defer further action on the matter to him.[106]

([redacted]) As noted above, in early December 2001 Mr. Hadley had mentioned to DCI Tenet that the DoD might meet with Iranians in Europe to discuss terrorist threat information. The DCI had no details, however, on the location of the meeting or its participants.[107] For that reason, during a January 14, 2002, meeting in the DCI's office that included [redacted] senior CIA officials, the CIA participants were surprised when the foreign government intelligence service asked if they were aware of DoD officials "coming to Italy to talk about Iran."[108] The conversation was cut short and was not pursued at that time. When approached by the ambassador after his February 1, 2002, call from Under Secretary Grossman, however, [redacted] question during the meeting at CIA headquarters with the activities of Mr. Ledeen. [redacted] the ambassador had indicated that the DoD participants "were talking about 25 million [U.S. dollars] for some kind of Iran program." [redacted] noted that the ambassador speculated that "perhaps it was for some sort of opposition support."[109] [redacted] the DCI was in contact with Mr. Hadley about the matter. The DDO also expressed a number of concerns:[110]

> First, I was not advised, the DCI was not advised, and you were not advised of DoD's apparent use of [redacted] [foreign government] to facilitate some sort of dialogue with the Iranian government. We were not asked to trace the names of the Iranians. We were not asked to comment on the substance of the alleged Iranian offer.

([redacted]) On February 7, 2002, [redacted] indicated that the ambassador had clarified that it was the Iranians who had told the DoD officials that for $25 million they could provide "certain unspecified information and services."[111] He noted that the ambassador planned to inform Under Secretary Grossman that "given the discussion of money for services, this effort may be crossing into the area of covert action, for which he is not aware of any presidential authorization."[112] [redacted]

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[105] *ibid*
[106] 2003-4617, Rome 00628, 8 February 2002 (State Department Cable).
[107] *At the Center of the Storm*, George Tenet, page 312, and March 10, 2008, Staff Telephone Conversation with George Tenet, page 1.
[108] 2003-4209, Cable, February 1, 2002.
[109] *ibid*
[110] 2003-4209, Cable, February 5, 2002.
[111] 2003-4209, Cable, February 7, 2002.
[112] *ibid*

[redacted]

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Defense Department Decision on Whether to Continue Contact

(U) Mr. Franklin's summary of the Rome meeting had been passed up his chain of command via Mr. Luti to Mr. Rodman. On January 7, 2002, Mr. Rodman drafted a letter for Deputy Secretary Wolfowitz to send to DIA Director Wilson with a copy to Mr. Hadley. The draft letter reminded the Director of their previous interaction on the matter, advised that the meeting had taken place once it became known the Iranians merely intended to provide information and not defect, and requested that the Director review the attached summary to determine whether the DoD should pursue the matter further through DIA channels. This letter was never sent.[115] Instead, a meeting was arranged between Mr. Rodman and Director Wilson for February 2, 2002. In a January 31, 2002, handwritten memo to Deputy Secretary Wolfowitz, Mr. Rodman advised that the meeting was set, that a new version of the summary had been prepared, and reminded the Deputy Secretary that he had previously instructed him not to hand the summary over.[116] Deputy Secretary Wolfowitz responded with a note indicating that the DoD needed to insulate the activity "from the appearance of being a policy channel, but it might be possible to include Rhode or Franklin as part of a DIA team." Deputy Secretary Wolfowitz's response also reiterated the requirement that Director Wilson be allowed read the summary, but not make a copy, and observed that this would underscore that the Director was not to discuss the matter with anyone else until further authorized. The response also instructed Mr. Rodman to ask Director Wilson his opinion on the intelligence value of proceeding with further contact and how he would handle it if given the assignment.[117]

(U) Mr. Rodman met with Director Wilson on February 2, 2002, and later that day prepared a memorandum to Deputy Secretary Wolfowitz summarizing the meeting. The memo noted that Director Wilson had been shown a copy of the summary, but it had not been left with him, and stated that the Director had found the information to be "mildly interesting."[118] Mr.

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[113] 2003-4209, Cable, February 11, 2002.
[114] 2003-4209, Cable, March 21, 2002.
[115] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 11, January 7, 2002, Memo from Mr. Rodman to Mr. Wolfowitz on the Iranian Debrief.
[116] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 14, January 31, 2002, Handwritten note from Mr. Rodman to Mr. Wolfowitz on the Iranian Matter.
[117] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 15, February 1, 2002, Handwritten notes from Mr. Wolfowitz to Mr. Rodman on DIA Director Meeting.
[118] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 17, February 2, 2002, Memo from Mr. Rodman to Mr. Wolfowitz on the Meeting with the DIA Director. NOTE: Admiral Wilson was DIA Director from July 1999 to July 2002. Committee staff interviewed Admiral Wilson via telephone on June 10, 2004. Admiral Wilson could not recall many of the events relating to the Rome meeting beyond advising Mr. Rodman that DIA could handle any further contacts with the Iranians and that they should be coordinated with the CIA. He could not recall reading the Rome meeting summary or referring to the information as

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Rodman's memo also indicated that Director Wilson had offered several different ways to pursue the matter ranging from continued debriefings to full recruitment. Director Wilson had noted that the DIA was capable of handling any of the options, but a clandestine recruitment would require coordination with the CIA, although DIA could perhaps do a one-time interview without informing the CIA in advance. Director Wilson wrote down the names of the Iranians and offered to conduct name traces, but was told to hold off until it was authorized at higher levels. Mr. Rodman reminded him to discuss the matter with no one else without authorization.[119]

(U) On February 5, 2002, Mr. Rodman prepared handwritten notes for a memo from Deputy Secretary Wolfowitz to Secretary Rumsfeld outlining the potential options for moving forward with the Iranians. The options offered were to drop the matter, continue in non-intelligence channels, or to do it through the DIA without telling the CIA who the sources were.[120] An undated draft memo from Deputy Secretary Wolfowitz to Secretary Rumsfeld that expanded on the material in the handwritten notes offered the same choices, but included the option to seek Presidential authority to override the DCID requirement for CIA coordination. The overall recommendation in the draft memo was to "put it into regular intelligence channels," but the memo noted the conflict between the alleged reluctance of the Iranians to deal with the CIA and the requirement to coordinate future contact with that agency.[121]

(U) Handwritten notes from Mr. Rodman, dated February 9, 2002, indicate his awareness that the Rome meeting issue had become known to the CIA, Under Secretary Grossman, and the U.S. embassy in Rome. The notes indicate that because of Mr. Ghorbanifar the "whole world is involved," and contain the reference "$25 m[illion] ??" with no further explanation.[122] The notes also state that Mr. Ledeen played a role in raising that awareness and that Mr. Rodman contacted him at his home that day.[123] According to a draft chronology prepared for the Secretary of Defense by Mr. Rodman in August 2003, on February 9, 2002, the State Department and CIA indicated their opposition to further contact and as a result the DoD dropped the matter.[124]

(U) When the DoD decided to drop the matter in early February 2002, the information provided by the two Iranian sources had not been fully evaluated or vetted with other known information by the Intelligence Community, beyond Mr. Franklin passing a portion of the information collected to Special Forces in Afghanistan. Mr. Franklin told the Committee that

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mildly interesting. When interviewed in 2003 by the Counterintelligence Field Activity Admiral Wilson provided a similar response.

[119] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 17, February 2, 2002, Memo from Mr. Rodman to Mr. Wolfowitz on the Meeting with the DIA Director.

[120] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 18, February 5, 2002, Handwritten Note from Mr. Rodman to Mr. Wolfowitz.

[121] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 19, Draft Memo from Mr. Wolfowitz to Secretary Rumsfeld on Iranian Sources.

[122] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tabs 21, February 12, 2002, Note on [redacted] Support, and 22, February 12, 2002, Rome Meeting: References to Financing, and 2004-4231 indicate that on February 12, 2002 Mr. Rodman researched the financial proposals discussed at the Rome meeting. To the best of Mr. Rodman's recollection, Mr. Franklin assisted in drafting a memo on the subject dated February 12, 2002.

[123] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 20, February 9, 2002, Handwritten Notes from Mr. Rodman to Mr. Wolfowitz.

[124] 2007-1561, DoD IG Rome Meeting Review Source Document #1, August 2003 Chronology of Events.

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Mr. Rodman informed him that he had handed the Rome meeting summary to DIA Director Wilson and that "since it was given to the Director I knew that he would pass it down to desk analysts." However, he also stated that he was unaware of: any intelligence reports that were generated from the information; it being passed to another element of the Intelligence Community; or any actions that Director Wilson may have taken with his summary. He added that no one ever called him and asked for input.[125] The Defense HUMINT Service representative that Mr. Franklin contacted after his return from the meeting told the Committee that beyond the verbal briefing from Mr. Franklin he never saw any intelligence reports or requests for further follow-up.[126] The DIA analyst contacted by Mr. Franklin informed the Committee that to his knowledge there was no subsequent entry of the information provided by Mr. Franklin into DIA databases and it was not used in any DIA analytic products.[127] As noted above, Director Wilson had not been allowed to retain a copy of the summary.

(U) In April 2002, the Defense HUMINT Service received an "executive referral" from the Office of the Secretary of Defense to meet with Mr. Ledeen. A Defense HUMINT Service contact memorandum describing the meeting indicated that the tasking resulted from a briefing on the Rome meeting from Mr. Ledeen to representatives in Mr. Rodman's office. The Defense HUMINT Service document outlined the Rome meeting as recalled by Mr. Ledeen, and noted that Mr. Ledeen repeatedly declined to provide details that the interviewer deemed necessary to assess the validity of Mr. Ledeen's contacts such as specific names, locations, and contact information. The document indicated Mr. Ledeen promised more details once the DoD expressed real interest in pursuing further contact.[128]

([redacted]) Information provided by the DoD in March 2008 indicates that after the interview of Mr. Ledeen, the Defense HUMINT Service held discussions with several components of the CIA, [redacted]. During the meeting, the Defense HUMINT Service learned that Mr. "Ledeen had a history of approaching his USG [U.S. Government] contacts with various 'schemes' to gain USG interest and/or support for various issues normally related to Hizbollah, Iran, and or Terrorism." The Service also became aware that some of Mr. Ledeen's contacts were considered "nefarious and unreliable." The Defense HUMINT Service determined that no further contact with Mr. Ledeen was warranted or advisable.[129]

The Ongoing Actions of Mr. Ledeen

(U) After the Rome meeting, Mr. Ledeen continued to press for continued contact with the Iranians through his variety of contacts inside the U.S. Government. In mid-January 2002,

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[125] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 35-36 and 39.
[126] 2004-2735, Transcript of June 8, 2004, Staff Interview of [DIA Employee #1], pages 4-6. As noted later in this report, in April 2002, the Defense HUMINT Service received an "executive referral" from the Office of the Secretary of Defense to meet with Mr. Ledeen. A Defense HUMINT Service contact memorandum outlined the Rome meeting as recalled by Mr. Ledeen, but noted that Mr. Ledeen repeatedly declined to provide details such as specific names, locations, and contact information.
[127] 2008-0836, Memorandum for the Record, December 19, 2007, Staff Interview with [DIA Analyst #1], page 2.
[128] 2007-1561, DoD IG Rome Meeting Review Source Document #4, Undated DIA Contact Memorandum on Office of the Secretary of Defense Executive Referral, pages 1-2.
[129] 2008-1182, March 12, 2008 DoD Response to Questions for the Record, Question #14.

