

Senate Democratic Policy Committee

“An Oversight Hearing on Pre-War Intelligence Relating to Iraq”

**192 Dirksen Senate Office Building
Monday, June 26, 2006, 1:30 p.m.**

SEN. DORGAN: We'll call the hearing to order.

This is a hearing of the Democratic Policy Committee in the United States Senate. I'm Senator Byron Dorgan, chairman of the Policy Committee. I'm joined by Senator Reid, who is the Democratic leader in the Senate, Senator Bingaman, and we'll be joined by several other senators, as well as one House member who has called -- Congressman Jones, Walter Jones, has called and asked to join us, and I said that would be fine.

Let me describe the purpose of this hearing, why this. Our discussion today is about intelligence. It is about the gathering of intelligence, the use of intelligence.

We have a circumstance that all of us have been involved with in recent years. I believe it would be safe to say that all of us on this dais would have been to that room in the Capitol Building in which top secret briefings are offered, and on multiple occasions having been given top secret briefings in that room by people involved in U.S. intelligence and those from the administration, and to discover later that a fair amount of that intelligence has now been determined to have been inaccurate.

The question is, what happened, how did it happen? And the reason to ask these questions today is, I think, probably best articulated by a statement from Winston Churchill: "The farther back you look, the farther forward you can see." If we don't understand what happened, we will not understand what we might do with intelligence and what our responsibility is for intelligence in the future. And so that's the purpose of this hearing.

Let me describe the kind of circumstances we face today. I think everyone understands that we face a pretty uncertain world. Intelligence is critical. Good intelligence is critical to that. All of us here in the United States Congress, Republicans and Democrats, all of us here are very dependent on a good intelligence system, a good intelligence network, dependent on the CIA especially. We don't have our own intelligence-gathering system. We are required to learn what we can from the Central Intelligence Agency and other facets that would deliver intelligence for our policy-making and for the decision-making in the Congress.

That is true of Republicans and Democrats. I talked to Senator Jon Kyl last Thursday and told him we were having this hearing -- he's chairman of the Republican Policy Committee -- and invited him to invite any of us colleagues who would wish to join us today. As I indicated, one member of the House from the other party will be joining us, Congressman Jones.

But these issues are not partisan, these issues are about the protection and the interests of this country. There is a leader in Iran who has denied that the Holocaust has happened and he has called for the destruction of Israel. He seems to declare that his country would like to have the capability of developing nuclear weapons. A secretive regime in North Korea, with what appears to me to be an erratic leader, has apparently already acquired or is close to acquiring or may have already built nuclear weapons and is desiring to do more. In Kashmir, there's the potential for conflict between Pakistan and India, both countries of which have nuclear weapons.

This is a world with a great many challenges, and good intelligence is essential to the president, to the Congress, and I think it's essential to the development of good policy that will advance this country's interests. For that reason, we try to understand what has happened in the recent past and what lessons can be learned from that with respect to the future. There are some people who have spoken out with great courage.

This weekend I watched a program that had been aired on "Frontline" that was very disturbing in its message. And it is about people trying to describe what has happened in recent years. What kind of information did we have? How was that information used? Was policy trying to push intelligence? If so, was it successful? And what did that mean for the country?

All of these questions are important to all of us because we are elected here to serve in the U.S. Senate and the U.S. House in a manner that is designed to represent, not partisan interests but the best interests of this country and its future. So that's the purpose of being here today. And I thank, very much, the two panels of witnesses who have agreed to be with us. Two of them will be with us through technology, one from Australia and one from England in the second panel. And the first panel is four witnesses who have come, or four very distinguished Americans who have come to share with us some thoughts they have.

Let me call on the Senate Minority leader, Senator Reid.

SEN. REID: Senator Dorgan, thank you very much. You've done such an outstanding job as Chairman of the Policy Committee. I extend to you my appreciation on that, of the entire caucus and, I think, the Senate.

I thank you very much for holding this important hearing today. The list of witnesses that will appear before this panel today is outstanding. Each of these witnesses is respected for so many different reasons. And the American people are very fortunate they are willing to come forward. I'm also very pleased that you extended an invitation to your counterpart, Senator Kyl, in the Republican Policy Committee, to join us at this hearing. I welcome that, and I know that our witnesses do as well. The war in Iraq will be a subject of historians for many years to come.

Before memories fade, we in the Senate have a very useful responsibility to play in building a record of the key episodes of that history. It will be for the historians to weigh the various points of view and draw judgments about the events that transpired. The goal we have today is merely to do our part to build that record. In that regard, I repeat how much I appreciate the spirit of openness and frankness these witnesses bring to this task.

In addition to building a record for history, Mr. Chairman, there is also a more near-term purpose -- better preparing the Senate and the Senators here assembled for the oversight challenges that lay ahead. There is a broad consensus on both sides of the aisle that the quality of the debate in the run-up to the war in Iraq wasn't appropriate, wasn't good. The path to war was rushed, and it was flawed. We need to understand how that was so, so that we can prevent a rush to commit the same mistakes again in the future.

We face major challenges ahead. For example, how do we craft a path to success in Iraq, understanding the challenge of Iran's nuclear ambitions, understanding how to win the war of ideas against Al-Qaeda, understanding how to stop North Korea's nukes and their missiles. Last week, the Senate passed measures in the defense authorization bill that would improve the nation's oversight of Iran and North Korea policy. We did that because we studied what happened in Iraq and have tried to apply the lessons we have learned there to what we see coming in the future in Iran and North Korea.

So this is going to be very helpful to us in understanding the flaws in the process that led to war in Iraq, so that we fix these problems as we deal the challenges that are ahead of us.

I apologize to the panelists and my colleagues here on the dais. We go into session at 2:00, so I'm going to have to ask leave to go open the Senate.

SEN. DORGAN: Senator Reid, thank you very much. Other colleagues will be joining us as well. Senator Bingaman?

SEN. BINGAMAN: Thank you very much, Senator Dorgan, for having this hearing. And thanks to all the witnesses. I think this is an extremely important hearing and a chance to look at the uses and misuses of intelligence that got us where we are in this war in Iraq. And I look forward very much to their testimony. Thank you.

SEN. DORGAN: Senator Bingaman, thank you. Senator Feinstein?

SEN. FEINSTEIN: Thank you very much, Mr. Chairman. And I'd like to thank our witnesses for coming forward. I want to just speak very briefly as a member of the Intelligence Committee. And one of the things that I have been particularly interested in was the whole curve-ball situation regarding the mobile biological labs. And we now know that, when Secretary Powell addressed the United Nations on February 5, intelligence officers knew that what he was saying was wrong. And Mr. Drumheller, in the article in The Washington Post on Sunday, I think, goes into that rather completely.

General Powell has called that revelation devastating. We've also learned that, while intelligence analysts were working to clear information from this speech, as was reported by Mr. Drumheller, there was an opposite effort to include even more questionable and wrong claims.

From the submitted statements of today's witnesses, we see a pattern of intelligence revolving around policy, ignoring contrary assessments and communicating selective parts of the message to the American public. The Intelligence Committee released a lengthy and important

review of the intelligence on Iraq's WMD in 2004 that faulted the collectors and analysts. That review looked solely at whether intelligence reasonably reflected the facts. Much larger questions remain over how that intelligence, whether good or bad, was put together and how it was used.

As everyone knows, the committee is now attempting to complete a second study that focuses more on how the intelligence, such as it was, was used, and how groups like the Iraqi National Congress and the Office of Special Plans affected the process. Importantly, this review will also look at prewar intelligence on post-war Iraq and how those assessments were or were not used. The terms of that study were agreed to on February 12th, 2004. That was two and a half years ago. Progress has been made on the three least contentious parts of the study, but not on the sections dealing with administration statements and the Office of Special Plans.

All of that makes today's hearing especially important. This is not, as some people might claim, an exercise in staring at the rear view mirror. We continue to be confronted by major threats from terrorism and from nations that would do us harm, and it's critical that we learn the lessons of the past so as not to repeat them in the future. And from that point of view, I'm very pleased that you all are here. And I thank you very much. I consider your contribution very important to what we're trying to. So thank you.

SEN. DORGAN: Senator Feinstein, thank you very much. Let me point out, as I have on previous hearings, that the two policy committees in the Congress were created in 1947 by law. The anticipation of the law creating them talks about and so on, and holding hearings, and we have done that in circumstances where there has not been substantial oversight in the regular committee process, thinking that it is important to air information that will give us the opportunity to understand the policy going forward.

