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To: Addington, David S.
Subject: From today's Press Briefing

Q Ari, first of all, a logistical thing. You released this morning the letter that was sent up to the Hill. But we haven't yet received the back-up material.

MR. FLEISCHER: That was released about an hour ago.

Q Was it?

MR. FLEISCHER: Yes.

Q Okay.

MR. FLEISCHER: I saw it was e-mailed out, and so I presume everybody here has it.

Q Actually, I want to ask about the report.

Q The subsequent question I have for you is, the President in his speech two nights ago described the Iraqi threat as one that could be one to five years into the future to obtain either a nuclear weapon or something that could strike us, a non-imminent threat. In the President's mind, is he in this action, setting a precedent that the United States could now act, either preemptively or preventively, depending on how you define it, against a threat that is not an imminent one against the United States?

MR. FLEISCHER: Well, here's how the President approaches this. He believes, number one, based on the reviews conducted by the attorneys, that there already exists a legal basis both in international law, as well as in domestic law, for the use of force to disarm Saddam Hussein. And that is also found in Security Council Resolution 678 and 687, as well as 1441. The President also believes that there is a gathering threat from Iraq, that with the failure by Saddam Hussein to disarm of his weapons of mass destruction presents a threat to the security of the United States. And therefore, he has come to the conclusion that after exhausting the diplomacy, that military force must be used if Saddam Hussein does not get out of the country.

That summarizes it for him. In terms of precedents, et cetera, David, I think some people have made the case -- and different people will have different historical views of these things -- but you can look at the Cuban missile crisis, of course, where there was a decision made without the United States being "attacked" to conduct a quarantine or an embargo, which, of course, international lawyers will tell you is an act of war.

And so I think you're going to find the historians, legal scholars will have differing conclusions about these matters. But the conclusion the President reaches is that Iraq's failure to disarm presents a threat to the people of the United States and, therefore, he is prepared to use force.

Q Even if you were absent the U.N. resolutions, if they didn't exist, he would still think he would have justification under the current circumstances?

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MR. FLEISCHER: There's no question about that.

Q The report that came with -- the seven-page report, one of the points it makes in trying to make the case that moving against Saddam would help the war on terrorism is that detained Iraqis could help identify terrorists living in the United States. I'm assuming, first of all, by "detained," we're talking about folks who have been captured in the war. Is that correct?

And, secondly, what evidence do we have, what reason do we have to believe that detained Iraqis would be able to point us to suspects living in this country?

MR. FLEISCHER: Ron, let me re-read the report to take a look at that provision, in particular. When I read it -- let me take a look at that, in that particular regard. The report focuses on -- as the congressional requirements dictate -- Congress, when it passed the resolution with huge bipartisan support last fall, laid out several reporting requirements imposed on the administration if a decision was made to use force. The report was required either immediately before or within 48 hours of the use of force. It said before, or 48 hours afterwards.

Q -- for this provision is, is making the argument, as required by the resolution, that a movement against Iraq would help on the war against terrorism. In that section the claim was made that it would help identify terrorists here. If you could provide some guidance as to how we can make that claim.

MR. FLEISCHER: Yes. What the report required on the question of terrorism, is that in connection -- this is reading from the law that triggers the formal requirement to put together the written report, which was sent last night -- and now I'm reading from the October 16, 2002 statute.

"In connection with the exercise of the authority granted in subsection to use force, the President shall, prior to the exercise of such force, but no later than 48 hours after, make available to the Speaker of the House and the President Pro Tem of the Senate, a determination that" -- here's the piece on the terrorism section -- "acting pursuant to this joint resolution is consistent with the United States and other countries continuing to take necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11th." The report walks through that this is consistent with that.

Q Right. And I think you understand -- I'm not challenging that, I'm just asking about the one, what I think is a new rationale, a new explanation for why the United States thinks it would help --

MR. FLEISCHER: On your specific question, let me take it and post.

Q And I think you just answered, if I had listened to that more carefully -- I apologize -- does the fact that he released it today have anything to do with the timing of military action?

MR. FLEISCHER: No. What, again, the language is, is this has to be released prior to such exercise, or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority. That's the language of the law. The President, having given the speech to the nation the other night, thought this was the appropriate time to release it.

Q Can you get back to me on the other question?

MR. FLEISCHER: Yes, sir.

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