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COVERING THE CIA IN TIMES OF CRISIS:

Obstacles and Strategies

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Covering the CIA in Times of Crisis

Obstacles and Strategies

Ted Gup

In the wake of two catastrophic intelligence failures—9/11 and the yet-to-be-found weapons of mass destruction in Iraq—American intelligence is reeling. This article examines how the U.S. press fared in covering the intelligence community before and after those events. It also explores what the obstacles are that now face journalists and what the stakes are. At no time has covering the intelligence community been more demanding or more important. Ironically, the obstacles that face both reporters and intelligence officers are much the same. The article closes with some suggested strategies and approaches gleaned from the most successful intelligence reporting.

Keywords: CIA; intelligence; press; 9/1 I

Historians would be hard-pressed to cite another era in U.S. intelligence as fraught with colossal errors as that which now afflicts the nation. The failure to imagine, much less thwart, the attacks of 9/11, together with the hysteria over weapons of mass destruction (WMDs) in Iraq that have yet to materialize, presents a bleak picture of American intelligence. Pearl Harbor and the Bay of Pigs come to mind and nothing else. The failure was not that of the intelligence community alone. The White House, the Congress, and the opposition party all played their part. That left the press to raise the tough questions, to play the skeptic, to demand evidence, and to pierce the veil of secrecy behind which critical decisions were being made. So what burden does the press bear in all of this, and how well did it do? With some notable exceptions, the mainstream press did not fare well. One is reminded of what the late A.J. Liebling said of the press—that it was "the weak slat under the bed of democracy."

This article will examine the implications of that failure as well as the broader landscape of press coverage of the intelligence community, why it is important,

and how it might be improved. Already the events of 9/11 and the turbulent postwar period in Iraq have produced the first wave of insightful and disturbing publications by former administration insiders and probing journalists. More are on the way. Commissions and panels are dissecting events and grilling decision makers. Democrats are finally asking the questions that should have been raised long before the political season. Critical information about the failures of American intelligence is finally coming to light. But valuable as this may be to future reforms, it is all in the nature of a postmortem whose casualties include 9/11, Iraq, a severely wounded U.S. credibility, and a press found wanting by many on the Right and Left alike.

Just as it is the intelligence community's primary role in times of crisis to produce "actionable intelligence"—that is, real-time intelligence that can be applied to instant advantage—it is the press's first responsibility to produce real-time accounts that will inform the public and decision makers and provide the sort of timely information that may yet influence the outcome of events, not merely explain what went wrong. By that measure, it is hard not to conclude that the press, too, failed.

Anyone who has covered the intelligence community recognizes that it poses daunting challenges of secrecy and access. Meaningful information is profoundly difficult to get—in the parlance of the CIA, the intelligence community is a "denied area." Once gotten, it is often all but impossible to confirm. Once confirmed, it is routinely given to multiple interpretations and, even if unambiguous, subject to administration appeals of national security. And after all of that effort, the resultant story may be met with resounding silence from a disconnected public. No beat is more humbling. The same may be said of the intelligence community itself, which is bedeviled by many of the same obstacles—secrecy, access, ambiguity, interpretation, and disregard. Indeed, the lexicon of criticism for both press and intelligence is virtually interchangeable. Such difficulties may help explain the shortcomings of both without excusing the failures of either. It also explains the odd sense of fraternity that exists between camps that are often seen as incompatible.

But certainly some of the failings of both the press and the intelligence community in the period before 9/11 and in the run-up to the war with Iraq were less about access than attitude. Many in both spheres demonstrated a dangerous willingness to accept what passed for conventional wisdom (that all terrorism was state sponsored, that Iraq possessed an arsenal of forbidden weapons, that the intelligence community was robust and vigilant). Both would have been better served by greater skepticism, independence, and the gumption to fight the prevailing winds that swept across Washington, D.C. If the CIA's George Tenet was convinced of the presence of WMDs in Iraq, so too was the *New York Times*'s Judith Miller and many of her journalistic peers. (The *Times*'s vulnerability to intelligence sources was also evident in the reporting on Wen Ho Lee, the

Los Alamos scientist skewered amidst groundless accusations of having provided nuclear secrets to China.)