We are where we are with respect to Iraq. And I think, given that, all of us wish very much for our country and the men and women who serve our country to be able to do well and to achieve their mission and to come home. So this, however, is a circumstance to try to understand what was the intelligence leading up to that, how was that intelligence used and developed, and what lessons can we draw from that with respect to intelligence going forward. Because it is such a difficult world, especially given the threat of terrorism, we need to understand what exists out there with respect to intelligence.

And I think all of us want a world-class intelligence system, a CIA that works and works well, and we want intelligence to be developed without the urging of policy at the front end of intelligence, but intelligence to be fact-gathering that then can be used to develop policy. So that is the basis for this hearing, to try to understand what is happening and what has happened and what should happen in the future.

We have four very distinguished Americans who have joined us today. Lawrence Wilkerson is a retired colonel, 31 years in the United States Army. Mr. Wilkerson is the Pamela Harriman visiting Professor of Government at the College of William and Mary, as well as Professorial Lecturer at the honors program at George Washington University. His last positions in government were as Secretary of State Colin Powell's Chief of Staff from 2002 to 2005 and Associate Director of

the State Department's Policy Planning Staff under the directorship of Ambassador Richard Haas, and a member of that staff responsible for East Asia and the Pacific.

Obviously, Colonel Wilkerson has an enormous amount of experience. He served with General Powell when General Powell was chairman of the Joint Chiefs of Staff and in other positions as well with Colin Powell.

Mr. Wilkerson, thank you very much for being willing to join us today. You're joined, as you know, I'm sure, probably by three people who you have known in your professional life, but by three other very distinguished Americans. We understand in this committee that it's probably not easy to come to speak in a venue such as this, and yet we think it is in the public interest, and I believe you do as well, based on previous statements, that we all understand where we are, what has happened, and what lessons we glean from that going forward. So, Mr. Wilkerson, thank you very much for being with us today. You may proceed.

MR. WILKERSON: Thank you, Senator Dorgan. I appreciate your giving me the opportunity, the committee giving me the opportunity to make some remarks today. I couldn't agree with the opening remarks of all of you more that this is an extremely critical challenge we confront, particularly given the nature of the enemy that we're up against today, an enemy the likes of which, I would submit, in our history we really haven't seen the fashion and form of that we do today. And also to emphasize the fact that intelligence and intelligence-sharing is absolutely critical to the struggle that we wage against this enemy.

Let me also say that I was interested to see and to hear you repeat 1947. One of the things I teach at both campuses that you mentioned is the 1947 National Security Act and all the many and intense deliberations that went on amongst some people that I consider almost the equivalent of our founding fathers at another critical time in our history, in the post-World War II period, when we found ourselves a colossus astride the world, and never having been in that position before, having to adapt and mold our republic to meet the security demands of that position.

What I see and what I teach my students, I hope, and what they come to realize, I hope, is that every president since Harry Truman has striven, in my view at least, and I would submit historians' views too, to compromise between the needs of the security state and the needs of our republic and its traditional political and cultural value. And what we see from every president from Harry Truman through Dwight Eisenhower all the way up to the Present is presidents wrestling with not compromising our civil liberties in order to wage the battles we have to wage as the world's preeminent power now and as we have to be, in some fashion, a security state. So I'm particularly interested in that tension as an academic. I've even more interested in it as a citizen.

As you said, I come to this not as the outstanding gentlemen to my right and your left do. They're intelligence professionals. I'm an intelligence user. I've used intelligence in various capacities for more than 35 years -- tactile intelligence on the battlefields of Vietnam, operational intelligence at U.S. Pacific Command when the Iran-Iraq war was waging, and strategic intelligence when I was working for General Powell and we were waging Desert Shield and Desert Storm, Operation Just Cause, and a number of other lesser conflicts.

Strategic intelligence, also, when I was at the State Department as Powell's chief of staff and also when I was in the policy planning staff. So as a user of intelligence, I come at it perhaps from a very different point of view than the distinguished gentlemen here on the panel with me.

Nonetheless, I suspect we'd probably arrive at 90 percent consensus on anything we'd say about the situation as it exists today. I want to talk about three areas, essentially. And I'm just going to be brief because you have my prepared statement and I'm sure you want to ask questions. And that's what I want to do is address your questions.

Those distinct areas are pre-war Iraq intelligence, the specific instance about which I am probably one of the most knowledgeable people in this country right now, because I led the task force that put it together, of Secretary Powell's presentation and the preparation for that presentation at the United Nations on 5 February 2003. And lastly, some general comments, if you will indulge them, about the intelligence community in general and the challenges it faces and the problems it has, from the perspective, again, of a user of that intelligence at various levels over the past three-plus decades.

Let just say that, on the one instance, the pre-Iraq war intelligence, I was dismayed to see that, unquestionably in my mind -- and I'm a Republican, so this is difficult for me to say -- our national leaders were using intelligence in a way that was not as discriminating as it should be. Let me put it that way.

Now, as I just indicated to you, I've studied our national leaders intensely, from World War II forward. And this is not the first time this has been done -- certainly not the first time in our history. So it's up to you and members of this separate but equal branch of government to decide whether or not that was in a way that, shall we say, deserves some kind of accountability.

Second, the specific instance at the United Nations, I've commented on before, and I'll repeat it again here, will remain, until I go to my grave, the lowest point in my professional life. I'm not proud of having participated in what I consider to be a perpetration of a hoax. There are various and many and complex reasons for that perpetration, and they all do not hold culpability for any particular individual or, for that matter, any particular part of the system. I fear they do in some places, though, and that's another thing I think is on the plate of challenges before you, is to determine where and how and when and what the results should be. And in the latter area that I discussed, commenting on the intelligence community in general, I would put that as the number one, hastening to remind myself that it's occurred over time throughout our history. All one needs to do is go back to the Mexican War, when Abraham Lincoln took the floor of the House and virtually lost his job in the House of Representatives for denouncing the president for going to war with Mexico.

The aspect of intelligence in general that disturbs me as a citizen, as a former soldier, is the politicization of that intelligence, what I would call and what the press has called cherry-picking, or shaping the intelligence in new and unique ways in order to support political objectives. That's the part of the general comment that I would make about our intelligence community that disturbs the most. Thank you.

SEN. DORGAN: Colonel Wilkerson, thank you very much. Next, Paul Pillar. Paul is a former national intelligence officer for the Near East and South Asia, visiting professor, and member of the core faculty of the security studies at Georgetown University; retired in 2005 from a 28-year career in the U.S. intelligence community in which his last position was the national intelligence officer for the Near East and South Asia.

Earlier, he served in a variety of analytical and managerial positions, including as chief of analytical units at the CIA covering portions of the Near East, the Persian Gulf and South Asia. Mr. Pillar has a very distinguished background and has served this country with distinction, as have all four of our witnesses. Mr. Pillar, you may proceed.

MR. PILLAR: Mr. Chairman, thank you for the invitation to meet with this committee to discuss questions concerning the use of intelligence prior to the initiation of Operation Iraqi Freedom in March 2003.

Much has been said and written, especially during the past few years, about how to make U.S. intelligence better. Far less has been said about the equally important issue of the intelligence-policy relationship and how intelligence is or is not used. Much of the considerable public expenditure on intelligence would be wasted, after all, if the intelligence product did not serve to inform the making the execution of U.S. foreign and security policy. And in that connection, I'd like to associate myself with your introductory comment, Mr. Chairman, about this issue going beyond any partisan matter. It's a matter of importance with regard to U.S. national security overall.

I'd associate myself with Senator Feinstein's comment that this isn't just a matter of looking backward, but rather looking forward to meeting all the pressing national security needs that you each mentioned in your opening comments. The decision to go to war in Iraq exhibited serious problems in the intelligence-policy relationship. Though not entirely unprecedented, these problems were sufficiently severe in the Iraq case, in my judgment, that I would describe the relationship as broken.

I wish to highlight three respects in which this was true. The first was the non-use of intelligence and intelligence assessments in making the decision to go to war in Iraq, one that I'm sure we would all agree was one of the more momentous foreign policy decisions this country has taken in recent decades. Although the flawed assessments about Iraqi unconventional weapons programs have received enormous attention, they were not the driving force behind that decision, as indicated by the fact that many, both in the United States and abroad, who shared the same erroneous perceptions about those programs favored policies toward Iraq that were much different from the one adopted.

The national intelligence estimate on Iraqi weapons programs that would go on to receive so much notoriety was requested not by the administration, but by members of Congress, and specifically the United States Senate.

I was the national intelligence officer for the Near East and South Asia from 2000 to 2005, and the first request my office received from any administration policy-maker for any intelligence community assessment on any aspect of Iraq was not until about a year into the war.