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Mr. Ledeen held discussions with Mr. Rodman on how best to continue the exchange, and had scheduled a meeting with Mr. Hadley for January 16, 2002, to discuss the matter.[130] Mr. Franklin advised the Committee that he became aware of Mr. Ledeen's efforts to push for other elements of the U.S. Government to hear Mr. Ghorbanifar's plan. He recalled being approached by an official from the Office of the Vice President in early 2002 requesting his opinion of Mr. Ghorbanifar's plan and his judgments of its prospects for success. Mr. Franklin stated that he recommended that it not be pursued.[131]

(U) According to a draft chronology prepared for the Secretary of Defense by Mr. Rodman in August 2003, a memorandum that Mr. Ledeen had been circulating was sent from former Speaker of the House Newt Gingrich to Secretary Rumsfeld in June 2002. The memorandum expressed concern about the failure to continue contact with Iranian officials who had provided valuable information in the past.[132] The DoD provided the Committee with a copy of the memorandum with an explanatory note stating that while a stamp on the memorandum indicated the Secretary saw it on June 27, 2002, it merely reflected that the memorandum had "passed through" the Secretary's office. The use of that stamp had since been discontinued.[133]

(U) According to a July 18, 2002 cable from Ambassador Sembler to Under Secretary Grossman, on July 4, 2002, Mr. Ledeen contacted Ambassador Sembler and at the end of a social conversation informed him that he would be returning to Rome in early August to "resume that program." The ambassador advised the Under Secretary that he presumed this to be a reference to the December meeting with Iranian officials and noted that these activities had undermined the credibility of the U.S. Government. The ambassador also indicated that Mr. Ledeen had only provided him with a small amount of information on the subject and went on to state that "I am increasingly concerned that his activity borders on, or has already entered, an area which would require explicit Presidential authorization and notification of the Chief of Mission."[134] There was no response to the cable.

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The DDO added that CIA leadership had been informed and he had asked that the National Security Council be queried immediately.[136] According to handwritten notes prepared by Mr. Rodman and dated July 13, 2002, a special assistant to Deputy Secretary Wolfowitz, DoD Employee #2, had advised him that Deputy Secretary Wolfowitz had spoken with DCI Tenet and determined that the DCI now supported further contacts with the Iranians. In addition, Assistant

[130] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 12, January 16, 2002, Note from [DoD Employee #1] to Mr. Rodman.
[131] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, pages 43-44.
[132] 2007-1561, DoD IG Rome Meeting Review Source Document #1, August 2003 Chronology of Events, page 2.
[133] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 23, May 10, 2002 fax to Secretary Rumsfeld, and attached explanatory note.
[134] 2003-4617, Rome 03565, 18 July 2002 (State Department Cable).
[135] 2003-4209, Cable, July 15, 2002.
[136] 2003-4209, Cable, July 16, 2002.

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Director of Central Intelligence for Collection, Charles Allen, had been selected to coordinate on the matter.[137]

(U) On July 19, 2002, Mr. Rodman prepared an action memo for Secretary Rumsfeld in response to the Secretary's request about what the DoD should do with respect to contacts with Iran, as described in the memo forwarded to him by former Speaker Gingrich. The action memo described the origins of the Rome meeting, and outlined complications due to the involvement of Mr. Ghorbanifar and the previous objections of DCI Tenet and Secretary of State, Colin Powell. The memo concluded with the recommendation that the "DoD be prepared to continue the contact, through regular DHS [Defense HUMINT Service] channels and with CIA coordination." The memo was reviewed by Under Secretary Feith, on July 25, 2002.[138]

([redacted]) In a July 25, 2002, [redacted] according to the ambassador, Under Secretary Grossman had raised the issue with Secretary Powell, who had proceeded to pursue it with Secretary Rumsfeld and the National Security Council. [redacted] at each step, Secretary Powell was advised that Mr. Ledeen's desire to continue the program at the planned August meeting was not authorized.[139] An August 8, 2002 [redacted] the CIA had been told by a National Security Council legal advisor that Mr. Hadley had personally chastised Mr. Ledeen for continuing to pursue the matter even though he had been told to desist in December 2001, and advised Mr. Ledeen in strong terms to "cease his activity on the issue." At that point, the DDO [redacted] concluded the matter was behind them.[140] No such meeting organized by Mr. Ledeen occurred in the August 2002 timeframe.

(U) Ambassador Sembler traveled to Washington, D.C. for a series of meetings on September 4, 2002. During this visit the ambassador met with National Security Advisor Rice and Mr. Hadley and was advised that Mr. Ledeen's activities would not continue. He received a similar response from Deputy Secretary Armitage in a separate meeting.[141]

Other Related Activities

(U) The only other event related to the Rome meeting that occurred in 2002 involved a chance meeting between Mr. Rhode and one of the Iranians he and Mr. Franklin had met in Rome. According to a September 2003 interview of Mr. Rhode by the Counterintelligence Field Activity, in December 2002 Mr. Rhode attended a U.S. Government endorsed Iraqi opposition conference in London, England. According to Mr. Rhode a number of DoD and State Department personnel attended the conference. At the conference he unexpectedly encountered one of the Iranians he had met at the Rome meeting. The Iranian asked Mr. Rhode about U.S. views on regime change in Iran and Mr. Rhode indicated that those types of decisions were made

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[137] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 24, July 13, 2002, Handwritten Notes of Mr. Rodman on a Discussion with [DoD Employee #2] , and 2007-1561 DoD IG source document #1, Draft 8/11/03 chronology, page 2.

[138] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 25, July 19, 2002, Action Memo from Mr. Rodman to Secretary Rumsfeld.

[139] 2003-4209, Cable, July 25, 2002.

[140] 2003-4209, Cable, August 8, 2002.

[141] 2004-3535, State Department August 24, 2004 Response to Questions for the Record, Question #5.

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at a higher level. Mr. Rhode advised Andrew Marshall, his supervisor in the Office of Net Assessments, and DoD Employee #2 about the encounter, but did not document the meeting in any way.[142]

(U) In late May 2003, Mr. Ledeen prepared a letter outlining a new version of Mr. Ghorbanifar's plan for regime change in Iran that was received by Under Secretary Feith. The letter proposed a 100-day agreement in which Mr. Ledeen's Iranian contacts would supply ten specific deliverables ranging from photographs of terrorists in Iran, locations of Iraqi weapons of mass destruction that had been moved to Iran, access to Iranian officials, to events that would begin a mass insurrection within Iran. In return, the Iranians were asking for a $7 million loan, funding for Iranian media outlets in Southern California, support for moderate Iranian mullahs, and funding for an intelligence gathering group in Iran. [143]

(U) Under Secretary Feith forwarded Mr. Ledeen's letter to Under Secretary of Defense for Intelligence, Stephen Cambone, with a note dated June 2, 2003, which said, "[l]et's discuss."[144] Officials from the DoD advised the Committee in November 2003 that Mr. Ledeen's new approach had been discussed with the DIA and CIA, but that no further action was taken.[145] Mr. Ledeen told the Committee that the $7 million proposal "was one of numerous schemes" proposed by Mr. Ghorbanifar on behalf of a group of Iranians who wanted to overthrow the regime. He added that while he thought there was limited hope of the U.S. Government agreeing to such plans, he passed them all on to his many contacts in the U.S. Government.[146]

(U) At about the same time Mr. Ledeen was presenting the 100-day proposal, he was also conducting outreach to various members of Congress. On July 14, 2003, in a letter to DCI Tenet, former Committee Chairman Roberts wrote that he had met with Mr. Ledeen at the urging of Senators Santorum, Kyl and Brownback. Chairman Roberts noted that Mr. Ledeen expressed frustration that the CIA did not pursue access to sources of information of potential value on current high priority matters. Chairman Roberts also forwarded a statement of concern prepared by Mr. Ledeen. The statement, titled *Errors of Omission*, outlined the Rome meeting and the subsequent failure to pursue the matter further, as well as the CIA's failure to pursue potential information on the location of Osama bin Laden, Saddam Hussein's finances, and Iranian funding of terrorism. Chairman Roberts asked the DCI to review and comment on Mr. Ledeen's concerns.[147]

(U) The CIA responded to Senator Roberts in a letter dated September 23, 2003. The response stated that the CIA took information provided by Mr. Ledeen seriously, fully evaluated it, and acted on it accordingly. The response added that a channel through the office of the DDO had been established in February 2002 as a means for Mr. Ledeen to contact the agency with any actionable information he may have. The CIA's response also noted that Mr. Ledeen had been

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[142] 2007-1561, DoD IG Rome Meeting Review Source Document #2, CIFA Report, Rhode Interview.
[143] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 26, June 2, 2003, Note from Mr. Feith to Mr. Cambone.
[144] *ibid.*
[145] 2004-0523, November 5, 2003 staff memo on October 29, 2003 meeting with DoD Officials, page 7.
[146] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 48-50.
[147] 2003-3129, July 14, 2003, Chairman Roberts letter to DCI with attachments.

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the source of several offers of intelligence lead information in the past, but stated that the "CIA has attempted to follow up on these leads, on several occasions investing significant time and manpower. To date, none of these leads has resulted in information of significant intelligence value."[148]

The Paris Meeting

([redacted]) The next major event connected to the Rome meeting was a June 2003 meeting between Mr. Rhode and Mr. Ghorbanifar in Paris, France. The individual recollections of the origins of this meeting conflict greatly. According to a March 2007 DoD IG report and an April 2004 interview of Mr. Rhode, in June 2003 Mr. Rhode was in Istanbul, Turkey attending a conference on U.S./Turkish relations when he was contacted by two Middle East experts from the Office of the Vice President. During their discussion arrangements were made for Mr. Rhode to attend, pending approval from his supervisor, a meeting in Paris with an Iranian professor [redacted], and a Palestinian, [redacted], with whom the officials from the Office of the Vice President were no longer able to meet. While in Istanbul, Mr. Rhode also received a call from Mr. Ledeen, who, when advised that Mr. Rhode would be in Paris, suggested that he should meet with Mr. Ghorbanifar. Mr. Rhode contacted his supervisor, Andrew Marshall, in the Office of Net Assessments to seek approval for the trip.[149]

(U) Mr. Marshall advised the Counterintelligence Field Activity in 2003 that although Mr. Rhode worked for him and provided general descriptions of what he was doing, "he often works for other people on tasks and projects outside the Office of Net Assessments....."[150] He specifically mentioned projects for Deputy Secretary Wolfowitz. Mr. Marshall further informed the Counterintelligence Field Activity that "he never heard much of what came out of the Rome meeting other than the meetings went well and interesting information was obtained."[151] Without an understanding of the deliberations over further DoD contact with Mr. Ghorbanifar and his Iranian contacts, Mr. Marshall approved Mr. Rhode's trip to Paris and the meeting with Mr. Ghorbanifar. Mr. Rhode advised the Counterintelligence Field Activity in 2003 that he believed Mr. Marshall's approval authorized him to meet with Mr. Ghorbanifar. When Counterintelligence Field Activity interviewers asked Mr. Rhode why he had not contacted the officials involved in authorizing the Rome meeting, Mr. Rhode stated that would have been logical, but he contacted his immediate supervisor instead. Mr. Rhode informed Counterintelligence Field Activity officials that once he received approval he telephoned one of the Middle East advisors from the Office of the Vice President and told him that he had received approval to travel to Paris and that while he was there he was going to meet with Mr. Ghorbanifar. Mr. Rhode stated to the Counterintelligence Field Activity officials that he also called Mr. Ledeen and told him to arrange the meeting with Mr. Ghorbanifar.[152]

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[148] 2003-4116, September 23, 2003 CIA response Chairman Robert's July 14, 2003 letter.
[149] 2007-1142, March 6, 2007, DoD IG Report, *DoD Involvement with the Rendon Group*, page 8, and 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 34-37.
[150] 2007-1561, DoD IG Rome Meeting Review Source Document #6, CIFA Report, Marshall interview.
[151] 2007-1561, DoD IG Rome Meeting Review Source Document #6, CIFA Report, Marshall Interview.
[152] 2007-1561, DoD IG Rome Meeting Review Source Document #2, CIFA Report, Rhode Interview, and 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 34-37.