In other ways, too, the intelligence community and the press have mirrored each other, relying too heavily on the same Iraqi exiles because access to more knowledgeable sources was denied. As both intelligence officers and reporters can attest, limited access can confer a blinding sheen upon the most suspect of sources, obscuring deeply vested interests.

But secrecy alone does not explain the sometimes thin intelligence reporting in many quarters. Many of the intelligence community's failings and vulnerabilities pre-9/11 and pre—Iraq war were known or knowable to the journalists who covered it. The dearth of Arabic speakers, the disproportionate concentration of clandestine officers in the capitals of the world (not the countryside where terrorists trained), the loss of experienced case officers and analysts in the post—cold war period, the rivalries and petty jealousies between the CIA and FBI, the bureaucratic stove-piping of intelligence, the sclerotic systems clogged with obsessive secrecy, the political pressures brought to bear on analysts, the fixation with state-sponsored terrorism—none of these would come as a shock to more savvy and seasoned intelligence reporters. And yet these failings and vulnerabilities went unreported, underreported, or unappreciated. (Yes, a case may be made that public apathy was itself a component of the intelligence failures.)

And if the administration was slow to recognize the perils posed by terrorism on U.S. soil, so too was much of the press. Those who fretted about such matters, who wrote about the vulnerabilities of America's infrastructure, its porous borders, its doomsday scenarios, were treated like Henny Penny or given the Cassandra treatment in newsrooms struggling to cope with daily coverage and budget cutbacks. There were few rewards for the prescient.

Like many problems, this one is not new. The CIA has always been an important beat, though historically its prominence has ebbed and flowed in tandem with cycles of calm and crisis. As the cold war waned, so too did interest in the intelligence community, not only within government but within the press and general public as well. The Agency came to be seen as something of a peripheral player, its raison d'etre unclear. During the late 1980s and early 1990s, it went through a succession of directors, lost experienced case officers and analysts, had its budget slashed, and suffered an "identity crisis." In the constellation of Washington power centers, it was marginalized. So too, to some extent, were those assigned to cover it.

Then came 9/11. Today, a strong case may be made that no beat is more important, particularly at a time when preemptive attacks are an integral part of U.S. foreign policy. Amidst allegations that undue political pressures have been brought to bear on the intelligence community and that ideology drives much of the current analysis, the press's role becomes even more critical as one more line of defense against foreign adventurism.

The intelligence community, composed of some fifteen diverse members including CIA, FBI, NSA, and others, collectively provides the basis upon which war may be waged, America's fight against terrorism won or lost, and diplomacy pursued or shunned. Attempting to assess the credibility and integrity of that intelligence is one of the keystone challenges facing reporters. Presumptions change with time. Older intelligence officers are haunted by the specter of Pearl Harbor, older journalists by the 1964 Tonkin Gulf incident. Both events are less ingrained in the psyches of younger intelligence officers and journalists.

The responsibilities of the press today loom even larger in the absence of aggressive congressional oversight, a cowed opposition (that is finally changing), and the willingness of the Bush administration to strike preemptively. Such a confluence of events means that unless the press keeps the citizenry informed and helps stimulate public discourse, all debate will be conducted after the fact, reducing democracy to an exercise in forensics.

Today, too, the CIA's mandate goes well beyond its peacetime role. With that expansion comes added responsibilities for reporters. With its Special Activities Division and its unmanned Predator drones armed with Hellfire antitank missiles, the CIA is now cast in an increasingly formidable and direct combat role, raising new and complicated ethical questions. Remote execution of suspected terrorists by CIA-guided drones, absent any formal finding of guilt, is itself a subject worthy of greater attention. So too are the so-called "renditions" in which the U.S. hands over detainees to foreign agencies notorious for rights abuses and torture.

But the most profound change in the intelligence community after 9/11 is the breaking down of time-honored barriers between foreign and domestic intelligence collection, a subject that is only beginning to get the journalistic attention it deserves. The lines that once separated overseas standards of conduct and domestic behavior have blurred. There is even talk of an American MI5.

Today, covering intelligence is no longer a matter of focusing on what is foreign. It is a story that bleeds into domestic issues, affecting law enforcement, surveillance, wire taps, searches, detainments, arrests, secret courts, and prosecutions. The activities of the intelligence community are having a profound affect not only on human rights issues abroad but on fair trial issues at home and civil liberties across the board. Intelligence reaches into the criminal justice system, immigration policy, privacy rights, defense spending, the travel industry, shipping, communications, universities (affecting both research and the visas of foreign students), and even the anxiety level of ordinary citizens who nervously eye terrorist warnings.