Even the flawed NIE about weapons contained important judgments that clearly were not driving the rush to war. The intelligence community assessed, for example, that Iraq probably was several years away from development of a nuclear weapon, a judgment at variance with the publicly expressed view of the vice president that Saddam Hussein was fairly close to getting such a weapon. The estimate assessed that Saddam was unlikely to use any weapons of mass destruction he did have against the United States or to give them to terrorists, except perhaps in the extreme case in which we tried to overthrow his regime, as with an invasion.

On the issue of the Saddam regime's relations with terrorist groups, the intelligence community, in the assessments it produced on that subject, never judged that there was anything close to an alliance with Al-Qaeda. And on the situation that would be faced in post-Saddam Iraq, the intelligence community produced, on its own initiative, its assessment of the likely challenges there. It presented a picture of a political culture that would not provide fertile ground for democracy and foretold a long, difficult and turbulent transition. It projected that a Marshall Plan-type effort, something on that scale, would be required to restore the Iraqi economy, despite the oil wealth. It forecast that, in a deeply divided Iraqi society, there was a significant chance that the sectarian and ethnic groups would engage in violent conflict unless an occupying power prevented it. And it anticipated that an occupying force would itself be the target of resentment and attacks, including by guerrilla warfare, unless it established security and put Iraq on the road to prosperity in the very first weeks and months after the fall of Saddam. It also assessed that war and occupation would boost political Islam, increase sympathy for terrorist objectives and make Iraq a magnet for extremists from elsewhere in the Middle East.

Clearly, little if any of this influenced the decision-making on going to war. The second major problem area I'd like to highlight involved the administration's aggressive use of intelligence to build public support for the war. The textbook model of intelligence policy relations was turned upside down. Instead of intelligence being used to inform policy decisions, it was used primarily to justify a decision already made.

The administration's public case sometimes included the use of raw reporting, without reference to and, in some cases, in contradiction with the intelligence community's judgments about the reporting. This got to the cherry-picking that Colonel Wilkerson referred to. The best known case was the use, in a presidential speech, of a spurious report about purchases of uranium ore, despite the intelligence community's judgment and advice that the report's credibility was too questionable to warrant public use.

But the practice was more frequent with regard to the alleged link between the Iraqi regime and Al Qaida. The administration made great effort to scrap or report that suggested such links. Indeed, it created a unit within the Office of the Secretary of Defense devoted specifically to that effort. And with enough such effort, it is possible to link almost anyone in the shadowy world of international terrorism to anyone else.

By presenting only the scraps that suggested a relationship, while disregarding everything that pointed in the opposite direction, an impression was left with the public that was at odds with the intelligence community's judgment -- its correct judgment -- that there was no alliance, sponsorship or patron/client relationship between the Saddam regime and Al Qaida. As such, the public's understanding of Al Qaeda's true sources of strength was impaired, rather than enhanced.

The third problem area was the possible politicization of the intelligence community's own judgments. Unfortunately, this issue has been reduced in some of the post-mortem inquiries to a question of whether policy-makers twisted analysts' arms. That question is insufficient. Such blatant attempts at politicization are relatively rare, and when they do occur are almost never successful.

It is more important to ask about the overall environment in which intelligence analysts worked. It is one thing to work in an environment in which policy-makers are known to want the most objective analysis, wherever the evidence may lead.

It is quite another thing to work in an environment in which the policy-maker has already set his course, is using intelligence to publicly justify that course, will welcome analysis that supports the policy, and will spurn analysis that does not support it. The latter environment was what prevailed on Iraq in the year before the war. Intelligence analysis being human, such an environment has subtle but significant effects on the shape of the intelligence product. With analysts throughout the community feeling a policy wind always blowing in one direction, there is a bias in the way countless calls about ambiguous evidence are made. Caveats are strengthened or weakened. And judgments are worded.

As the Silberman-Robb commission observed about work on the Iraqi weapons programs, draft assessments that conformed with the administration's picture of Iraq had an easier time making it through the process of coordination and review than draft assessments that did not. And just through sheer repetition of the demands and requests the administration placed on the intelligence community to support certain lines of argument, such as the one about alleged links between Iraq and Al Qaida, a further bias is introduced into the direction of the community's work.

Mr. Chairman, the problems in the intelligence-policy relationship I have highlighted, though especially acute in the case of Iraq, are not entirely confined to any one issue or one administration. They do not have an obvious and easy fix. There are organizational issues relevant to this topic, and I hope Congress will keep these problems in mind the next time it readdresses, as it eventually will have to, intelligence community organization.

But the first step is to recognize that there is, indeed, a problem, and I commend the committee for providing a forum in which to raise the matter. Thank you very much.

SEN. DORGAN: Mr. Pillar, thank you very much. We appreciate your being here and your statement.

Next is Mr. Carl Ford, who is the former assistance secretary of state for intelligence and research. From May of 2001 until the fall of 2003, Carl Ford was assistant secretary of state for

intelligence and research, appointed by President Bush. Mr. Ford is now a principal at an organization here in Washington, D.C., Cassidy & Associates.

While at the State Department, Mr. Ford provided intelligence support and analysis to the secretary of state and other senior policy-makers. He was also directly involved in crafting answers related to the war on terrorism, the Iraq war, the Chinese military, nuclear proliferation, Middle East peace process and North Korean military threat. Mr. Ford, thank you very much for your distinguished career. And thank you for being here and willing to testify. You may proceed.

MR. FORD: Thank you, Mr. Chairman. A lot of people want to know why we were so wrong about Iraq weapons of mass destruction. Some blame it on political pressure. Others credit a lack of HUMINT intelligence. Some, particularly in the intelligence community, want to believe that it was a one-time thing, the so-called "perfect storm" excuse. For me, all of these explanations miss the mark. We got Iraq WMD wrong because we aren't very good at analysis. And we haven't been for a long time.

Take the 2002 NIE. We rightfully are criticized for its shortcomings. Unfortunately, it represents one of our better analytical efforts. If you don't believe me, I urge you to take a closer look at other NIEs. All of them share one thing in common. They are long on opinion and short on evidence. We can argue until the cows come home who's at fault. I put most of the blame on the intelligence community. As long as we choose to emphasize news over scholarship, we will continue to under perform. It's much easier for us to make excuses than admit we are at fault.

But this doesn't mean I give the policy-makers a free pass. You too must accept some of the blame. It starts with letting us get away with mediocrity. Demand excellence instead. Don't settle for the crap we usually give you.

(LAUGHTER)

You are blessed with an exceptionally talented work force. And you have been generous in giving them the resources they need to do their job.

Now you must insist that we perform up to our potential and hold us accountable when we don't. Otherwise, the chances we will do better the next time aren't very good. While I'm on your case, I should touch a bit on your penchant for certainty. It's a useful concept in our criminal justice system but has no place in analytical judgments.

In intelligence, there is only uncertainty. Be very wary of anyone who tells you otherwise. You shouldn't be looking for our answers, anyway. We were certain about the aluminum tubes. Nothing could convince us that Curveball wasn't on the level. As you know, in both cases, we were flat wrong.

What you need to look for are the evidence and logic behind our claims. All our answers will be guesses. We don't have any other choice. But all guesses are not the same. Sometimes they're based merely on a hunch. In other cases, we may have only bits and pieces of evidence. Even when we have considerable information on a topic, the analysis must invariably rely heavily on inference.

There is no connecting dots in intelligence. There are never enough dots. And any linkages between them are highly ambiguous.

In other words, make us show our work. Determine yourself what kind of guess we are making. Don't rely on formulaic confidence levels provided along with the report. You are the one who must decide what to do with the information we give you. Unless the evidence and logic satisfy you, don't use it. If you consistently get unsupported answers, get a new intelligence officer. I guarantee you that, if you demand it, we can do better, much better.

For all of those of you who are still uncomfortable with the uncertainty inherent in intelligence analysis, remember, for all its warts, there is no substitute for good analysis. When knowledge is in short supply, even small doses from the intelligence community can make a huge difference. And a hunch from one of our experts, particularly one like Wayne White, is almost always a better bet than one of your own. But in the end, even perfect knowledge does not ensure a wise decision. That's what you get paid the big bucks for.

Let me close with a few tips on how you can improve the answers you get from the intelligence community. Always ask whether other agencies agree with the answer. Smoke out any differences. Insist on more than assertions and conclusions. Knowing how they derived their answers is essential. When they resist -- and they often will -- throw the messenger out of your office and tell everyone about your bad experience. Don't put up with it. Also insist that written answers include detailed comparisons of trends over time. How does it differ with our answer six months ago, two years ago, et cetera? For NIEs, request an annotated bibliography of research studies completed since the last NIE -- obviously the more listed the better. And finally, rely on your own instincts. If the milk smells, don't drink it.