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(U) A February 2004 draft chronology prepared by staff from the Office of the Secretary of Defense and provided to the Committee in April 2004 by the Assistant Secretary of Defense for Legislative Affairs contained an inaccurate version of events. According to that document, Mr. Rhode encountered Mr. Ledeen at the conference in Istanbul, Turkey, and mentioned that he would be traveling to Paris. Information provided by the DoD in March 2008, states that this information reflected the Department's understanding of the facts at that time. The March 2008 information restates Mr. Rhode's recollection that Mr. Ledeen was not in Istanbul, but rather Mr. Rhode talked to him by telephone while Mr. Rhode was in Istanbul.[153] This version of events conforms to the recollections of Mr. Ledeen. The Committee questioned Mr. Ledeen in 2004 about his attending a conference in Istanbul in mid-2003, and he indicated that he had no recollections of being there and supported this claim by noting that his passport contained no stamp or visa from Turkey.[154]

(U) When asked whether he was aware that Mr. Rhode had met with Mr. Ghorbanifar in Paris in 2003, Mr. Ledeen told the Committee in 2004 that he had "read about it in the papers."[155] He stated that it would have made no sense for him to set up such a trip because Mr. Rhode and Mr. Ghorbanifar could talk to each other directly. Mr. Rhode informed the Counterintelligence Field Activity in 2003 that he could not call Mr. Ghorbanifar directly because he had no contact information for him and his only means of such contact was Mr. Ledeen.[156] When Mr. Ledeen was asked if perhaps he had suggested to Mr. Rhode that since he was going to be in Paris he might want to meet with Mr. Ghorbanifar, he stated "I don't think that ever happened."[157] In a subsequent interview in 2007, Mr. Ledeen reiterated his original position, but added that it was certainly possible it happened the other way.[158] The Committee is unable to reconcile the inconsistencies in the explanations for how Mr. Rhode came to meet with Mr. Ghorbanifar in Paris in 2003.

([redacted]) A March 2007 DoD IG report indicates that Mr. Rhode traveled to Paris and on June 30 and July 1, 2003, met with Mr. Ghorbanifar and a news broadcaster named Merteza Lotfi.[159] According to Mr. Rhode's notes from the meeting, which were provided to the Committee, also present at the meeting was an Ayatollah [redacted].[160] The purpose of Mr. Rhode meeting with Mr. Ghorbanifar was to receive "an update on the current political situation and conditions in Iran."[161] Based on Mr. Rhode's notes, the subjects covered included the current situation in Iran, Iranian relations with Syria, the state of Islam in Iran, and Iran's activity in Iraq.[162] Mr. Rhode acknowledged that Mr. Ghorbanifar had revisited the issue of funding for

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[153] 2008-1182, March 12, 2008 DoD Response to Questions for the Record, Question #16.
[154] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 47-48.
[155] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, page 47.
[156] 2007-1561, DoD IG Rome Meeting Review Source Document #2, CIFA Report, Rhode Interview.
[157] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, page 47.
[158] 2008-0836, Memorandum for the Record, October 24, 2007, Staff Interview of Mr. Ledeen, page 4.
[159] 2007-1142, March 6, 2007, DoD IG Report, *DoD Involvement with the Rendon Group*, page 8.
[160] NOTE: It is unclear who Ayatollah Maliki was. Mr. Rhode refused the Committee's 2007 request to be interviewed. The DoD was also provided a series of questions in July 2007 that requested clarification on the participants in the Paris meeting. The response received on March 12, 2008, offered no new insight into this topic. See 2008-1182.
[161] 2007-1142, March 6, 2007, DoD IG Report, *DoD Involvement with the Rendon Group*, page 8.
[162] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 27, Mr. Rhode's notes on the Paris meeting.

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regime change in Iran at the meeting, but Mr. Rhode stated that he offered no encouragement.[163] Mr. Rhode advised the Committee in 2004 that while in Paris he also met with the Iranian professor [redacted] in Paris and the Palestinian that the officials from the Office of the Vice President were to have met originally.[164]

(U) Mr. Rhode began discussing the Paris meeting results upon his return, but it took a month or so for him to compile his notes. Among those initially briefed were Mr. Marshall, Mr. Franklin, and one of the Middle East experts from the Office of the Vice President. Mr. Rhode informed the Counterintelligence Field Activity in 2003 that once his notes were finalized, he believed that he gave a copy to Mr. Rodman, one of the Middle East experts from the Office of the Vice President, and possibly Mr. Marshall.[165] There is no indication that the information collected during the Paris meeting was shared with the Intelligence Community for a determination of potential intelligence value.

(U) According to an April 2004 letter to the Committee from the Assistant Secretary of Defense for Legislative Affairs, Mr. Rhode met on his own individual initiative in Paris on June 30-July 1, 2003, with Ghorbanifar.....He did not consult with the OSD [Office of the Secretary of Defense] Policy organization."[166] In a November 2003 briefing to Committee staff, Mr. Rodman and the Deputy Under Secretary of Defense/Intelligence, Carol Haave, opined that approval for the meeting should have been coordinated with the OUSD(P). They further claimed that if it had, the meeting would not have been authorized.[167] Mr. Rodman informed the Committee in a September 2007 interview that had Mr. Rhode asked him about the Paris meeting before going, Mr. Rodman would have advised him not to go.[168]

(U) Mr. Rhode was aware of the internal DoD deliberations over the decision not to pursue further contact via Mr. Ghorbanifar. He advised the Counterintelligence Field Activity in 2003 that he understood that after the Rome meeting the CIA and State Department had opposed pursuing the matter and as a result the U.S. Government decided not to pursue further contact with Mr. Ghorbanifar or the Iranians. He added his belief that Mr. Luti and DoD Employee #2 had told him in early 2002 that the activity had been shut off, which meant that he would have no further contact with Mr. Ghorbanifar or the Iranians.[169] For this reason, responsibility for his attending the Paris meeting would appear to be solely his. There was no formal reprimand of Mr. Rhode for failing to coordinate the Paris meeting with personnel from the OUSD(P), or to clarify the current DoD position on further contact with Mr. Ghorbanifar. Mr. Rodman advised the Committee in 2007 that he had admonished Mr. Rhode and from that point forward Mr. Rhode was careful to ask permission prior to meeting with foreign contacts.[170]

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[163] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 39-43.
[164] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, page 38.
[165] 2007-1561, DoD IG Rome Meeting Review Source Document #2, CIFA Report, Rhode Interview.
[166] 2004-1675, April 16, 2004, Assistant Secretary of Defense for Legislative Affairs letter, page 3.
[167] 2004-0523, November 5, 2003 staff memo on October 29, 2003 meeting w DoD Officials, page 8.
[168] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman, page 3.
[169] 2007-1561, DoD IG Rome Meeting Review Source Document #2, CIFA Report, Rhode Interview.
[170] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman, page 3.

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Events of August-September 2003

(U) In August 2003, Mr. Ledeen continued to push information presented by Mr. Ghorbanifar to U.S. Government officials. According to a 2003 Counterintelligence Field Activity interview with the Assistant Secretary of Defense for Special Operations and Low-Intensity Conflict, Thomas O'Connell, on August 6, 2003, Mr. Ledeen met with Mr. O'Connell, General William Boykin, the Deputy Under Secretary of Defense for Intelligence, and General Ron Burgess, the Director for Intelligence of the Joint Staff, to discuss a source who knew where enriched uranium was buried in Iraq, but was unwilling to meet with the CIA. According to the interview, the DoD officials recognized that the CIA was responsible for locating weapons of mass destruction in Iraq, so the information was turned over to the CIA. Mr. O'Connell was later informed by Mr. Ledeen that Mr. Ghorbanifar was the conduit to this source.[171]

(U) An article in the August 8, 2003, edition of the Long Island Newsday brought the DoD's interaction with Mr. Ghorbanifar into the public arena. The article began with the following sentence, "Pentagon hardliners pressing for regime change in Iran held secret and unauthorized meetings in Paris with a controversial arms dealer who was a major figure in the Iran-contra scandal....." The article went on to state that at least two officials from the OUSD(P) had held several meetings with Mr. Ghorbanifar and identified Mr. Franklin and Mr. Rhode by name. The article also noted the role of Mr. Ledeen. While the article contained several inaccuracies, it generally outlined the issues surrounding the Rome and Paris meetings.

(U) An August 9, 2003, article in the Washington Post followed up on the Newsday article. It contained an August 8, 2003, comment from Defense Secretary Rumsfeld acknowledging what was in fact the Rome meeting, and noted that updated information indicated a second meeting had occurred in June 2003 in Paris. The article offered greater insight into the Rome and Paris meetings, but still contained several inaccuracies and reflected confusion over the details of the two meetings.

(U) The newspaper articles prompted DoD officials to begin documenting the contacts involving Mr. Ghorbanifar. Mr. Rodman prepared a chronology of Iranian contacts for Secretary Rumsfeld on August 11, 2003. The cover letter noted that the chronology only covered the December 2001 Rome meeting because the June 2003 Paris meeting "seems to have taken place without the knowledge of anyone in ISA [International Security Affairs] or Policy."[172] The chronology outlined the events previously described in this report, ending with a reference to the Secretary of State continuing to disapprove of further contacts.

(U) The Pentagon's efforts to fully define the Iranian contacts continued into September. On September 11, 2003, Secretary Rumsfeld requested that Deputy Secretary Wolfowitz provide an answer on the issue that day. He noted that Secretary Powell and National Security Advisor Rice were interested in the response.[173] Mr. Rodman prepared a document for Deputy Secretary

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[171] 2007-1561, DoD IG Rome Meeting Review Source Document #6, CIFA Report, O'Connell interview, and 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 36-42.
[172] 2007-1561, DoD IG Rome Meeting Review Source Document #1, August 2003 Chronology of Events.
[173] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 29, September 11, 2003, Memo to Mr. Wolfowitz from Secretary Rumsfeld on Iran.