It also affects the allocation of resources, the funding or withholding of funds for first responders, the development of vaccines, the protection of the nation's infrastructure, countermeasures to commercial aircraft, beefing up port inspections, guarding borders, safeguarding the nation's food supplies, investments in science, and so on. The list is endless.

In the aftermath of 9/11 and the Iraq war, the intelligence community has also emerged as an integral element in reconstructing the decision-making pathways that led to those intelligence failures. In that way, the intelligence beat has emerged as a key to assessing government integrity and deciphering to what degree complacency, ineptitude, and even outright deception may have played a part in intelligence failures.

Finally, the intelligence community looms large today because, as it pursues U.S. security objectives, it also reflects and projects American values and identity. How the CIA conducts itself has implications for who we are as a people and how we are seen by the world.

These are difficult and complex stories made all the more so by the likelihood that some Americans, perhaps many, prefer not to be informed of how the Agency conducts its business (*their* business). Some, out of deference to the nation's leaders, resent any intrusion into security matters.

Convincing citizens that they have a vested interest in keeping abreast of the conduct of intelligence, and a legitimate right to express and pursue that interest, is one of the hurdles intelligence reporters face. For a nation chilled by 9/11, it is not always an easy case to make that a CIA that is unwatched and unchecked may itself pose a threat to national security, that obsessive secrecy is itself perilous, and that an informed public is essential to a healthy intelligence apparatus.

Still, such a case must be made. Real dangers arise when the pubic disenfranchises itself from the subject of intelligence. Ironically, the CIA itself has the most to gain from robust press coverage and the most to lose in its absence. (It is a point the Agency would likely never own up to publicly.) The intelligence community, and the CIA in particular, by dint of its extraordinary secrecy, is inherently isolated from the citizens it serves. The less contact the CIA has with the general population, the more it evolves into its own culture. Historically, it tends to interpret a lack of oversight and public scrutiny as a grant of greater license (in so doing, it may be right). But over time, its mores and methods risk diverging more and more from the ethics of the community it serves. Public support for the intelligence community is predicated upon an understanding that it may enjoy greater latitude than other agencies but that it must still observe certain limits.

If it exceeds those limits and engages in high-risk or unethical behavior, it may alienate the public, which may then withdraw its support. That is what happened in the mid-1970s, when congressional hearings brought to light all manner of questionable conduct—assassination plots, mind control experiments, coups. The public felt betrayed, and its representatives demanded radical overhauls that had a profoundly demoralizing effect on the Agency.

Such disruptive cycles have periodically swept through the intelligence community, pitching it from one extreme to the next, from a kind of cowboy mentality to a near total aversion to risk. Active oversight and aggressive press coverage are the best insurance against such swings, providing greater stability and predictability.

Obstacles

The CIA has never been an easy beat. Its budget is secret. Its number of employees is secret. Its missions are secret. It is impossible even to quantify the scope of its secrecy. The federal Information Security Oversight Office (ISOO), a division of the U.S Archives, has tried. It tracks and measures the creation and management of government secrets. In FY 2002, it reported, the U.S. government spent \$5.7 billion on security classification costs—a jump of \$1 billion over the preceding year—and that does not include the CIA, which classifies even the cost of classification. Secrecy was on the rise even before 9/11. In 2000, top secret classifications jumped 79 percent government-wide. The ISOO reports that in FY 2002, the federal government made 23.7 million classification decisions, of which some 7.3 million, fully 30 percent, came from the CIA.

Few journalists are welcomed by the CIA, and the few who are pose little risk of adverse stories. In October 2003, *Fortune Magazine* boasted unparalleled access to the CIA. Its story cast the agency as a model of success, a virtual corporate turnaround, with its CEO, Director George Tenet, lauded for his leadership and vision. All the while, many serious students of intelligence were wondering how Tenet kept his job.

On top of the usual obstacles confronting journalists, there is now a heightened sense of patriotism and a concomitant reluctance to divulge anything that could create vulnerabilities. The rule of "when-in-doubt, leave-it-out" is heard more often in times of crisis. Reporters who cover intelligence matters are often savaged either for being unpatriotic or too passive.