Mr. Chairman, that ends my opening remarks. I stand ready to answer any questions that you and your colleagues may have.

SEN. DORGAN: Mr. Ford, thank you very much.

And finally we will hear from Wayne White, a former deputy director of the Office of Analysis for the Near East and South Asia, State Department Bureau of Intelligence and Research. Mr. White is an adjunct scholar at Washington's Middle East Institute. In March of 2005 he retired as deputy director of the Office of Analysis for the Near East and South Asia in the State Department's Bureau of Intelligence and Research. He has many, many years of distinguished service in other areas as well in the foreign service. Mr. White, thank you for being willing to be here.

MR. WHITE: Thank you, Mr. Chairman. Thank you also, Senator Bingaman and Senator Feinstein and others, for giving me this opportunity to speak here today.

Unlike some others testifying today, as you know, I have had less involvement in some of the more notorious prewar intelligence issues. Nevertheless, I believe I have some insights worth sharing in the context of this hearing relating to various important issues. One key point that must

be noted concerning prewar decision-making is not only that it often turned a blind eye to intelligence inconsistent with their Middle East agenda.

Equally disturbing is that the most senior officials involved, the president, the vice president, defense secretary and then-NSC Secretary Rice, had relatively little past experience with the complex politics of the Middle East region, let alone Iraq, a major impediment to sound policymaking if one already does not have an open mind and is driven by a particular agenda.

Clearly, as is strongly implied above, it is my belief that some officials did intervene in the process of intelligence analysis in order to shape it to serve their regional agenda. The harassment of a friend in the Bureau of Intelligence and Research by State Department Undersecretary Bolton was just one example of this broader problem. How much difference did all that make in what was actually produced by these intelligence professionals is another issue.

Warning signs were simply ignored or belittled. And there were many. To cite one, the I&R Energy Department footnote in the Fall 2002 National Intelligence Estimate on Iraq WMD stating that there was little or no evidence that Iraq had an active nuclear weapons program was either ignored or, allegedly, repeat, allegedly, not read by at least one key decision-maker.

To have shoved aside the Energy Department's views in the face of his well known technical capabilities with respect to assessing intercepted Iraqi-bound aluminum tubes, for example, is deeply disturbing and indicative of an atmosphere prevailing in 2002 and early 2003. My own formal February 2003 I&R analysis, "Iraq, the Middle East and Change: No Dominoes," warned that even a successful effort in Iraq, both militarily and politically, would not only fail to trigger a tsunami of democracy in the region but potentially could endanger longstanding U.S. allies in the Middle East, not the region's anti- U.S. autocrats.

I must add that the conclusions of this study were not all that extraordinary for decision makers with open minds. Polling for a number of years, and by a variety of polling sources, clearly showed that the region's populations were and are predominantly more anti- American, anti-Israeli and militantly Islamic than their existing governments. So, even if democracy had taken hold in various Middle East states, the result would have been governments more anti-American, anti-Israeli, more militantly Islamic than those previously in power, as we have already seen in the case of Hamas in the context of the Palestinian-Israeli theater.

In other states viewed as candidates for democratization, ethno-sectarian strife is either well under way, in Iraq, or looming, in Lebanon. And finally, with respect to Egypt, a state initially and I believe naively prominently showcased by the administration as a promising case relating to emerging democracy, heavy-handed Egyptian government obstructionism has become a serious impediment.

Something else should be added about this February 2003 assessment -- its existence almost certainly was known to the administration, because although not the result of any action on my part, its contents were leaked to the Los Angeles Times in early 2003, causing a bit of an embarrassing public stir.

Another issue I would like to touch upon is that of prewar preparedness. The administration consistently denies charges that forces allotted to the Iraqi campaign were insufficient. This is false. I would like to provide just one example that I believe has not been previously aired that strongly suggests to me that resources were stretched terribly thin. Only when the Iraqi workload began to overwhelm my director and our Iraqi analysts in December 2002 was I asked to attend some significant prewar meetings related to Iraq. Previously as deputy director I had been asked pretty much to focus on everything else. One of these meetings was a forum for largely operational political military issues, with CENTCOM playing the lead role -- a perfect fit for a military buff like myself with considerable prior experience in Iraqi affairs. \

To my shock, I discovered that CENTCOM was hoping to rely on NGOs -- nongovernmental organization, like the Red Cross -- for the treatment of Iraqi military and civilian wounded. In two separate meetings, I reminded CENTCOM officers in no uncertain terms of their responsibilities under the Second and Fourth Geneva Conventions of 1949 regarding these activities and that NGOs almost never operate on active battlefields in any case.

In retrospect, I cannot bring myself to believe that CENTCOM was thoroughly unaware of its responsibilities under international law, but instead probably was stretched so thin because of the limited U.S. military resources assigned to the Iraq campaign that officers were desperately casting about for ways in which to pass along to others certain basic duties.

As requested, I will also touch upon both intelligence and policy perceptions of the Iraq insurgency in 2003. It was my overall impression that most of those within the administration and the intelligence community initially dismissed the emerging insurgency as being comprised only of so-called former regime elements plus some so-called foreign fighters.

The thinking was essentially to hunt down and destroy former regime elements and close the Syrian border to foreign fighters, destroying those who had already entered the country, after which the insurgency would diminish in strength. This analysis was one-dimensional and badly flawed. I encountered this line of thinking among virtually all around the table in the first meeting to coordinate what would become three months of deliberations over a national intelligence estimate on this issue requested by CENTCOM in July 2003.

I argued that the insurgency had deep roots in generic opposition to foreign occupation among a very proud people; broadbased Sunni Arab anger over being disenfranchised, removed from power; joblessness; lack of public services; and what I termed, rather crudely at the time, searching for a word, pissed off Iraqis, or POIs, for lack of a better term, again. POIs, very seriously, are people who lost relatives in the war; whose relatives were arrested and taken away to Abu Ghraib and other military holding facilities; those imprisoned and released later, many of whom were actually innocent; those whose property had been damaged or destroyed by coalition action, either during the war or in the course of anti-insurgency operations, et cetera, et cetera. In other words, the insurgent recruiting pool was -- and is -- not only potentially vast, but renewable.

I was pessimistic as early as late April 2003 on our ability to achieve success in Iraq. This might surprise some people. That conclusion was grounded on the tremendous impact of the devastation wrought by widespread looting that coalition forces did very, very little to stop,

something fairly often belittled. The looting utterly devastated Iraq's power grid, government ministries, the educational system, state industries, et cetera. Simply getting the country back to where it was just before the war would prove, even now in certain sectors, a mission impossible.

As a result, the supply of so-called "pissed off Iraqis" would be that much more plentiful and continuous throughout the exercise in Iraq, year after year after year. The administration continues to claim that the appalling state of Iraq's basic infrastructure is largely the result of 12 years of U.N. sanctions. And there's certainly something to be said about that.

In reality, however, much of what severely damaged infrastructure was looting and subsequent ongoing sabotage on the part of insurgents and criminal elements which were direct consequences of the 2003 war, not pre-war sanctions. In closing, let me mention a factor, a major blind spot of sorts, that bears on so much of what has happened and what is happening today with respect to Iraq.

As I've noted, Iraqis are an extraordinarily proud people. They also are very disciplined and tough, sometimes dubbed the Prussians of the Arab world by other Arabs. In the 1991 Gulf War, Iraq was largely a pushover militarily, something played out weekly on the Military and History Channels. But that was only true because the average Iraqi soldier recognized that fighting the U.S., the U.K., many European powers and a vast and truly united global coalition under the aegis of the United Nations, in 1991, was clearly hopeless.

Too many of our military people and others took the poor showing of Iraqi soldiers in that war, and the relative ineffective conventional Iraqi resistance in the 2003 campaign, for similar reasons, as the true measure of the average Iraqi war-fighter. What Iraqis really are capable of, man per man, was demonstrated in the eight-year Iran-Iraq war in which Iraqis largely stood their ground, despite horrific losses. They did so because they knew they had a very real chance of winning, and did.

At the very beginning of the 2003 war, British forces were compelled to repeatedly retake the fairly small, largely Sunni Arab port city of Umm Qasr, just over the Kuwaiti border, from Iraqis fighting as guerrillas. I knew then and there that we would have a serious problem on our hands. These first insurgents, fighting out of uniform, from windows, behind corners and on their home turf, had discovered that they had a chance to inflict significant damage on a technologically far superior enemy. I quickly warned, around the first week or 10 days of the war, in a formal I&R assessment, that this spelled danger as you move further north, especially into Iraq's Sunni Arab heartland.