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Wolfowitz indicating that the only contacts with Mr. Ghorbanifar of which DoD personnel were aware were the Rome and Paris meetings.[174] Mr. Franklin and Mr. Rhode provided input to this document. A February 2004 chronology prepared by staff from the Office of the Secretary of Defense indicates that in September 2003 Deputy Secretary Wolfowitz advised Mr. Rodman to make clear to Mr. Rhode that he was to get "all potentially sensitive contacts with foreigners approved by Policy,"[175] even though he worked in a different office. In November 2003, DoD officials advised the Committee that the Secretary of Defense had issued a verbal mandate that there would be no further DoD contact with Mr. Ghorbanifar.[176] According to Mr. Ledeen, at some point after the articles on the Rome meeting appeared in the press, DoD personnel, to include Mr. Franklin and Mr. Rhode, were forbidden from speaking with him on the subject of Iran.[177] When interviewed in 2007, neither Mr. Franklin nor Mr. Rodman could recall such a directive regarding Mr. Ledeen.[178]

(U) On September 19, 2003, the Under Secretary of Defense for Intelligence, Stephen Cambone, tasked the Director of the Counterintelligence Field Activity, David Burtt II, to conduct a "thorough, complete, and expeditious" inquiry into the events surrounding any meetings between Mr. Ghorbanifar and DoD personnel. Mr. Cambone noted that the tasking was at the request of the Deputy Secretary of Defense and Under Secretary of Defense for Policy.[179] At the direction of Mr. Cambone, the Counterintelligence Field Activity halted its inquiry on October 21, 2003. A March 2007 DoD IG report indicates that Mr. Cambone halted the investigation because the information collected by the Counterintelligence Field Activity was satisfactory and there was no need to continue the inquiry.[180]

(U) The final version of the Counterintelligence Field Activity's report indicated that its staff conducted 19 interviews of DoD personnel, reviewed open source materials, and reviewed documentation from the interviewees and other sources. The report stated that at the time the inquiry was discontinued, no violations of law had been identified. The *Scope of Inquiry* section of the report, however, contained the following comments on the limitations placed on the Counterintelligence Field Activity:

> (U) Pursuant to direction from the offices of DoD General Counsel and USD(I) [Under Secretary of Defense for Intelligence], the inquiry has been limited in scope. The inquiry has been restricted to interviews of some of the principal DoD personalities identified in news articles as being associated with this matter and

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[174] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 30, September 11, 2003, Memo from Mr. Rodman to Mr. Wolfowitz on Iran Contacts.
[175] 2004-1675, April 16, 2004, letter from the Assistant Secretary of Defense for Legislative Affairs, Tab 1, February 2004 Chronology. NOTE: This reference indicates that during the month of August 2003 Mr. Rhode continued to receive phone calls and faxes from Mr. Ghorbanifar as a result of the Paris meeting, but did not pursue the matter further.
[176] 2004-0523, November 5, 2003 staff memo on October 29, 2003 meeting w DoD Officials, page 9.
[177] 2004-1853, Transcript of April 21, 2004, Staff Interview of Mr. Ledeen, pages 34-35.
[178] 2008-0836, Memorandum for the Record, September 27, 2007, Staff Interview of Mr. Rodman , page 4, and Memorandum for the Record, October 3, 2007, Staff Interview with Mr. Franklin, page 4.
[179] 2007-1561, DoD IG Rome Meeting Review Source Document #5, September 19, 2003, Memo from Under Secretary Cambone to Director, Counterintelligence Field Activity.
[180] 2007-1142, March 6, 2007, DoD IG Report, *DoD Involvement with the Rendon Group*, page 7.

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their supervisors, review of material voluntarily provided by interviewees, review of records from DoD agencies, and open source information.

(U) Analysis of the information obtained by this limited scope inquiry, suggests there are several interviews of people both internal to DoD and external to DoD that have not been completed and would likely corroborate and/or enhance the information obtained to date. Analysis also suggests there are records and information possessed by the CIA that would likely corroborate and/or enhance the information obtained to date. The offices of the USD(I) and DoD General Counsel have advised CIFA not to conduct the key interviews CIFA has recommended. The DoD Office of General Counsel has not forwarded CIFA's letter to the CIA, which was drafted for DoD General Counsel review and dissemination.[181]

(U) The final CIFA report contained a list of seven unresolved issues. These included:

- A National Security Counsel staff report of a possible third meeting between Mr. Rhode and Mr. Ghorbanifar in early October 2003[182],
- The lack of follow-up with the CIA,
- The lack of understanding of the role of the Office of the Vice President or the role of the National Security Counsel in the Rome and Paris meetings
- No independent corroboration of the information or timelines provided by DoD personnel involved in the two known meetings with Mr. Ghorbanifar, and
- The lack of information on the involvement of the foreign government in the Rome meeting.[183]

(U) The most significant matter raised in the Counterintelligence Field Activity's report was the possibility that Mr. "Ghorbanifar or his associates are being used as agents of a foreign intelligence service to leverage his continuing contact with Michael Ledeen and others to reach into and influence the highest levels of the U.S. Government."[184] The report noted that there were multiple occasions where information from Mr. Ghorbanifar entered U.S. Government channels via Mr. Ledeen. These channels included personnel from the Federal Bureau of Investigation, CIA, DoD, the White House, and Congress. As a result, Mr. Ghorbanifar was able to communicate with U.S. Government officials via Mr. Ledeen without having direct contact. While the report concluded that Mr. Ledeen was likely unwitting of any counterintelligence

[181] 2007-1561, DoD IG Rome Meeting Review Source Document #6. NOTE: The DoD was provided a series of questions in July 2007 that requested clarification on the content of and response to the 2003 Counterintelligence Field Activity review. Also, in September 2007, Chairman Rockefeller requested that DoD provide the Committee with copies of the materials collected and created by the Counterintelligence Field Activity during their 2003 review. To date, a response on this issue has not been forthcoming.

[182] 2007-1561, DoD IG Rome Meeting Review Source Document #6, CIFA Report. The possible third meeting was reported by National Security Council staff who believed Mr. Rhode and Mr. Ghorbanifar were part of a North Atlantic Treaty Organization meeting in Rome in early October 2003. Mr. Ledeen was confirmed to be at the October 2003 meeting, but interviews and a review of travel records by the Counterintelligence Field Activity could neither prove nor disprove that Mr. Rhode attended.

[183] 2007-1561, DoD IG Rome Meeting Review Source Document #6, CIFA Report.

[184] *ibid*

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issues related to his relationship with Mr. Ghorbanifar, their association was widely known, and therefore it should be presumed other foreign intelligence services, including those of Iran, would know. The *Inquiry Conclusion* section of the report noted that pursuing this issue was outside the scope of their tasking and would require collaboration with the Federal Bureau of Investigation and CIA. To address the matter, however, the report contained the following recommendations: [185]

- A comprehensive inter-agency analysis be conducted of CI [counterintelligence] implications related to the ability of Mr. Ghorbanifar or his associates to directly or indirectly influence or access U.S. Government officials.
- An attempt be made to map Mr. Ghorbanifar's relationship within Iranian elite social networks and, if possible, his contacts with other governments and/or intelligence organizations.
- In conjunction with the FBI and CIA, an evaluation of the potential for exploitation of Mr. Ghorbanifar's activities in the context of a campaign against the Iranian intelligence services.
- Attempt to exploit contacts with DoD, particular (sic) those with OUSD(P) officials, by putting a CI program in place in ODUSD [Office of the Deputy Under Secretary of Defense] (International Affairs).[186]

Conclusions

(U) According to DoD officials, the Rome meeting arose within the unique set of circumstances created by the post-September 11, 2001 environment, allegations that the Iranians offering to provide information had precluded CIA involvement, and the belief that the CIA would be unwilling to pursue information made available through either Mr. Ledeen or Mr. Ghorbanifar. The Committee's review of applicable laws and regulations indicates that Deputy National Security Advisor Hadley and Deputy Secretary Wolfowitz acted within their authorities in directing DoD personnel to attend the Rome meeting. The final version of the Counterintelligence Field Activity's report also identified no violations of law regarding the DoD contacts with Mr. Ghorbanifar as of the date their review was halted.

(U) Officials from the DoD made inquiries into the appropriate course of action for involving the CIA when it was believed the Iranians wished to defect. Once the Iranians' true intent became known, however, there was no further attempt to coordinate with Intelligence Community personnel until after the trip had taken place. The reason provided for this course of action was direction from Deputy National Security Advisor Hadley and Deputy Secretary Wolfowitz to keep the meeting close-hold until the DoD could make a determination on the value of the contact and how it should be pursued further.

(U) The involvement of a foreign government intelligence service and alleged current and former Iranian security service personnel in the Rome meeting was an indicator of Intelligence Community equities in the activity. The DoD's dependence on Mr. Ledeen to organize the

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[185] *ibid*

[186] Staff discussion with DoD IG personnel indicated there was no DoD response to these recommendations, and to date, the DoD has not provided a requested response to this issue.

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Rome meeting, and failure to research in advance his avenues for arranging the meeting and the background of the participants, however, resulted in the DoD officials who decided on how the meeting would be undertaken being unaware of the involvement of the foreign government and Mr. Ghorbanifar. Once the information was collected, however, the DoD's immediate response was to limit the ability of DIA Director Wilson to evaluate it. He was not allowed to retain the information for evaluation by the DIA or to run name traces on the Iranian participants, and he was not made aware of foreign government involvement and the potential that they were pursuing additional contacts with the Iranians.

(U) Mr. Franklin had a portion of the information collected in Rome evaluated, and forwarded the results to U.S. forces in Afghanistan. He considered this information to be "actionable intelligence."[187] The U.S. Government never processed the remaining information to determine its potential value or the benefit of continued contact with the Iranians. In April 2002, four months after the Rome meeting, the Defense HUMINT Service received an "executive referral" from the Office of the Secretary of Defense to meet with Mr. Ledeen. The Defense HUMINT Service contact memorandum outlined the Rome meeting as recalled by Mr. Ledeen, and requested name traces on the two Iranians, but noted that Mr. Ledeen had repeatedly declined to provide details such as specific names, locations, and contact information until the DoD decided whether or not to pursue the contact.[188] Information provided by the DoD in March 2008 indicates that after the interview of Mr. Ledeen, the Defense HUMINT Service contacted the CIA and learned that Mr. Ledeen regularly approached his U.S. Government contacts with various proposals he deemed of interest. The Defense HUMINT Service determined that no further contact with Mr. Ledeen was warranted or advisable.[189]

(U) There can be varying opinions on the extent to which the Rome and Paris meetings represented intelligence information collection. For example, DoD IG interviews conducted during their review of the OUSD(P) produced differing opinions based on the interviewee's interpretation of intelligence collection.[190] Even Mssrs. Franklin and Rhode reached differing conclusions on what the information they collected represented. Mr. Rhode advised the Committee that he viewed the information received not as intelligence, but data to help understand what was going on in Iran.[191] Mr. Franklin stated that he viewed the information in his meeting summary as "intelligence or information that I thought was useful to intelligence agencies..."[192] In addition, Mr. Franklin opined to Counterintelligence Field Activity personnel that after his return from Rome the situation changed from debriefing Iranians to them being intelligence sources.[193]

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[187] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, page 40.
[188] 2007-1561, DoD IG Rome Meeting Review Source Document #4, Undated DIA Contact Memorandum on Office of the Secretary of Defense Executive Referral.
[189] 2008-1182, March 12, 2008 DoD Response to Questions for the Record, Question #14.
[190] 2007-1561, DoD IG interviews with [DoD Officer #3], Wolfowitz, and [DoD Officer #2], and 2003-2975, June 28, 2003 letter from Under Secretary Feith to Chairman Roberts on the cell set up in his office to review intelligence.
[191] 2004-0797, Transcript of April 20, 2004, Staff Interview of Mr. Rhode, pages 12 and 32.
[192] 2004-1809, Transcript of April 23, 2004, Staff Interview of Mr. Franklin, page 37.
[193] 2007-1561, DoD IG Rome Meeting Review Source Document #3, CIFA Report, Franklin interview.