Today, it is harder than ever to cultivate sources. The penalty for being discovered to have provided classified information to a reporter is not only career ending but grounds for prosecution. Some new recruits to the Agency report that when they are polygraphed, they are being asked if they know any reporters, whether they have had social or professional contacts with the media, and if so, with whom. That information may well find its way into a personnel file where, even years later, the information could resurface in an attempt to track down a leak. At the very least, it serves notice to incoming CIA employees that they are being watched, that their press contacts are known, and that there exists a record of such relationships.

And the CIA is no longer afraid to go on the offensive against the press, no longer content to mechanically intone the words, "we will neither confirm nor

deny." Among those publicly rebuked by the Agency was veteran intelligence author David Wise for a November 7, 2002, *New York Times* op-ed piece in which he accused the CIA of attempting to censor his work. Another target was ABC News for a January 14, 2002, report that said the CIA believed Osama bin Laden had escaped from Afghanistan. The CIA has also turned to using its Web site and press releases to defend itself, such as the November 28, 2003, article that was posted on its Web site and appeared in the *Washington Post* arguing that the agency's handling of the WMD issue in Iraq had always been above reproach. It dismissed as "myths" challenges to the agency's WMD analysis.

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Over the years, the press has come to rely on a select number of access points through which to glimpse the intelligence community. But many of these until quite recently have been denied them. Among these are those who serve on congressional oversight committees. In part, it may be due to the fact that the same political party controls both houses of Congress. Democrats rightly feel exposed and less secure. The president in the immediate aftermath of 9/11 fired a warning shot not soon forgotten by those on the oversight committees. He threatened to cut off intelligence briefings to all but ranking members in the wake of a press leak involving a CIA briefing.

Of the last seventy-four hearings of the Senate Intelligence Committee stretching back to February 2003, all but three have been closed to the press. Months pass without even a press release. Behind closed doors, and largely unreported, the committee has debated the CIA's budget, major program acquisitions, accounting issues, the modernization of internal information technology structures, renditions, and the direction of strategic objectives—in short, every aspect of intelligence. And all of it out of public view.

Reporters have, by and large, been reticent to draw attention to the subject of congressional oversight, perhaps for fear of alienating what few sources they have or hope to acquire. But it is an important story and one that begs to be told. When congressional oversight is anemic, it is both more crucial and more difficult for the press to perform its watchdog function with regard to intelligence.

Further complicating matters, many reporters could not even look to their own editorial pages for support. In the lead up to the Iraq war, when intelligence became a central issue, the editorials of some leading newspapers sounded a prowar tone that doubtless emboldened the administration and undercut journalistic grievances about the obsessive secrecy behind which decisions were being made, their own papers having already declared the sufficiency of the case for going to war.

Still other hurdles presented themselves. In the years leading up to 9/11, audience interest turned inward. A recession put financial pressures on newsrooms. Staffs and travel budgets were cut. Overseas bureaus were shuttered. Then came 9/11 and the war in Afghanistan, which instantly strained already stressed newsroom resources.

Finally, the intelligence beat has been largely crisis driven, meaning that it focused on the breaking story, be it in Afghanistan or Iraq. Broader contextual pieces on the CIA and investigative projects about intelligence often took a backseat to covering war. Hard decisions had to be made about deployment of reporters, even at those publications that had not savaged their own ranks in response to the recession. For a time, Steve Coll, managing editor of the *Washington Post*, lamented that he did not have the resources to pursue the many liaisons the CIA had formed with foreign intelligence agencies and the ethical, political, and military implications of such alliances.

How the press covered such issues, and how the CIA and the public came to view them, was tempered by earlier stories and earlier experiences. There were lessons learned and lessons ignored. From a series of intelligence failures, the CIA and the administration may well have concluded that it was better to act on a false positive than to suffer another false negative. Stung by the failures to predict either the Indian nuclear tests in May 1998 or North Korea's launch of a three-stage rocket in August of that same year, to say nothing of the catastrophic intelligence failure of 9/11, CIA confidence and credibility were badly shaken. For such failures, they were taken to task by the press and the administration. Over these years, the Agency and its customers in the security establishment edged incrementally toward new presumptions and higher tolerances for risk. This was a story that, because of its incremental nature, largely escaped the notice of the press, but that may help explain its analysis of WMDs in Iraq.