Nonetheless, probably because of all that shock-and-awe, Umm Qasr and one or two other problem towns along the way to Baghdad became the exception, not the rule. Only in the first months after the end of the conventional fighting did the broader Sunni Arab insurgency begin to take shape and gain momentum. My warning was accurate, but just a tad premature.

I would like to thank you all for your time, your patience, and I would be delighted to respond to any questions you might have. Thank you.

SEN. DORGAN: Mr. White, thank you very much.

The four of you, I think, have something around 120 years of experience in our government, much of it at the highest levels of government. And we appreciate the work you've given over these many years for our country, and appreciate you coming today.

What you say -- a fair amount of what you say is, of course, very troubling in many ways, because it describes a situation that requires us to ask some very difficult questions about what happened and what's it mean for the future.

I want to ask a couple of questions.

Mr. Ford, you piqued my interest by a couple of things you said, but it relates to testimony by others as well. You indicated that, you know, if the intelligence isn't any good, don't use it; you know, have confidence in what you're given.

One of the questions I would ask all of you is: When members of the United States Congress are provided intelligence by the head of the CIA, by the secretary of state, by the vice president, by anyone who is in top secret delivering a body of intelligence that comes from the intelligence-gathering services, is there a requirement for that intelligence to be described to the Congress in terms of not only what it says based on who is delivering it, but also other areas of the administration that may dispute that intelligence. Is there a requirement for that delivery of information to be on all sides of the issue? And the reason I ask the question, you're familiar with, I'm sure, especially the aluminum tubes, but it would relate to about three or four areas.

The aluminum tubes, the intelligence delivered to us about aluminum tubes, turns out to have omitted some very, very important information about another agency in government, particularly the Department of Energy. Give me your description of what you think the intelligence service should be delivering to the Congress.

MR. FORD: Well, I think that, certainly there is, in my mind, no obligation for the director of central intelligence or the CIA to tell you what we at I&R or people at DIA or NSA think. I think they should. I think it's wise to do that. But I don't think that there is any formal obligation for them to do so.

Some of the obligation has to rest with you, to ask that question: Does everybody agree with us? What are the disputes? When I was a national intelligence officer, I actually footnoted one of my own estimates. We managed the process. And the analysts in the community felt very strongly about one particular topic. I was so disturbed by it that I went to the director and asked if it would be appropriate if I had my own footnote. And I did.

These are some of the most interesting parts of our estimates, is the footnotes, because those are the areas in which there are experts in the community who are in disagreement or have different views. And it often highlights what most of the battle, what most of the discussion is during the preparation of the estimate.

SEN. DORGAN: Mr. Ford, let me ask Mr. Wilkerson a question, then, on that score. When a presentation was made to the United Nations by Secretary Powell, I watched that presentation and was impressed by the presentation because it was information, obviously, that had been given to us as well.

But it seems to me that subsequent to that, at a later date, Secretary Powell discovered that a portion of that information was given him by others and there was no disclosure that, in fact, it had not been agreed to by all agencies of the federal government. So even the secretary of state was provided intelligence information that did not include all of the information. Is that the case?

MR. WILKERSON: Increasingly, I'm coming to believe that it was the case, and especially on two or three very critical pillars of his presentation.

Let me address the aluminum tubes first. There is no issue about what we were given at Langley more complex and confusing than the aluminum tubes. I've found a number of people in the intelligence community don't even know the details I know. There were multiple consignments of aluminum tubes, multiple consignments that were intercepted in different places. Different tubes from consignments went to different laboratories. The DOE only got one consignment's worth to look at and to assess and, as I recall, a private laboratory or two. The French and other foreign countries got tubes to assess. Without violating anything that my oath keeps me from violating, I can tell you that, at a critical moment in the aluminum tube debate with Secretary Powell and George Tenet -- John McLaughlin there, too -- the one particular foreign service that weighed in with us and told us what their labs had just confirmed was persuasive with Secretary Powell.

This particular country, its political authorities would not let its intelligence service do anything but talk to us. In other words, they couldn't say that such-and-such a country had confirmed such-and-such details, but letting the secretary know that through the DCI was very persuasive.

And as you've noticed, if you've reviewed his remarks at the Security Council, he wavered even after that a little bit. He was not convinced, totally, that the aluminum tubes that had been looked at in so many different places by so many different laboratories and produced conflicting results in some of them were a matter of circumstantial evidence that he should be putting into his presentation. And so, he qualified it, even as he did so.

The other aspect of that controversy that never comes out is that Saddam Hussein, in order to break sanctions, had developed probably what in my 35 years I would describe as the most elaborate purchasing network any country has ever created in order to buy things that broke sanctions -- and virtually everything broke sanctions. Even if the aluminum tubes were for mortar shielding or artillery shielding, they broke sanctions. And I think what had happened was, in trying to piece this together, he had actually -- one of his generals, whatever, procurement agency had said go out and get aluminum tubes, whether they were for rockets or whether they were for mortar shielding or whatever, no one even cared. And so, they go tubes. It looks like today that what they got them for was mortar shielding, rocket shielding. But some of the tubes, apparently because of the metal, the cost of the tubes and so forth, and because of some of the analyses done in other labs would have been sufficient for centrifuge material.

Were they intended for that? Who knows, probably not judging by the other information we have about the inactivity of his nuclear program I would say not. But this purchasing apparatus, which was labyrinthine, was out there buying whatever it could buy whenever it could buy it, and it didn't care about the cost largely. When you talk about the difference between \$75 for a little piece of metal and \$15, you start thinking, "well someone's nuts if they're buying this high quality metal just to blow up." All of these things went into the debate about aluminum tubes, and as I said at the outset my of my remarks, I'm still not clear in my own mind about what Saddam Hussein was purchasing.

Now there are other areas that I am clear on, and one you brought up Senator Feinstein was Curveball. Nowhere, at any time during the deliberations day and night at Langley, day and night in New York for two days prior to the presentation, my task force rarely put its head down to sleep, did anyone mention the name curveball, or anything about the unreliability of the multiple sources that we were given as evidence that the mobile biological labs existed and were in Iraq and working. We never heard the term, we never heard any doubt on the reliability.

SEN. DORGAN: Did such doubts exist at that point, but you didn't hear them?

MR. WILKERSON: I have no idea, but with Tyler Drumhiller, head of the European division of the CIA at that time and others coming forward and saying they did, I have to assume that they did. And that's very disturbing to me, because as I said, John McLaughlin was sitting there, George Tenet was sitting there, NIOs whom they had hand picked, CIA analysts whom they had hand picked were sitting there, and we argued and argued about this, because Secretary Powell was convinced without photographs that this was anything other than circumstantial evidence. And the most persuasive thing of all was the multiple sourcing; we were given four different sources, it turns out now there was only one source apparently. We were not told of any connection with those sources in the INC or Ahmed Chalabi. We were not told about any doubts about those sources and their reliability. We were not told that the Germans, for example, registered their doubt about the source.

SEN. DORGAN: And Colonel Wilkerson, exactly the same thing has happened, or did happen to the United States Congress. We were provided exactly the kind of information you were provided, but not provided alternative information that would suggest that this allegation may be suspect. And that's why I asked the question of Mr. Ford. What do we do, and what's the obligation of the intelligence service when it tells the Congress something? Is the obligation to say "here's a set of facts we have, here are the disputes about those facts?" At any rate, I have other questions I wish to ask, but I want to get my colleagues to be able to in the position to ask questions. Let me call on Senator Bingaman.

SEN. BINGAMAN: Thank you all again for being here. Mr. Pillar, let me ask you about, I think you framed one of the main issues very well when you say instead of intelligence being used to inform policy decisions, it was used primarily to justify a decision already made. And then at another point you say that it's one thing to work in an environment in which policy makers are known to want the most objective analysis wherever the evidence may lead, it's quite another to work in an environment in which the policymaker has already set his course and is using intelligence to publicly justify that course. I notice in the testimony we're going to receive on the second panel,

Mr. Smith with the *London Sunday Times* talks about the Blair Downing Street Memos, and talks about this memo dated July 21, 2002, which he states, he says the Cabinet Office briefing paper makes clear that they (being the President and Prime Minister Blair) agreed to go to war in April of 2002, six months before Congress was asked to back a legal action, several months before the UN Security Council passed Resolution 1441. I guess I think it's important to try to figure out if there was a tipping point, if there was a point where the President and Vice-President, perhaps as the decision makers or the President as the ultimate decision maker, went from actually wanting to know what the intelligence revealed to a point of wanting to use intelligence to justify a decision that had been made. Do you have an opinion as to whether that point was April of 2002 as this Downing Street Memo seems to indicate, or some other time, or do you think that's not knowable?