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(U) In sum, the Rome meeting represented information gathering on Iran by DoD policy personnel with an intent to determine its potential intelligence value after the fact. This determination was never made. Iran is a denied area where the Intelligence Community has limited sources of information. Greater inclusion of the Intelligence Community might have resulted in a direct attempt by the Community to pursue further information from the Iranians, or an attempt to determine if the foreign government was developing a conduit to potentially valuable Iranian sources. While some DoD officials lament the failure to pursue this avenue of information further, their decision-making upon the return of the DoD personnel from Rome was a contributing factor.

(U) Based on its review, the Committee has reached the following conclusions:

Conclusion #1: Deputy National Security Advisor Hadley failed to inform DCI Tenet and Deputy Secretary of State Armitage of the full nature of the planned contact with the Iranians in Rome, to include the involvement of Mr. Ledeen and Mr. Ghorbanifar in proposing and facilitating the meeting.

Conclusion #2: The role Mr. Ledeen played as interlocutor for Mr. Ghorbanifar and in setting up the Rome meeting, and potentially the Paris meeting, was inappropriate. There is no indication that the Iranian officials attending the Rome meeting refused to meet with CIA officials. It is likely that this allegation was used by Mr. Ledeen, Mr. Ghorbanifar or others as a means of circumventing the Intelligence Community's knowledge of and involvement in the meeting given the CIA's fabrication notice against Mr. Ghorbanifar. Also, Mr. Ghorbanifar, aided by Mr. Ledeen, used the opportunity presented at the Rome meeting to propose an agenda for regime change in Iran directly to DoD officials, including a proposal for U.S. funding of covert activities.

Conclusion #3: The decision by Deputy National Security Advisor Hadley and Deputy Secretary Wolfowitz to keep the Rome meeting close hold was ill-advised. The Decision prompted DoD officials not to coordinate their activities with the Ambassador or other U.S. Embassy officials prior to meeting with the Iranians and Mr. Ghorbanifar, and led to the withholding of pertinent information from the Intelligence Community and the Department of State both before and after the meeting.

Conclusion #4: DoD officials collected potentially useful and actionable intelligence information during the Rome meeting. Unfortunately, senior DoD officials would not allow this intelligence to be placed into proper Intelligence Community channels once it was collected. As a result Intelligence Community officials never became fully aware of the information provided by the Iranians, the full involvement of the foreign government and foreign government intelligence service, or Mr. Ghorbanifar's attempts, repeated at the Paris meeting, to convince DoD officials to fund covert activities in Iran.

Conclusion #5: The limitations placed by Deputy Secretary Wolfowitz on DIA Director Wilson's access to the intelligence information collected in Rome were particularly inappropriate.

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Conclusion #6: The actions of Under Secretary of Defense for Intelligence Cambone and the DoD Office of General Counsel to limit the scope of the Counterintelligence Field Activity inquiry prevented a full understanding of the contacts between Mr. Ghorbanifar and U.S. Government officials and a thorough assessment of the counterintelligence issues related to these contacts.

Conclusion #7: The decision of Under Secretary Cambone to terminate the Counterintelligence Field Activity inquiry into the meetings between DoD officials and Mr. Ghorbanifar was premature.

Conclusion #8: The senior leadership of the DoD failed to implement the recommendations of the Counterintelligence Field Activity to conduct an inter-agency analysis of the counterintelligence implications of Mr. Ghorbanifar and his ability to directly or indirectly influence U.S. Government officials.

Recommendations

(U) Recommendation #1: (For the Director of National Intelligence) In coordination with the Under Secretary of Defense for Intelligence as appropriate, determine whether there is a need to update current DoD regulations, Intelligence Community Directives, or Intelligence Community agreements with the DoD to clarify the requirements for DoD Policy officials to coordinate their activities with the Intelligence Community. Provide the appropriate Congressional oversight committees with the outcome of this determination no more than 90 days after the issuance of this report.

(U) Recommendation #2: (For the Director of National Intelligence) Direct the National Counterintelligence Executive, in coordination with other appropriate Intelligence Community entities, to prepare a report on the U.S. Government's policies and procedures for identifying and countering attempts by foreign agents or entities to directly or indirectly influence or access U.S. Government officials. Such a report should cover the procedures for U.S. Government employees to report foreign contacts[194], the utilization and effectiveness of those procedures, the steps taken to analyze the information collected, and the actions resulting from that analysis to counter future attempts to influence the U.S. Government. This report should be provided to the appropriate Congressional oversight committees no later than September 30, 2008.

[194] Note that the Committee's review did not evaluate the requirement for Mssrs. Franklin and Rhode to report their contact with the Iranians because, like the requirement for country clearance, they believed that issue had been addressed by the involvement of senior U.S. Government officials.

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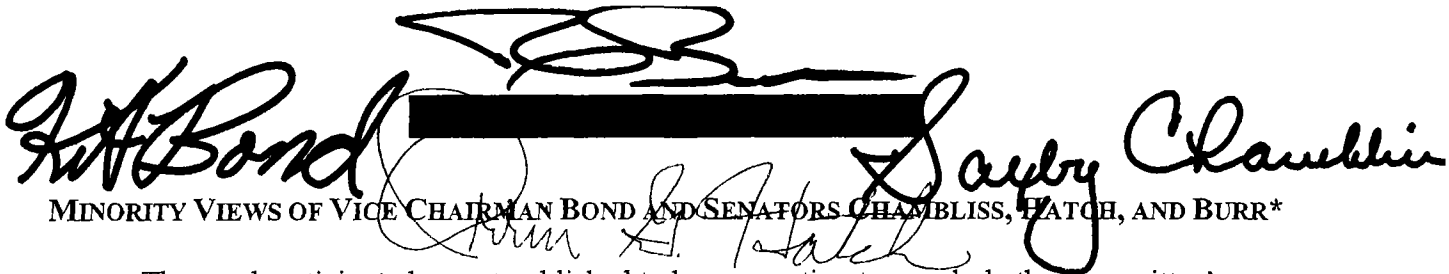

MINORITY VIEWS OF VICE CHAIRMAN BOND AND SENATORS CHAMBLISS, HATCH, AND BURR*

The much anticipated report published today purporting to conclude the Committee's inquiry into "*any intelligence activities relating to Iraq conducted by the Policy Counterterrorism Evaluation Group (PCTEG) and the Office of Special Plans within the Office of the Under Secretary of Defense for Policy*" will be a disappointment to those who have been expecting that the Committee would uncover wrongdoing by the Office of the Under Secretary of Defense for Policy (OUSDP).

In spite of comments from the Chairman of this Committee twice alleging that the OUSDP, or its former head, Under Secretary of Defense Doug Feith, may have engaged in unlawful activities, the report released today found nothing to substantiate that claim; nothing unlawful about the alleged "rogue intelligence operation" in the PCTEG, nothing unlawful about the Office of Special Plans, and nothing unlawful about the so-called failure to inform Congress of alleged "intelligence activities."

Just last year, the Chairman released a press statement following the release of a Department of Defense Inspector General report into the OUSDP claiming that it appeared that the office's activities were "not in compliance with the law." Press reports at the time noted that the Chairman vowed to pursue the issue in the Committee. In 2004, the Chairman accused the Under Secretary of Defense for Policy of "efforts to run intelligence past the intelligence community" and wondered "was he running a private intelligence failure [sic], which is not lawful." Yet, rather than pursue these allegations, the Chairman directed that this portion of the Committee's inquiry focus on an issue unrelated to either office identified in the Committee's terms of reference or the DoD Inspector General report. Despite allegations that the OUSDP may have contributed to faulty intelligence on Iraq, he decided to pursue an issue unrelated to intelligence and unrelated to Iraq. He pursued an inquiry of an exploratory meeting held in Rome in 2001 between two Department of Defense officials and two Iranians about ***Iran*** (hereafter called the "Rome meetings").

As the majority report clearly shows, the Rome meetings occurred in December 2001, nearly a year before the Office of Special Plans even existed. While the PCTEG did exist at the time of the Rome meetings, it was a two person group involved in other work and neither of these individuals was involved in the Rome meetings. While one of the Rome meeting participants did join the Office of Special Plans after it was formed, his activities pertaining to the Rome meetings had ceased many months before. The other Rome meeting participant was not even an employee of OUSDP. In fact, the Rome meetings had very little to do with the Office of the Under Secretary of Defense for Policy at all, and had almost nothing to do with former Under Secretary of Defense Doug Feith.

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* I concur with the Vice Chairman's views on the substance of the report as well as the Minority's amendments. I am unable to comment on any Phase I or Phase II activities that preceded my membership on this Committee.

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We cannot explain why the Chairman would direct the Committee to undertake a review unrelated to the task outlined in the terms of reference after four years of arguing for the necessity of the Committee completing this portion of Phase II, and after vociferously criticizing the previous Chairman for his effort to move the review along by asking the Department of Defense Inspector General to examine the issue. The Chairman claimed on numerous occasions that the Inspector General was not a substitute for the Committee's work, but nearly a year after the release of the Inspector General's findings, the Committee has done nothing to pursue that effort.

At the Committee's business meeting to vote on this report, the Chairman told the members of the Committee that he and the previous Chairman had agreed that the Rome meetings would be included as part of Phase II, but a 2006 letter from then-Chairman Roberts belies that claim. In the letter, Chairman Roberts restated the Committee's agreed upon terms of reference and added:

> You have asked to restart the Committee investigation into the Pentagon's Rome meetings. Clearly, this does not fall within the scope of Phase II. As you know, the Committee reviewed this issue nearly three years ago and found that it involved Iran and not Iraq. In addition, the Committee found nothing which required additional investigation.

One would imagine that to go to such great lengths to abandon the Committee's terms of reference and abandon an investigation of offices and activities which Chairman Rockefeller himself alleged to have been potentially "unlawful," the Rome meetings would have involved even more wrongdoing. The majority report released today, however, shows that this was not the case. The majority report shows that there was nothing unlawful about DoD's, or any other entity's, role in or conduct during the Rome meetings.

The majority's report states:

> The Committee's review of applicable laws and regulations indicates that Deputy National Security Advisor Hadley and Deputy Secretary Wolfowitz acted within their authorities in directing DoD personnel to attend the Rome meeting.