Case Study

Much of the press coverage of the intelligence leading up to the war with Iraq and the WMD issue left readers to believe it was sui generis. In fact, there was a history that preceded it that sounded its own alarms, though they were not given the attention they deserved. In August 1998, terrorists bombed U.S. embassies in Kenya and Tanzania. Some thirteen days later, on August 20, 1998, in response to those attacks, President William Clinton ordered an attack on targets in Afghanistan and Sudan. A barrage of thirteen cruise missiles slammed into the Al Shifa pharmaceutical plant in Sudan's capital, Khartoum, obliterating the factory and causing fatalities and injuries.

"Our forces," Clinton told a national audience, "also attacked a factory in Sudan associated with the bin Laden network. The factory was involved in the

production of materials for chemical weapons." There was no hedge in the president's words. (It was, to cite Bob Woodward's description of CIA assessments of WMDs in Iraq, a "slam dunk.") The factory was categorically defined as involved in the production of chemical weapons, a determination reached by the CIA based on what it claimed to be precursors to VX nerve gas found in the soil.

Sudanese officials said the plant produced nothing but medicines. The Sudanese branded the attack unprovoked aggression. No VX precursors were later found in the soil, and no evidence was ever produced of a link between the plant and bin Laden.

The U.S. press covered the Sudanese protests, demonstrations against the embassy in Khartoum, and Sudanese appeals to the United Nations. Nearly a year after the attack, the *Washington Post*'s Vernon Loeb did a remarkably detailed forty-six-hundred-word takeout on the Al Shifa assault that cast grave doubt on the government's claims. Fourteen months after the attack, the *New York Times*'s James Risen offered a similarly detailed examination of the bombing.

And then the matter disappeared.

It is always a question of just how persistent and aggressive reporters can be once the official version has been challenged, but the attack on the Al Shifa plant was emblematic of broader problems at the CIA that did not get the attention they deserved. Indeed, it could be argued that the Al Shifa story contained within it all the elements of the WMD controversy writ small. Had the story been given more dogged attention, it might have sensitized the public, legislators, and CIA overseers to issues that would come back to haunt them a few years later.

Both the attack on Khartoum and that on Iraq were seen as part punitive, part preemptive. It was punitive in that it was a retaliation for the embassy bombings. It was preemptive in that it was designed to destroy a perceived threat of WMDs. In both cases, no evidence of the existence of WMDs at the time of the attacks was found. Clinton's words on the eve of the Sudanese attack are eerily similar to those that preceded the invasion of Iraq—"because of the imminent threat they presented to our national security."

In both Khartoum and Iraq, the CIA had little reliable intelligence to support the claims. In both cases, the strongest proponents of the case were political exiles with a vested interest in painting their regimes as imminent threats, all the while harboring hopes of returning to their homelands. In the aftermath of both attacks, it could be argued that America's enemies were strengthened and that many of those who were politically uncommitted formed new hostilities toward the United States.

The Al Shifa attack was a perfect template for the war in Iraq and the doctrine of preemptive attack. But at the time, few within the press or in government fully appreciated the extraordinary nature of the attack or the precedent it would set. And despite a spate of stories questioning the legitimacy of the target, the

administration and the CIA stonewalled. A year after the attack, George Tenet could still tell a credulous audience at Georgetown University that the factory made VX gas without fear of contradiction by either the press or Congress. By then, many within the agency had concluded it was all a mistake.

But the agency had proven that it could err with impunity. The sloppiness of target selection, the inability to function well in a crisis mode, and the lack of accountability that followed the Sudan attack may well have emboldened Langley to take greater risks. It was not that the press had failed to investigate but that it had failed to follow up until there had been a full accounting.

Officially, the Sudan attack was a "good target." On May 3, 1999, nine months after the attack, the U.S. government released \$24 million in frozen bank accounts to the Saudi owner of the Al Shifa plant, an action many interpreted as a de facto admission of error.