MR. PILLAR: Not being a fly on the wall of the Oval Office or other places where such decisions may be made, it'd be hard to pinpoint any more than almost a seasonal way: Spring, Summer. The Downing Street Memo and the other things that have come from the U.K to my mind.

SEN. BINGAMAN: Spring, Summer of 2002 you're saying the decision was made to go to war.

MR. PILLAR: Yes, as we now know from subsequently reported discussions, very senior figures in the administration who were very much on the pro-war side were speaking of the overthrow of Saddam as an objective that has now become live in the immediate aftermath of 9/11, in September of 2001. From the standpoint of those of us in my part of the intelligence community, I would say by the Spring around, say around April of 2002 based upon the questions that were coming our way and the other indications of administration thinking that was consistent with the British material to say that's about when the decision probably was made.

SEN. BINGAMAN: Well that, does anybody else have a different opinion as to that? It strikes me when I was hearing your testimony Mr. White, you were saying you were referring to your February, 2003 INR analysis. If what Mr. Pillar was saying is accurate, you were nearly a year late in the sense that the decision had been made, and your analysis was not really informing any policy making judgment. Do you disagree with that knowing what you know now?

MR. WHITE: Well at the time I wrote it, much of what we know now about the year 2002, the Downing Street documents and other things were unknown.

SEN. BINGAMAN: Right, so at that time you thought...

MR. WHITE: So people writing in January, February of 2003 still thought they were feeding into a system that might be receptive to the message, but one can only conclude that with the course set, seeing something like that, they just went ahead with it hoping it was all wrong.

MR. PILLAR: Senator, if I can add to that. The community as a whole in the assessments that it did, coordinated throughout the community in which Wayne and I participated fully, covered much of the same ground as Wayne's own assessment that he described in his statement. And those assessments came out in January of 2003, a couple of months before the troops started the invasion. And I can tell you what my frame of thought was, there was certainly no delusion that we were

going to turn aside this train that was already far down the track. But it's our responsibility as intelligence officers not just to sit back and wait for requests to come in, but to try to be proactive, and to try to be as helpful as we can in assisting the policymaker and those who have to execute the policy such as the U.S. military, in thinking through the problems that are soon going to be landing with a thunderous thud on their laps. And that was the purpose of those assessments.

SEN. BINGAMAN: So your view was that the assessments you were doing as late as January of 2003 were really to inform policymakers about the problems they were going to encounter once the invasion occurred. It was not to inform policymakers whether or not to do anything.

MR. PILLAR: If I could have produced those assessments a year earlier, that would have been great, but given the timeline of the decision making, the best we could do was help inform the decision maker and the military about the problems they would be dealing with once the occupation began.

SEN. BINGAMAN: Mr. Wilkerson, let me just ask from your perspective, Secretary Powell's perspective, do you have any sense as to when the decision was essentially made, that invasion was going to occur, and that from then on it was a question of how to deal with the various issues that that would create. Do you have any thoughts on that?

MR. WILKERSON: As an academic of course, I've read everything I can get my hands on so I can be better informed for my students in seminar. But as a person who was there with the Secretary hour by hour, minute by minute in many cases, I only can say that the Secretary of State was very, very aggressively involved in diplomacy right up to the moment that in essence Dominique De Villepain and the French ambushed him at the United Nations and let him know that they weren't going to vote in the Security Council and oh by the way the others probably would either, for a second resolution. This is January, 2003. When we got all 15 to vote on 1441 on 8 November, 2002, the Secretary was elated, as was everyone in the State Department, and we thought diplomacy still had a chance. I've been with Colin Powell now for 17 years. He's not one who fools his closest colleagues. He was still dedicated to diplomacy as late as early January, 2003. So it's difficult for me to say that one of the principles of this administration knew that the decision was closed as it were, late 2002, early 2003.

SEN. BINGAMAN: So as to Secretary Powell, you believe he still believed that the decision had not been made.

MR. WILKERSON: I think he still believed he had an opportunity to influence what we were going to do with regard to Iraq.

SEN. BINGAMAN: Okay, alright, I'll stop with that Mr. Chairman, thank you very much.

SEN. DORGAN: Senator Feinstein.

SEN. FEINSTEIN: Thank you very much, and thank you Gentlemen for your testimony, I think it's very important. Mr. Wilkerson, I'd like to ask you some questions if I might about your

written remarks, particularly centering on the last two paragraphs on page five of those remarks. When, let me ask this, how was the information concerning al-Libbi given to you?

MR. WILKERSON: We were simply told that there had been interrogations of a very high level Al Qaeda operative, and that those interrogations had revealed the following information, and then the information was given, which was if memory serves, the substance of it was that there were contacts between Al Qaeda operatives and Mukhabarat or intelligence operatives in Iraq, and those contacts were aimed at Al Qaeda getting training about the use of biological and chemical weapons which, of course, was devastating. To that point, the secretary was inclined to throw almost the entire 25 pages that had been give him by the White House and the CIA on terrorist activities...

SEN. FEINSTEIN: Was that from the Office of Vice President, the 25 pages?

MR. WILKERSON: The 48 pages on WMD script came from the White House. The terrorist script -- I never knew where it came from, frankly. I think it came from a combination of the White House and the agency, because George Tenet always had his terrorism man with us and he was very conversant with that script. And so I have to think it was a combined product.

But the secretary was almost ready to throw that entire portion out. And so this was a very important revelation, that this high- level Al Qaeda operative had confessed, as it were, to all this. And so he allowed that part to stay in.

We also fought vigorously over Abu Musab al-Zarqawi and his presence in Baghdad, whether or not he actually had been wounded, whether or not he'd received medical care...

SEN. FEINSTEIN: Stay with al-Libbi for a second.

MR. WILKERSON: OK.

SEN. FEINSTEIN: When did DIA dissent?

MR. WILKERSON: I have subsequently been told -- in fact, recently I was told -- they dissented at the time of the interrogation, principally based on the fact, I was told, that no U.S. personnel were there when, in this other country, al-Libbi was being tortured or near torture, water-boarded is what I was told.

And so they dissented based on that. Plus, they just didn't think the evidence was credible by the way it was obtained.

And then second, I was told -- and this was really shocking to me -- the DIA dissented on 3 February. Now, we went to the U.N. on 5 February. If those two things are correct, then I have the same question about al-Libbi's evidence as I do about Curveball: Why weren't we told?

SEN. FEINSTEIN: So they knew prior to the time you went to the United Nations?

MR. WILKERSON: That's what I'm being told.

SEN. FEINSTEIN: And they were aware of the text and the fact that you were going to the United Nations?

MR. WILKERSON: Absolutely. Mr. Tenet passed that text out to critical people to make sure that everybody had a chop on it. That's how Tyler Drumheller got a hold of it.

SEN. FEINSTEIN: Where did the Secretary obtain the information and chart of what he stated in the Security Council speech were mobile biological labs?

MR. WILKERSON: We were told there were four separate independent sources. By independent, I mean they were not connected to one another.

SEN. FEINSTEIN: I'm talking about the charts of the biological labs.

MR. WILKERSON: Those charts came from a source we were told was an Iraqi engineer who actually had worked in one of these labs, knew the specifications in the design and so forth because of that exposure, had actually been involved in an accident in one of the labs where something had gone wrong and some people had been injured and so forth -- very credible story. And when the CIA presented us with all the drawings and the specifications and everything, it became even more credible.

SEN. FEINSTEIN: So they were CIA drawings?

MR. WILKERSON: Right.

SEN. FEINSTEIN: Do you know who made those drawings?

MR. WILKERSON: I don't. I would assume it was done by people who took the information that this source had provided and turned it into graphics.

SEN. FEINSTEIN: Did you read The Washington Post yesterday on the Tyler Drumheller story?

MR. WILKERSON: Yes, ma'am, I did.

SEN. FEINSTEIN: How do you assess this meeting with McLaughlin? Do you believe it took place or it didn't take place?

MR. WILKERSON: That's mind-boggling. I can't imagine why Tyler Drumheller is telling an untruth. At the same time, I have difficulty fathoming that John McLaughlin can't remember. I believe that's what he said, he can't remember the meeting. That would be like me saying I forgot meeting with Secretary Powell or something. I just can't understand how memory serves that poorly.