Ironically, after all of the allegations of unlawful activities, rather than state this prominently as one of the eight main conclusions, this most significant finding is buried in a summary paragraph.

Instead, the report's eight conclusions are dedicated to vague allegations of "inappropriate" activities or of failures by administration officials with little explanation to justify such claims. For example, the report concludes that Deputy National Security Advisor Steven Hadley "failed" to inform Director of Central Intelligence Tenet and Deputy Secretary of State Armitage of the full nature of the planned contact with the Iranians in Rome. The

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conclusion does not make clear several relevant factors including that: (1) Mr. Hadley was not required to notify either individual; (2) although not required to do so, he notified Tenet and Armitage of the information he had including, apparently, that the Iranians allegedly had threat information and that the meeting would take place in Europe; and (3) despite receiving this information, apparently, neither Tenet nor Armitage asked any follow up questions to obtain additional information. Yet, the majority has concluded that Mr. Hadley "failed."

Other conclusions argue that Mr. Ledeen's role in facilitating the Rome meeting was "inappropriate" with no explanation as to why, and that the decision by Deputy Secretary of Defense Wolfowitz to keep the Rome meeting close-hold was "ill-advised," because it led to the alleged "withholding of pertinent information from the intelligence community," something the report explicitly shows is not true. The same information obtained during the Rome meeting was later provided to the Defense Intelligence Agency (DIA). None of the conclusions in the majority report has merit or substance—as the text of the report makes clear.

The majority seems to have borrowed an idea from the Department of Defense Inspector General in outlining vague notions of "inappropriate" activity without defining "inappropriate" or explaining the reasoning behind such accusations. After four years of making unsubstantiated allegations of unlawful activities, the calculus appears to be that proclamations of "inappropriate" behavior will generate the desired headlines focusing only on the caustic words, rather than the lack of substance or lack of evidence behind them. We hope that these additional views will help redirect that focus to the evidence, or lack thereof.

There are too many problems with this report to highlight them all in these minority views. We will, therefore, attach the amendments filed by the Vice Chairman on behalf of the minority. Although these amendments were filed by the required filing deadline, the Chairman refused to allow consideration of any of them at the business meeting to vote on the reports. We highlight the following areas in which the report is particularly inadequate and makes unsupported claims.

First, in several areas the report claims that Director of Central Intelligence Tenet and Deputy Secretary of State Armitage were "not provided with significant details regarding the proposed meeting." As noted above, Deputy National Security Advisor Hadley provided both individuals with the information he knew. He did not have detailed information because the meetings were exploratory—to find out what information the two Iranians involved had and to make a determination about whether their information was worth pursuing further. The report alleges that the information was insufficient, yet does not make clear why if either individual thought the information was insufficient, he did not ask the Deputy National Security Advisor for additional details.

The Committee failed to interview Mr. Armitage to ask him this question or whether he believed the information was insufficient. An interview with Mr. Tenet, conducted over the phone (at the request of the minority but with only majority staff present) two days before the originally scheduled vote on the report, did not provide a sufficient response to this question. Mr. Tenet apparently did not think the information was sufficient, but he did not request additional details of Mr. Hadley, according to the majority's memorandum for the record,

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because he did not want to stand in the way of "collecting threat information." If minority staff had been included in such a discussion they would have pressed Mr. Tenet to explain why asking a simple follow-up question would stand in the way of collecting threat information.

In several places, the majority report makes leaps of logic that are also not supported by the evidence. In the body and again in the conclusions, the report questions whether the Iranians involved in the Rome meetings really did not want to meet with the CIA, as numerous interviews and documents indicate Mr. Ledeen told Mr. Hadley. The report alleges that Mr. Ledeen fabricated this claim to circumvent the intelligence community, citing testimony from the two DoD officials who participated in the Rome meeting that the issue of whether or not the Iranians were unwilling to meet with the CIA did not come up during the meetings. However, the fact that such an issue did not come up during the Rome meetings does not clarify one way or the other whether the Iranians really were unwilling to meet with the CIA. As the DoD informed the Committee in March 2008, in response to staff questions,

> If none of the participants expressed reservations at the Rome meeting about CIA involvement, as the Committee staff states in this question, this would seem to have little or no significance considering that the CIA in fact did not participate in the meeting, ... thus there would have been no obvious reason why this subject should have arisen at the exploratory Rome meeting.

This response was excluded from the majority report. With no evidence whatsoever, the majority report extrapolated a scenario in which Mr. Ledeen lied to circumvent the CIA. That is good material for conspiracy theorists, but not suitable for a report of the Senate Intelligence Committee.

Several areas of the report also claim that the "limited awareness of the Rome meeting within the CIA and the State Department ... would have a significant impact on the ultimate outcome of this activity." The implication of these comments throughout the report is that it was DoD's secrecy that kept the information from being pursued by the CIA. This suggestion is not supported by any evidence in the majority report. On the contrary, according to the information in the report, the CIA and Department of State did not want to be involved in any activities that involved Mr. Ghorbanifar, and the CIA only reluctantly agreed to be involved with Mr. Ledeen, but, according to Mr. Tenet, regarding only activities not related to the Iranians involved in the Rome meetings. Had the Rome meeting not been kept limited, the only likely outcome would have been that the meeting would not have taken place at all, a significant impact to be sure, but not the one alleged in the majority report.

The report also claims that the government "never processed the remaining information [obtained at the Rome meeting] to determine its potential value or the benefit of continued contact with the Iranians," a claim not borne out by the facts in the majority's own report. In addition to bringing the information to the attention of the Director of the DIA, the Office of the Secretary of Defense referred the information to the DIA's Defense HUMINT Service (DH) directly, by putting them in contact with Mr. Ledeen. A contact memorandum from that meeting indicates that the names of the Iranians and the information they provided at the Rome meeting were shared with DH and that Mr. Ledeen offered to provide additional information the DH

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deemed necessary, once a decision to pursue the contact had been made. The report also requested name traces on the two individuals and guidance from DIA on how to proceed. The DH contacted the CIA about the information, but because the CIA told the DH that Mr. Ledeen regularly approached government contacts "with various proposals he deemed of interest," the DH determined that no further contact was warranted or advisable. Contrary to the claims in the majority report, the government did pursue the information and determined that it was not advisable to pursue further contact. The majority report's "Conclusion 4," which claims that senior DoD officials "would not allow" this information to be placed in proper intelligence channels once it was gathered, is fallacious, particularly in light of the fact that these senior officials specifically referred Mr. Ledeen to the DIA.

One of the more egregious omissions from the report is testimony from individuals directly involved in these issues because the Committee chose not to interview them. As noted earlier the Committee never sought an interview with Deputy Secretary of State Armitage and only interviewed Director of Central Intelligence Tenet at the eleventh hour, at the request of the minority and without any minority staff present. The Committee did not interview Deputy National Security Advisor Hadley, yet the Committee recounts conversations among these three individuals, quoting books and questions for the record rather than taking the time to talk to them directly. The review staff never interviewed Mr. Rhode, one of only two DoD officials to attend the Rome meeting. While Mr. Rhode had been interviewed by other Committee staff in 2004, several areas in need of clarification remain outstanding because of the failure to re-interview this key participant. The U.S. Ambassador to Rome, Mel Sembler, was not interviewed, nor was Under Secretary of State Mark Grossman, both integral to understanding fully false allegations that DoD was involved in a covert action.

Overall, we are at a loss to explain why the Chairman went to such great lengths to investigate this issue, only to publish an incomplete report riddled with unsubstantiated claims, which, in the end, refutes his allegations of unlawful activities. It was a complete waste of time and should never have been part of the Committee's Phase II investigation.

CHRISTOPHER S. BOND
SAXBY CHAMBLISS
ORRIN G. HATCH
RICHARD BURR

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Appendix A

Filed Amendments on Phase II Report:

Any Intelligence Activities Relating to Iraq Conducted by the Policy Counterterrorism Evaluation Group (PCTEG) and the Office of Special Plans within the Office of the Under Secretary of Defense for Policy

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Amendment 2

Page 2, third full paragraph - *The Committee's updated terms of reference called for a review of any intelligence activities relating to Iraq conducted by the Policy Counterterrorism Evaluation Group and the Office of Special Plans within the OUSD(P). The Policy Counterterrorism Evaluation Group was a two person group created in November 2001, after discussions on how to pursue the Rome meeting were already underway in the OUSD(P). No members of that group participated in the meetings that are the subject of this report. The Office of Special Plans was created in October 2002, after the Rome meeting had taken place. One participant in the Rome meeting did join the Office of Special Plans after it was formed, but his activities surrounding the Rome meeting had been completed months before. As noted in the February 2007 DoD IG report, however, "[t]he term OSP [Office of Special Plans] has become generic terminology for the activities of the OUSD(P), including the Policy Counterterrorism Evaluation Group (PCTEG) and Policy Support Office."*

Amendment 2– **strike** *As noted in the February 2007 DoD IG report, however, "[t]he term OSP [Office of Special Plans] has become generic terminology for the activities of the OUSD(P), including the Policy Counterterrorism Evaluation Group (PCTEG) and Policy Support Office."*

Comment – This Committee knows what the Office of Special Plans was and what it was not. We know that it was not a generic term for the policy office, it was not related to the PCTEG, we know that it was not related to the Rome meetings, and most importantly, we knew these things when the terms of reference for Phase II were drafted in February 2004. The Committee should help to clarify any confusion about this for the public and the press, not add to it by repeating the DoD IG's claim that the Office of Special Plans was a "generic term," which we know is incorrect. The Office of Special Plans was a specific office which had nothing to do with these meetings and we should not use public confusion of the issue as an excuse to delve into issues that are clearly outside the scope of what the Committee agreed to examine.

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[redacted]

Amendment 4(a)

Page 2, last partial paragraph - *The December 2001 Rome meeting involved discussions with alleged current and former members of the Iranian security service and a foreign government entity which included the foreign government intelligence service. While the information obtained was related to Iran instead of Iraq, senior OUSD(P) personnel were directed to conduct the Rome meeting and were involved in the decision-making process on how to undertake the meeting, and an OUSD(P) employee attended the meeting. In light of the fact that the DoD IG did not evaluate the propriety of conducting these meetings, Chairman John D. Rockefeller IV directed that the Committee's review of the December 2001 and June 2003 meetings be completed as part of its pre-war intelligence on Iraq inquiry. This report completes the Committee's inquiry into the Rome meeting and the issue of whether the OUSD(P) undertook inappropriate intelligence collection activities.*

Amendment 4(a) – strike *senior OUSD(P) personnel were directed to conduct the Rome meeting and were involved in the decision-making process on how to undertake the meeting, and an OUSD(P) employee attended the meeting. In* and insert in; strike *Committee's* and insert Chairman's; strike *and the issue of whether the OUSD(P) undertook inappropriate intelligence collection activities*

Comment – Whether OUSD(P) personnel were directed to conduct the Rome meeting or an employee attended the Rome meeting is irrelevant. The Committee did not agree to look at the OUSD(P), it agreed to look at the PCTEG and the OSP, neither of which was in any way related to the Rome meetings.