It is the hallmark of the best intelligence reporters that they return and return again to their stories, months and sometimes years later when sensitivities are reduced or there has been ample time for reflection. The Al Shifa strike was but one in a string of catastrophic intelligence failures related to target selection. Most prominent among these was the bombing of the Chinese embassy in Belgrade during the Yugoslav air war. The embassy was misidentified as the Directorate of Procurement and Supply, though it had been an embassy for three years, prominently flew the Chinese flag, and was well known to CIA employees familiar with Belgrade. Then came the February 2002 CIA hilltop bombing of three men in Afghanistan, said to be Al Qaeda operatives but later believed to be scavengers of scrap metal. They were killed when a CIA-operated Predator drone targeted them with a Hellfire Missile. Another bombing in Afghanistan's Uruzgan Province in January 2002 left some twenty-one dead. Soon after, the CIA found itself handing out reparation checks of \$1,000 to the families of those killed.

Together these stories, if linked, produce a sobering portrait of an agency ill prepared to provide what is called "target packages." What strengths the CIA has may reside in the realm of long-term analysis and assessment. Its greatest vulnerabilities reveal themselves in times of crises, when it is called upon to provide targets and actionable intelligence. Often the key to meaningful reporting is the ability to identify the strands that run through the individual stories, to offer context, and to recognize the patterns.

Conclusion

In recent years, there has been much first-rate reporting on the CIA despite daunting obstacles. Below are some approaches and features common to many of the best and most meaningful stories.

Examine the culture of the CIA. The best stories do not presume too much knowledge on the part of the reader. They recognize the importance of background and context. Intelligence reporters sometimes forget that to the uninitiated, the CIA appears as a kind of foreign country and an alien culture. It is important to explain how it operates and what are the hallmarks of its culture. For example, in writing about CIA analysis, it is worth explaining to the reader, however briefly, the division of functions within the agency between collection and analysis; and it is worthwhile to address recurrent issues related to analysis such as the tolerance for ambiguity, the relationship with policy makers, the use to which such intelligence is put, differences between technical and human collection, problems of reliability, and so on. Indeed, many of the most important stories about the intelligence community provide insights into its culture. The unwillingness to share intelligence with others, the internal stove-piping of information, and the destructive tendency to overclassify are outgrowths of that culture. Such stories only make sense when presented in a broader context.

Taking a backward glance and pattern reporting. Often it seems that what happens within the intelligence community is without precedent, that every story is sui generis, leaving the reader with a fragmented and disconnected view. Many stories, though separated by continents and years, share common elements, yielding insight into the intelligence community. Such links offer clues into institutional strengths and weaknesses, biases and blind spots. These emerge only when examined in historical context. Such patterns transform individual accounts and address broader issues of accountability. The failure to decipher these broader trends puts not only journalists but the public at a disadvantage. Until 9/11, few journalists noted how dependent the CIA was on embassy-based covers, how increasingly reliant it had become on technical collections at the expense of human intelligence, how tethered it was to cold war paradigms.

Explain why it matters. The CIA's influence post-9/11 has expanded well beyond foreign policy, affecting a broad spectrum of previously mentioned domestic matters. The full extent of that influence is worthy of being brought to readers' attention lest they imagine that CIA actions do not affect their lives, only the lives of those overseas.

Being ever on guard. Reporters, like CIA case officers, can become overly dependent upon sources of questionable credibility, especially in a field where sources are in short supply and carry hidden personal and political agendas. Intelligence is rooted in deception, and those within the field are practiced in the craft. Reporters must also be watchful not to be too credulous in accepting CIA explanations for failures. The CIA has conducted an effective campaign to persuade members of Congress and the public that its failures are the fault of others.

They cite "Agency Scrub" (the requirement—dropped recently—that agents with particularly sullied backgrounds first be vetted by agency headquarters before being brought on board), budget cuts, the ban on assassinations, excessive oversight, legal and structural impediments, and a host of other factors. Difficult as it may be, reporters must continue to persevere and try to cut through the thicket of distractions in an effort to hold the intelligence community accountable. Weak management, poor internal planning, complacency, and a pervasive secrecy that shelters the human agents of failure, are also a part of the intelligence story.

Be wary of conventional wisdom. The press is often too accepting of the so-called verities of the intelligence community. For years, the CIA steadfastly asserted that all major terrorists were sponsored by states. It was a model that went largely unchallenged. But in the case of Al Qaeda, it was the Taliban who were supported by bin Laden at least as much as the reverse. The CIA suggested that Iraq's failure to document the destruction of chemical and biological arsenals constituted a presumption that the weapons continued to exist. That is, as we now know, the weakest form of intelligence.

Biographical Note

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