SEN. FEINSTEIN: I've taken an interest in Curveball for the obvious reasons. I don't think there was anyone more respected in America than General Powell, Secretary Powell. And he went before the Security Council four months after we had taken a very difficult vote. And, as Senator Dorgan said, we all listened to him. And he was a very important source of information. Because of his military background, the fact that he was Secretary of State, his prominence, his credibility, what he said was doubly more important than virtually anything else, because no one thought a Colin Powell would be conned into saying something that wasn't correct. And so it remains, and I think will go down in history, as a very unusual episode. And I've been trying to understand, because you've stated it correctly, that four sources boiled down to one source. There was ample knowledge that the source was not a bona fide source. It shouldn't have been taken seriously. And yet clearly was. When this was inserted in the speech, the mobile biological labs, the Curveball information that wasn't -- Curveball at the time was never mentioned to the secretary.

SEN. FEINSTEIN: How was this put in the speech -- based on what information?

MR. WILKERSON: Well, it was information that came from the reports that we were reading. And the reports were from four different sources, each one adding a little bit to the picture, with this former Iraqi engineer -- who I assume now is Curveball -- adding the extensive specifications of the laboratories to include fermenters and tanks and piping and so forth and the dimensions of the trailers on the trucks and so forth. We even went into an exhaustive study of how many trucks plied the highways of Iraq every day out of Syria, Jordan, Turkey and so forth and how difficult it would be to find these -- there was a very small number of trucks -- these trucks -- once we went into Iraq, if and when we did, and how difficult it would be to find them by satellite and so forth. So there was just an incredible amount of detail that went along with this exposition of this particular biological mobile labs.

SEN. DORGAN: Might I just ask on this point, I believe it's the case that German authorities warned this country that this person was probably a fabricator or this person's story didn't really hold up? Apparently, subsequently, there's been discussion that this was not an engineer, this was a taxi cab driver. Is that correct?

MR. WILKERSON: That's my understanding.

SEN. DORGAN: So Curveball was -- things I have read -- perhaps a drunk or someone who abused alcohol, a taxi cab driver, not an engineer, and someone who German authorities had in their possession and had indicated to this country that this person probably was a fabricator. Is that your understanding?

MR. WILKERSON: That's my understanding. Let me add, though, that I've been in the bureaucracy for a long time. It's not unbelievable to me that someone might have registered a dissent at a lower level that either didn't make it to the DDCI or the DCI or did make it and they dismissed it. The problem I have now is with Tyler Drumheller. I mean, this man was head of European operations. And for him to be saying what he's saying, if it is indeed accurate, is very disturbing.

SEN. FEINSTEIN: Well, very disturbing to me, too. Because, clearly, if the meetings took place somebody countermanded him. Someone consciously didn't pass the information up, and that's reprehensible.

WILKERSON: And the same thing with al-Libbi -- two very critical parts of Secretary Powell's presentation.

SEN. FEINSTEIN: Was all of this put into the presentation by the CIA?

MR. WILKERSON: There were a number of people on my team. Will Toby (ph) from the NSE staff worked in Bob Joseph's nonproliferation shop on the NSE staff. John Hannah was from the Office of the Vice-President and held a pen on the script that was given me, I'm told. And since I've known John and my speechwriter had known John for a lot longer than I, she recognizes his style. So the Vice-President's Office, really, I think, had the pen on this complex 48-page document. But I will add also that I'd heard a lot of what was in that document from the undersecretary of defense for policy, Douglas Feith, before too. So I connect the two things. I think they were working together.

SEN. FEINSTEIN: So Hannah wrote this portion of the speech?

MR. WILKERSON: That's my understanding. I understand Scooter Libby has indicated that he wrote it, but I think he means he edited it. I think John Hannah probably wrote it. And as I've said in my written statement, that 48-page document wasted precious time as we went through it because it was simply uncorroboratable. And so I turned to the DCI after a few hours of wasted time -- quite frustrated -- and I said, "This is not going to do it, Mr. Tenet. We got to do something else." And he said, "OK, let's turn to the October 2002 NIE and let's make it our base document." And we did, and we moved out with that. Unfortunately, it turns out major conclusions in that document were just as bad.

SEN. FEINSTEIN: Mr. Pillar, were you the one that wrote that the Vice-President made 12 trips out to the CIA? One of you wrote -- and somebody wrote in their background paper -- perhaps it's the next panel. Did anyone...

MR. PILLAR: I never used that figure, no.

SEN. FEINSTEIN: I'll go into that in the next panel. Have you, Mr. Wilkerson, to this day - - although I think you've pretty much figured out what happened, are there any other comments that you'd like to make to us? Because I think this was just such a singular event: To put this man out before the world with information that was not correct, to put it modestly, was a dastardly thing to do.

MR. WILKERSON: Let me do make one other comment to balance, perhaps, some of my previous comments. I have truly mixed emotions about some of the people that participated in this with me who may or may not have known things quite adverse or quite different from what they told us. At the same time, let me say that when we came to looking at the satellite photographs in

incredible detail of the ammunition supply points in Iraq, one of the things I had to do was go to Mr. Tenet and ask him for permission to show those satellite photographs. Because what we had in one set was an ammunition supply point that was dirty; that is to say it had all the signs of special weapons, either chemical or bio. Two or three days later, we had the same site with the U.N. vehicles, with the big black U.N. on the side of them, pulling into the site and the site had been completely cleaned. That's very convincing circumstantially when you're looking at it. We wanted to show that at the U.N. Mr. Tenet and the Secretary, being a former military man, and myself, too, agonized over showing that because we knew when we showed that, that people in Iraq would know that we knew where their ASPs were and thus we would be unable to pre-empt them and save our troops from having those WMD used on them in the event of war.

I watched the DCI agonize over that decision for a full day and the secretary agonize over it. And we finally figured out a technical way to fuzz up the pictures and so forth and change a little bit of this and a little bit of that so that our enemies -- because it's not just Iraq we're talking about -- would not know how we were identifying special weapons in the ASPs. So this is a man who agonized over that decision -- two men, McLaughlin and Tenet -- and yet at the same time did not bother to tell the secretary -- if Drumheller's telling the truth -- about Curveball and about the DIA's dissent on al-Libbi. Very confusing and more complex than perhaps it might look at first blush.

SEN. FEINSTEIN: Thank you very much. I think my time is up. Thank you, Mr. Chairman.

SEN. DORGAN: Mr. Wilkerson, let me ask: What was in the first White House draft with respect to the -- was there a first White House draft with respect to a presentation to the United Nations?

MR. WILKERSON: That's correct. The secretary walked through my door, as I recall, on January 29 -- a Wednesday -- and handed it to me and said, "Go to Langley and get your task force together. Mr. Armitage has already talked to Mr. Tenet. You'll be welcomed with open arms. Put my presentation to together."

(CROSSTALK)

And the 48-page script that he handed me was what we started working on. And as Mr. Pillar said earlier, to quote him, it was "scraps" that had been put together from everything, including the newspapers to INC reports to genuine DIA, CIA and other reports. And John Hannah had a thick clipboard. And we started moving through this script because the Secretary had given me very firm orders: nothing unless it's multiple sourced and it's sourced the way the intelligence community sources. And so we're moving through this script and we're going to John and his clipboard for the sourcing. And it turns out the sourcing is sometimes a newspaper article, sometimes a DIA report, sometimes a CIA report, sometimes a satellite photograph or whatever or an NSA intercept. And so we have to go find each one of these and read it in its fullest context. And we began to find out that its fullest context was not necessarily being reported in the script. And it didn't take but a couple of pages of that and about a half a day, and I said, "This isn't going to do." And Mr. Tenet agreed and we moved to the NIE.

SEN. DORGAN: Let me ask what the circumstance was with the creation of an office at the Pentagon with respect to Doug Feith and the relationship to intelligence and State. Can you describe that?

MR. WILKERSON: I didn't have direct contact with it, but the network that I had within the bureaucracy that kept me informed on what was going on and where constantly was buzzing about the Office of the Undersecretary of Defense for Policy and an alternative intelligence operation. I had no problem, as a former DOD member, understanding the angst that might exist in DOD. When I was in DOD, we had no use for the CIA. I think I said in my prepared statement that we may have done some damage to the way the CIA does analysis, because after the first Gulf War, where I was with General Powell as chairman, the CIA's cooperation with General Norman Schwarzkopf and our soldiers in the field was quite dismal.