[redacted]

[redacted]

Amendment 4

Page 7, first full paragraph – *Deputy Secretary Armitage and DCI Tenet were not provided with significant details regarding the proposed meeting.*

Amendment 4– **Strike** the above sentence.

Comment – Up until two days before the first business meeting scheduled to vote on this report, none of these individuals had been interviewed to ask them about the information provided or received. Finally, at our urging, former DCI Tenet was interviewed two days before the business meeting, but no minority staffers were included in the meeting and important follow up questions were not asked. It is also not clear whether Mr. Tenet thinks he was provided with inadequate information and, if so, why he did not ask any necessary follow-up questions of Mr. Hadley. We have confidence that if Mr. Tenet or Mr. Armitage needed information, they would have asked for it. We should be asking them about this, rather than taking comments for the report from books and questions for the record. In any case, even using these materials, we have only heard one side of the story. The Committee has not requested to interview Mr. Hadley to hear his recollections of these conversations, despite the fact that there is a conclusion in the report accusing him of having "failed" to fully inform Tenet and Armitage about the meetings – as if there was a requirement to do so. The Committee needs to offer Mr. Hadley the opportunity to respond.

[redacted]

[redacted]

Amendment 7

Page 10, second full paragraph – *The Committee received testimony from Mssrs. Ledeen, Franklin, and Rhode that calls into question the willingness of the Iranians who were met in Rome to deal with the CIA. When Mr. Ledeen was asked whether he had suggested that the Iranians would not meet with the CIA he replied that he did not think so. Mr. Ledeen stated that Iranians to be met in subsequent meetings had made it clear they would not meet with the CIA, but he reiterated that the two Iranians at the Rome meeting had expressed no qualms about dealing with the CIA. Mr. Franklin informed the Committee that neither of the Iranians he met in Rome expressed concerns about who in the U.S. Government they were meeting with. When asked if there had been an indication beforehand that there were limitations on whom the Iranians would talk to, Mr Franklin responded "no." When asked whether it had been conveyed to him during the meeting that the Iranians did not want to deal with the CIA, Mr. Rhode also responded "no."*

Amendment 7 – **strike** *The Committee received testimony from Mssrs. Ledeen, Franklin, and Rhode that calls into question the willingness of the Iranians who were met in Rome to deal with the CIA. When Mr. Ledeen was asked whether he had suggested that the Iranians would not meet with the CIA he replied that he did not think so. Mr. Ledeen stated that Iranians to be met in subsequent meetings had made it clear they would not meet with the CIA, but he reiterated that the two Iranians at the Rome meeting had expressed no qualms about dealing with the CIA. Mr. Franklin informed the Committee that neither of the Iranians he met in Rome expressed concerns about who in the U.S. Government they were meeting with. When asked if there had been an indication beforehand that there were limitations on whom the Iranians would talk to, Mr Franklin responded "no." When asked whether it had been conveyed to him during the meeting that the Iranians did not want to deal with the CIA, Mr. Rhode also responded "no."*

Comment - The comment in the report which says testimony from Mr. Franklin and Mr. Rhode "calls into question" the willingness of the Iranians who were met in Rome to deal with the CIA is not supportable. Neither Mr. Franklin nor Mr. Rhode had any information about this topic at all. They testified only that the issue never came up in their discussions with the Iranians and there is no reason that it should have. The Committee recently received a response from DoD which made the same comments that we have been making on the draft since day one. DoD said specifically "If none of the foreign participants expressed reservations at the Rome meeting about CIA involvement, as the Committee staff states in this question, this would seem to have little or no significance considering that the CIA in fact did not participate in the meeting ... Thus there would have been no obvious reason why this subject should have arisen at the exploratory Rome meeting." If both the Minority and DoD have independently noticed the faulty logic of this claim, readers of the report are sure to do the same.

The testimony from these individuals sheds absolutely no light on the question of whether or not the Iranians really were unwilling to meet with the CIA. Furthermore, the issue is really irrelevant and adds nothing to the report.

[redacted]

[redacted]

Amendment 7(a)

Page 11, penultimate paragraph - *Materials prepared by counsel on behalf of Under Secretary of Defense Feith expressed the view that "[a]lthough the U.S. ambassador to Italy and the CIA* [redacted] *complained that they were not informed about the meeting, it was not the responsibility of the Defense Department to inform them." The material noted that the Deputy National Security Advisor had consulted with the Deputy Secretary of State and the DCI in advance. This response fails to consider that the DCI and Deputy Secretary were not provided enough information to know who to inform of the pending activity.*

Amendment 7(a) - **Strike** *This response fails to consider that the DCI and Deputy Secretary were not provided enough information to know who to inform of the pending activity.*

Comment – We do not believe that the Committee can show that the DCI and Deputy Secretary were not provided with enough information to know whom to inform, particularly since neither Mr. Hadley nor Mr. Armitage was interviewed by the Committee and Mr. Tenet was not asked necessary follow-up questions. If either of these individuals believed they were not provided with enough information, they could have asked questions of Mr. Hadley.

Amendment 7(b)

Page 12, first full paragraph – *The limited awareness of the Rome meeting within the CIA and the State Department, as well as the involvement of the foreign government and Mr. Ghorbanifar, would have a significant impact on the ultimate outcome of this activity.*

Amendment 7(b) - **Strike** *The limited awareness of the Rome meeting within the CIA and the State Department, as well as the involvement of the foreign government and Mr. Ghorbanifar, would have a significant impact on the ultimate outcome of this activity.*

Comment – First, this is a conclusion which should not be in the findings portion of the report. Second, we do not know what the alleged "significant impact on the ultimate outcome" the Rome meeting is alleged to be. The report appears to suggest that the information obtained at the Rome meeting might have been pursued further had the DoD decided to inform more individuals within the CIA and Department of State, a suggestion that is not supported by the evidence in the report.

[redacted]

[redacted]

Amendment 8

Page 13, first partial paragraph - *Also, it is not clear whether the Rome meeting took place in an actual* [redacted].

Amendment 8– **strike** *Also, it is not clear whether the Rome meeting took place in an actual* [redacted] and **insert** In March 2008, the Department of Defense informed the Committee that "the December 2001 Rome meeting did not involve any of these types of visits."

Comment - We believe it is clear that the meeting took place in an apartment building, not a [redacted]. No one has told the Committee that the meeting took place in a [redacted], but several individuals told the Committee that the meetings took place in an apartment and the DoD informed the Committee that the meeting did not take place in a [redacted]. The DoD's statement should be included in the report.

Amendment 13

Page 16 first partial paragraph - *Despite the changing descriptions of foreign involvement, there was no attempt by the DoD, or any other entity of the U.S. Government, to determine the true intentions of the foreign government with regard to interacting with the Iranians or Mr. Ghorbanifar.*

Amendment 13 – **strike** the above sentence.

Comment – We do not understand what this sentence is trying to suggest and do not understand why anyone would be concerned about the "true motives" of the foreign government. Is the suggestion that we need to be concerned that the foreign government had an ulterior or nefarious motive? The foreign government is one of our closest allies, often assisting us with all types of government issues—they even assist us in war. Why would DoD think the foreign government had a mysterious motive?

Also, we do not think it is accurate to say that the descriptions of the foreign government involvement were "changing." Changing suggests that the same individuals we interviewed gave us different and evolving descriptions of their involvement. In fact, we received different descriptions of their involvement from different people, none of whom really seemed to know exactly what the foreign government gained from helping in this regard. Perhaps no one felt a need to ask one of our closest allies why they were helping us.

[redacted]

[redacted]

Amendments 15 and 16

Page 18, first full paragraph – *As noted above, in early December 2001 Mr. Hadley had mentioned to DCI Tenet that the DoD might meet with Iranians in Europe to discuss terrorist threat information. The DCI had no details, however, on the location of the meeting or its participants. For that reason, during a January 14, 2002, meeting in the DCI's office that included* [redacted] *senior CIA officials, the CIA participants were surprised when the foreign government intelligence service asked if they were aware of DoD officials "coming to Italy to talk about Iran."*

Amendment 15– **strike** the first sentence above.

Comment– It is not correct to say that the DCI had "no details" on the location of the meeting or its participants. He was told that the meeting would be in Europe, was told that the meeting was with Iranians, and Mr. Tenet says that he was told that the meeting would involve some kind of terrorist threat information. Mr. Tenet could have asked for more details if he thought the information was insufficient and he chose not to do so. The Committee should have pressed Mr. Tenet for details on why he chose not to ask for such information. In addition, the Committee has never requested an interview with Mr. Hadley to ask if he provided any more information to Mr. Tenet.

Amendment 16 – **strike** *For that reason, during* and insert During

Comment – In addition, we dispute the cause and effect suggestion of this paragraph. We suggest just describing what happened at the meeting and explaining how inquiries from the foreign government intelligence service led to additional inquires by the CIA, rather than trying to suggest that DoD was obligated to tell CIA what they were doing in Rome—which they were not. Perhaps the reason that the participants were surprised was because Mr. Tenet did not ask any follow-up questions of Mr. Hadley and did not inform his staff of the information he had been provided. For example, Mr. Tenet was informed that the meeting would take place in Europe, but he did not inform the CIA's Europe Chief who attended the meeting with the foreign government service.

Amendment 18

Page 21, first partial paragraph – *As noted above, Director Wilson had not been allowed to retain a copy of the summary.*

Amendment 18– **strike** *As noted above, Director Wilson had not been allowed to retain a copy of the summary.*

Comment – "Allowed" makes it sound like Director Wilson wanted to have a copy of the Rome meeting summary and we do not know that he did want a copy because we have not interviewed him.

[redacted]

[redacted]

Amendment 22

Page 25, second full paragraph - *Without an understanding of the deliberations over further DoD contact with Mr. Ghorbanifar and his Iranian contacts, Mr. Marshall approved Mr. Rhode's trip to Paris and the meeting with Mr. Ghorbanifar.*

Amendment 22 – **strike** *Without an understanding of the deliberations over further DoD contact with Mr. Ghorbanifar and his Iranian contacts,*

Comment – Without having interviewed Marshall, we have no basis for suggesting that it was his lack of understanding of these deliberations that led him to approve Rhode's trip. We should either interview him, or delete the beginning of this sentence and just say he approved the trip.

Amendment 25

Page 26, last partial paragraph – *According to Mr. Rhode's notes from the meeting, which were provided to the Committee, also present at the meeting was an Ayatollah*[redacted].

Amendment 25 – **strike** the above sentence.

Comment – Who is Ayatollah[redacted]? Why bring this up if we don't say who he is? If we don't know who he is we should interview Mr. Rhode to ask him, or delete this reference. If we do know who he is, we should say so.

Amendment 26

Page 27, first full paragraph – to page 28, first partial paragraph - *There is no indication that the information collected during the Paris meeting was shared with the Intelligence Community for a determination of potential intelligence value.*

Amendment 26 – **strike** the above sentence.

Comment - The sentence in this section suggests that the information gained during discussions in Paris between policy officials and other individuals should have been put into intelligence channels, but this was not intelligence information and Mr. Rhode was under no obligation to provide it to the intelligence community.

