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September 15, 2006

The Honorable Christopher Shays
Chairman, Subcommittee on National Security, Emerging
Threats and International Relations
Rayburn House Office Building B-372
Washington, DC 20515

Dear Mr. Chairman:

According to the *Washington Post* ("U.N. Inspectors Dispute Iran Report by House Panel," September 14, 2006), the Director of National Intelligence (DNI) conducted a prepublication review of a House Intelligence Committee staff report on Iran which has come under scrutiny for making false, misleading and unsubstantiated assertions about Iran's nuclear program.

In the article, a spokesperson for the DNI confirmed that the agency did review the report prior to its publication. Yet, the final committee staff report "included at least a dozen claims that were either demonstrably wrong or impossible to substantiate," including the gross exaggeration that the level of uranium enrichment by Iranian nuclear plants has now reached "weapons-grade" levels of 90%, when in reality the correct enrichment level found by the International Atomic Energy Agency was 3.6%. (Letter from IAEA Director of External Relations and Policy Coordination Vilmos Cserveny to Chairman Peter Hoekstra, September 12, 2006.)

The publication of false, misleading and unsubstantiated statements by a House Committee is regrettable, but the role of the DNI raises important questions:

- 1) Was the text of the report given to DNI for review identical to the text later released to the public by the Committee?
- 2) Did the DNI recognize those claims made in the report that were wrong or impossible to substantiate at the time DNI conducted its prepublication review?
- 3) During its review, did DNI also note the same false, misleading and unsubstantiated statements as those deemed by the IAEA in its letter to the Committee to be wrong or impossible to substantiate?

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- 4) In its response to the Committee, did DNI state the inaccuracies it found, and seek correction or clarification of those parts of the prepublication report?
- 5) Did the DNI approve the report, in spite of false and exaggerated claims made in the report?

There are troubling signs, which this Subcommittee has attempted to investigate, that the Administration is leading the U.S. toward a military conflict with Iran.

In June, our Subcommittee held a classified members briefing, at my request, to investigate independent reports published in the *New Yorker* magazine and the *Guardian* that U.S. military personnel have been or are already deployed inside and around Iran, gathering intelligence and targeting information, and reports published in *Newsweek*, *ABC News* and *GQ* magazine, that the U.S. has been planning and is now recruiting members of MEK to conduct lethal operations and destabilizing operations inside Iran.

Unfortunately, neither the Department of State nor the Department of Defense chose to appear for the classified briefing. Nearly three months later, the Subcommittee has been unable to question State or DOD directly on those reports. However, this Subcommittee was briefed by the Office of the Director of National Intelligence, and I believe that the Subcommittee should use its oversight authority to compare the statements and information provided to Members about Iran's nuclear program at the briefing, with information provided to the House Intelligence Committee for their report.

These are precisely the sort of questions this Subcommittee is designed to pursue. The latest report implicating DNI passivity or complicity in embellishing the danger of the Iranian nuclear program should be aggressively investigated by our Subcommittee immediately. We cannot and must not permit this Administration to build a case for war against Iran on falsehoods and pretext. We have seen similar patterns with the twisting of intelligence to create a war against Iraq and we must not let this happen again. I ask that the Subcommittee invite the DNI to appear immediately before the Committee. It is imperative that our questions be answered in an expeditious manner.

Sincerely,

Dennis J. Kucinich
Ranking Minority Member

cc: Hon. Tom Davis
Hon. Henry A. Waxman
Hon. Peter Hoekstra
Hon. Jane Harman