[redacted]

[redacted]

Amendment 27

Page 27, last full paragraph – *He added his belief that Mr. Luti and DoD Employee #2 had told him in early 2002 that the activity had been shut off, which meant that he would have no further contact with Mr. Ghorbanifar or the Iranians.*

Amendment 27 – **insert** after the above sentence Mr. Rhode also told CIFA that he believed he would have to ask before meeting with Ghorbanifar again.

Comment – This amendment is merely seeking to add additional and relevant information from the same memorandum for the record already cited in the report. It appears, based on Mr. Rhode's additional comment to DoD's Counterintelligence Field Activity (CIFA), that Mr. Rhode believed he would have to ask before meeting with Ghorbanifar again, which he did, and not, as the draft indicates, that he would have absolutely no further contact with Ghorbanifar. If the staff believes that there is a possible contradiction in the MFR, the Committee should interview Mr. Rhode to ask him about this, rather than simply choosing only one of two relevant sentences for inclusion in the report.

[redacted]

[redacted]

Amendment 28

Page 31, last partial paragraph - page 32, first partial paragraph - *The involvement of a foreign government intelligence service and alleged current and former Iranian security service personnel in the Rome meeting was an indicator of Intelligence Community equities in the activity. The DoD's dependence on Mr. Ledeen to organize the Rome meeting, and failure to research in advance his avenues for arranging the meeting and the background of the participants, however, resulted in the DoD officials who decided on how the meeting would be undertaken being unaware of the involvement of the foreign government and Mr. Ghorbanifar. Once the information was collected, however, the DoD's immediate response was to limit the ability of DIA Director Wilson to evaluate it. He was not allowed to retain the information for evaluation by the DIA or to run name traces on the Iranian participants, and he was not made aware of foreign government involvement and the potential that they were pursuing additional contacts with the Iranians.*

Amendment 28 – **strike** the entire section above.

Comment – We disagree with many of the claims in this paragraph. How could the involvement of the foreign government intelligence service and former Iranian intelligence individuals have been an indicator of intelligence equities when none of the DoD participants knew there were intelligence people involved before they went? That was the purpose of having an exploratory meeting, to find out more about the individuals, what they knew and what they had to offer.

Why should DoD have researched Mr. Ledeen's "avenues for arranging the meeting or the background of the participants?" Why does it matter if DoD officials were unaware of Ghorbanifar's involvement or the foreign government's involvement before they went? Again, the purpose of the meeting was "exploratory."

It simply is not true that DIA Director Wilson was not able to run name traces or fully evaluate the information. Initially, he was asked to hold off on doing so, so that DoD could determine how they wanted to proceed with further actions, but the information was passed to DIA in April 2002. DIA had ample opportunity to pursue this information from that time forward and could have done so. In fact, because an individual at the CIA was also assigned to meet with Mr. Ledeen, the CIA also could have pursued the information. If the Committee thinks the information was valuable and should have been pursued, why did the Committee not interview CIA and DIA officials to ask why they chose not to pursue it?

[redacted]

[redacted]

Amendment 29

Page 32, first full paragraph - *The U.S. Government never processed the remaining information to determine its potential value or the benefit of continued contact with the Iranians. In April 2002, four months after the Rome meeting, the Defense HUMINT Service received an "executive referral" from the Office of the Secretary of Defense to meet with Mr. Ledeen. The Defense HUMINT Service contact memorandum outlined the Rome meeting as recalled by Mr. Ledeen, and requested name traces on the two Iranians, but noted that Mr. Ledeen had repeatedly declined to provide details such as specific names, locations, and contact information until the DoD decided whether or not to pursue the contact. Information provided by the DoD in March 2008 indicates that after the interview of Mr. Ledeen, the Defense HUMINT Service contacted the CIA and learned that Mr. Ledeen regularly approached his U.S. Government contacts with various proposals he deemed of interest. The Defense HUMINT Service determined that no further contact with Mr. Ledeen was warranted or advisable.*

Amendment 29 – **strike** the above paragraph.

Comment - The comments in this paragraph are simply not accurate. The U.S. Government did process the information pertaining to the Rome meetings. In April 2002, Mr. Ledeen met with the Defense Intelligence Agency as a referral from the Policy office. A contact memorandum prepared after the meeting shows that Mr. Ledeen provided DIA with the names of the Iranians and the same threat information provided to the participants during the Rome meeting. The contact memorandum also indicated that name traces were requested, as well as further guidance on how to proceed. We do not know what else DIA did to process the name traces or what further guidance was provided in cable traffic because the Committee never asked DIA for this information.

[redacted]

[redacted]

Amendment 31

Page 32, second full paragraph - *There can be varying opinions on the extent to which the Rome and Paris meetings represented intelligence information collection. For example, DoD IG interviews conducted during their review of the OUSD(P) produced differing opinions based on the interviewee's interpretation of intelligence collection. Even Mssrs. Franklin and Rhode reached differing conclusions on what the information they collected represented. Mr. Rhode advised the Committee that he viewed the information received not as intelligence, but data to help understand what was going on in Iran. Mr. Franklin stated that he viewed the information in his meeting summary as "intelligence or information that I thought was useful to intelligence agencies..." In addition, Mr. Franklin opined to Counterintelligence Field Activity personnel that after his return from Rome the situation changed from debriefing Iranians to them being intelligence sources.*

Amendment 31 – strike the above paragraph.

Comment - Is the Committee really prepared to say to the American people and to the community we oversee that "intelligence collection" is something open to interpretation? It seems irresponsible to suggest that because one of the individuals who went on the Rome meetings thought his information had intelligence value, that it, therefore, was intelligence collection. Every day, information comes to Members of Congress which may be of interest to the intelligence community, but that does not make it intelligence and does not make them intelligence collectors.

[redacted]

[redacted]

Amendment 32

Page 33, first full paragraph - *In sum, the Rome meeting represented information gathering on Iran by DoD policy personnel with an intent to determine its potential intelligence value after the fact. This determination was never made. Iran is a denied area where the Intelligence Community has limited sources of information. Greater inclusion of the Intelligence Community might have resulted in a direct attempt by the Community to pursue further information from the Iranians, or an attempt to determine if the foreign government was developing a conduit to potentially valuable Iranian sources. While some DoD officials lament the failure to pursue this avenue of information further, their decision-making upon the return of the DoD personnel from Rome was a contributing factor.*

Amendment 32 – **strike** the above paragraph.

Comment - This paragraph also contains incorrect information. The purpose of the Rome meetings was never to determine "intelligence value," it was to determine its value. Value and intelligence value are not the same. Furthermore, there is no evidence that greater inclusion of the intelligence community "might" have led to a direct attempt to pursue the information further by the IC. Information in the report, indicating that when DIA tried to do this it was discouraged from doing so by the CIA, belies this claim. There is no evidence that decision making in the DoD before or after contributed in any way to the unwillingness of the CIA to pursue this information. The CIA did not want to engage with Mr. Ghorbanifar before the Rome meetings and the agency did not want to afterwards.

More disturbing is that the majority seems to believe that the information obtained during the Rome meeting might have been worth pursuing further, but gives the intelligence community a pass in not doing so because the bureaucrats at the CIA and State Department felt slighted by the way the information was handled. We should have no part in a report that encourages such parochialism and stove-piping.

[redacted]

[redacted]

Amendment 33

Pages 33-34, Conclusions

Amendment 33 – **Strike** all of the report's conclusions and **insert**

Conclusion 1: The Committee found that no U.S. government officials involved in these meetings conducted any illegal, unauthorized or inappropriate activities.

Conclusion 2: The Committee found that, according to DoD regulations in place at the time, the participants in the Rome meetings were not required to obtain a country clearance for travel to Rome.

Comment – After all of the allegations of potentially unlawful conduct surrounding the OUSDP, it is irresponsible that the report's conclusion that all of these activities were conducted in a lawful and authorized manner is buried in a summary paragraph and not one of the highlighted conclusions. What can be more important than highlighting the conclusion that there were no illegal activities conducted during these meetings?

There should also be a conclusion stating that the Rome meeting participants were not required to obtain country clearances for travel to Rome. We note that an earlier report draft had a conclusion stating that these individuals did need country clearances, until the minority staff proved that, according to the DoD regulations outlined in the report, this conclusion was incorrect. The conclusion was withdrawn, but no conclusion was put in its place saying that country clearances were not required. Why is this no longer considered an important enough issue for a conclusion?

In addition, the conclusion which states that DoD officials "would not allow" the information to be placed into intelligence channels is wrong. The policy office specifically referred Mr. Ledeen to the DIA so that DIA could follow up on his information and put the information into intelligence channels if need be.

Because the Rome report conclusions are not accurate, they should all be deleted.

[redacted]

[redacted]

Amendment 34

Page 34, Recommendations - ***Recommendation #2: (For the Director of National Intelligence)*** *Direct the National Counterintelligence Executive, in coordination with other appropriate Intelligence Community entities, to prepare a report on the U.S. Government's policies and procedures for identifying and countering attempts by foreign agents or entities to directly or indirectly influence or access U.S. Government officials. Such a report should cover the procedures for U.S. Government employees to report foreign contacts[194], the utilization and effectiveness of those procedures, the steps taken to analyze the information collected, and the actions resulting from that analysis to counter future attempts to influence the U.S. Government. This report should be provided to the appropriate Congressional oversight committees no later than September 30, 2008.*

(footnote [194] reads as follows "Note that the Committee's review did not evaluate the requirement for Mssrs. Franklin and Rhode to report their contact with the Iranians because, like the requirement for country clearance, they believed that issue had been addressed by the involvement of senior U.S. Government officials.")

Amendment 34 – **strike** Recommendation #2.

Comment – We do not understand the point of this recommendation. What is the purpose of such a report? What is the problem identified in the report that this recommendation is seeking to fix? We also do not understand the footnote. There is no reason that Messrs. Franklin and Rhode would need to report foreign contacts that their employer asked them to make. Reporting of foreign contacts is something required for contacts outside the course of one's duties, not for contacts made in the course of official duties.

[redacted]

[redacted]

Amendment 35

Page 7, second full paragraph - *In March 2008, DCI Tenet provided the Committee with his recollections of his conversation with Mr. Hadley. He recalled being provided no details on the proposed meeting other than it involved access to terrorist threat information. He reiterated that he had concerns about the information provided by Mr. Hadley, but he was not going to stand in the way of collecting threat information so soon after September 11, 2001. Former Director Tenet also stated his view that Mr. Hadley's call was not intended to gain his permission. For these reasons he did not pursue further details at that time.*

Page 11, last partial paragraph – page 12 first partial paragraph - *In March 2008, DCI Tenet informed the Committee that at no time prior to or after the Rome meeting did Mr. Wolfowitz contact him to discuss the Rome meeting.*

Amendment 35 – **strike** the above sentences.

Comment – Despite the request from the minority for this interview and despite the specific notice that minority staff would need to be included in this interview, the interview was conducted by only one member of the majority staff with no minority staff present. The information cannot be verified and the necessary follow up questions were not asked of the interviewee. This information was included in the report after the amendment filing deadline and without the consent of the minority. It should be deleted until the interviewee can be interviewed with minority staff present.

[redacted]