So one of the results of that was we created the Office of Military Affairs and put a two-star flag officer out at the CIA to make sure military interests in the future were protected. So I just tell you that to give you the idea that military people don't have the fondest views of the CIA some times. And so it wasn't difficult for me to believe that they were trying to do their own thing over in the Pentagon. The little exposure I had to this was that it was quite eclectic in its willingness to go out and grab almost anything. Whether it came from an INC contact or whether it came from Ahmed Chalabi himself or whether it came from the New York Times or whether it came from a genealogy of terrorism created at the CIA or whatever, they were willing to take it and then select pieces out of it and use those pieces in talking points and papers and so forth for the secretary of defense and for the deputy secretary of defense.

SEN. DORGAN: Mr. Pillar and Mr. Ford, do you have experience with respect to Mr. Feith's office and what was created there and some understanding of what that might have meant to the CIA, or why it was created over in Defense?

MR. PILLAR: Not direct experience in that I had to deal with it. And I wasn't working specifically on counterterrorism at the time, but based on my understanding and indirect observations -- in some of which I found out inside Senate committee hearing rooms indirectly -- the one particular body under Mr. Feith which had the name of Policy Counterterrorism Evaluation Group seemed to be devoted overwhelmingly, perhaps exclusively, to the purpose of assembling these scraps of information that would point to links between Iraq and Al Qaida. And although I agree with Colonel Wilkerson that there are more general military grounds for skepticism about some of the products coming out of CIA or elsewhere in the intelligence community, the driving force here, quite clear, was the attempt -- not by the military, but in this case an arm of the Office of the Secretary of Defense -- at the policy level to link the whole Iraq war to the idea of terrorism and the mood of the public after 9/11. Hence this gargantuan effort to drag up everything that could suggest any kind of link between the Saddam regime and the terrorist threat that we all feared.

SEN. DORGAN: Mr. Ford?

MR. FORD: I didn't know anything directly about the group. I had heard several complaints from my analysts about "There's this group of people over at the Pentagon who were doing things."

And my response then -- and I haven't really changed my mind -- if four or five guys in the Pentagon can out-think I&R and CIA, shame on us. If we can't deal with people cherry-picking, we're the intelligence professionals; we should have been able to deal with it. And, one, I think it was a terrible mistake for them to believe that they could take four or five people and come up with better intelligence. But remember, the reason that that had to happen is because we had failed them. We weren't providing them with things that they could believe. I guarantee you that the only thing you can deal with opinionated people -- and I don't know Republican, Democrat: When you talk about senior-level people, they all have strong opinions -- you got to have evidence. You can't go in, "I believe," or, "Look at this report." You have to be able to be convincing and persuasive. We weren't. We at I&R were not able to persuade our boss about the aluminum tubes. And that wasn't because he didn't trust us. It's because we were like everybody else: We had our opinion. And our opinion was that there was not nearly enough information to make an important judgment like that.

SEN. DORGAN: But we didn't even know there was a dispute about the aluminum tubes.

MR. FORD: Sir, with all due respect, I came down to the Hill too many times and told about I&R's objections with this estimate and with the aluminum tubes, the nuclear -- we were not shy about telling where we disagreed with the rest of the community. The fact is that the rest of the community believed very strongly that we were wrong. It wasn't because we didn't tell you.

SEN. FEINSTEIN: Except for the Energy Department. Energy had a different view.

MR. FORD: As you know, the Energy Department tried to have it both ways. We at I&R agreed with Energy on the technical issue when they said that they had a problem with the aluminum tubes. That was one of the major reasons that we took the position on the aluminum tubes. But if you recall, Energy then flip-flopped and said, "Well, but we think they're going to reconstitute their nuclear weapons program."

So there was a lot of people who strongly believed that Saddam, a bad guy, had chemical, had biological and had nuclear weapons. And it wasn't that we gave them an estimate that said, "And watch out. There's a lot of ifs and maybes in this." It was a pretty strong statement. Go back and read it. You don't see anybody there trying to, sort of, hedge their bets on that. So the notion that -- well, my own view is that if you believe the intelligence community and you take our estimates as a basis for forming your policies, I worry for the security of our country. I wouldn't do it. I've been a national intelligence officer. I've been an intelligence officer for 40 years. I wouldn't base my judgment solely on the intelligence community and what they're doing right now. It's not any good. And anybody who looks at it in depth knows that it is an inch deep, not a mile deep.

SEN. DORGAN: Mr. Ford, that's even more troubling than all of the previous statements that have been offered here today.

MR. FORD: You better believe it.

SEN. DORGAN: Because the only thing we have -- we don't have our own intelligence system here in the United States Congress. We spend billions and billions and billions of dollars establishing a system for the gathering and the analysis of intelligence. That is all we have to rely on.

And your statement that it's not any good is very troubling, because we face some pretty challenging times ahead of us.

MR. FORD: You don't have to believe me. Obviously, this is an unclassified hearing. Leave this hearing and go look for those success stories on Iran, on North Korea, on China. Get them to show you all the details they have on those particular important issues to the United States. My experience at I&R, which is now a couple of years old, was that we actually were better on Iraq than almost any other country in the world. And so the notion that there's something better out there, that this was just one time we missed it -- OK, prove it. Show me. Get those documents out and let the senators read them and see if you make the judgment, "This is something I would bet my country's security on." And I think you would probably make the same conclusion that most of us did, is that until you do better work, we can't depend on you.

SEN. DORGAN: I'm not saying that I don't believe you. I'm very pleased that you're here and speaking out publicly. I'm just saying that if you were in this side of the dais, you would probably understand the enormous reliance we have on the only intelligence-gathering system that we pay for and that we try to use for our own evaluation. And we're talking today about what might have happened that moved us in a direction that had we had alternative information we might not have moved in. We're trying to understand what the lessons of the past are in order to apply them to the future.

I'm going to ask a question about that in a moment. But I do want to ask Mr. Wilkerson -- I know there have been several published reports about the issue of conversations by Secretary Powell and Mr. Hadley about Mohammed Atta being in Prague and the meeting in Prague. Can you recount some of that? Was this another case where the secretary's being pushed to include something that was in some dispute?

MR. WILKERSON: That was one of the matters that kept working its way back into his presentation and one of the dramatic moments at the DCI's conference room at Langley when we were doing, as I recall, the last rehearsal with the secretary before we went to New York. And the secretary was stopped in mid-presentation, and Mr. Hadley asked what had happened to the Mohammed Atta story.

The Secretary essentially said, "We took it out and it's staying out." And it was just an example of the tenacity with which certain people tried to get information into the script, repeatedly, that either the DCI or the DDCI or Secretary Powell himself simply didn't find credible and left out. To echo what Carl was saying, one of the most disturbing anecdotes I can relate to you about the CIA experience was when an NIO came up to me at 2 a.m. in the morning and we're sitting down drinking a Coke and he says, "Let me tell you the real story about the RPVs" -- remotely piloted vehicles -- "and delivery of chemical or biological weapons against the eastern seaboard of the United States." This was something we were trying to decide whether or not we were going to put in the presentation at the time, so I was all ears. He said, "You know how that really happened was that Saddam Hussein's labyrinthine purchasing network was trying to get mapping software from a certain country. "It acquired that software. And that mapping software had absolutely no connection with any nefarious purposes vis-a-vis the United States. But the company, in its advertisement back to the purchasing agent, said, 'Hey, how would you like to have some of these maps of the Eastern

United States, too, in addition to what you ordered?' "That was then reported back as finished intelligence. The DCI took it to the Vice President's Office and gave it to him. And it suddenly became that Saddam Hussein was looking for mapping of the eastern United States so that he could direct his RPVs from whatever platform, ship or whatever that came close into our country."

I asked the NIO, "When you found this out, because obviously you did, when was it?" He said, "It was two weeks after we rendered the report." "Did the DCI go to the Vice \-President' Office and disabuse him of the intelligence he had given him?" "No."

SEN. DORGAN: We've been joined by Congressman Walter Jones. And I know that my colleague Senator Feinstein wished to ask another question. Then I'll turn to Congressman Jones. Congressman Jones had called our office and knew that this was taking place. I told him he was certainly welcome to come. I indicated to Congressman Jones that we had invited both sides, here, in the Senate to be present today. Today is a Monday, with no votes, it turned out. We thought there would be votes this afternoon. And on Friday, they announced there were not votes. So many of our colleagues are back home and on their way back to Washington, D.C., this afternoon, perhaps on airplanes. But let me call on Senator Feinstein. You had an additional question.

SEN. FEINSTEIN: Thank you very much. In the next panel, we're going to hear, I think, by satellite, from Michael Smith, who's the defense correspondent of the London Sunday Times. And on page three of his paper, he points out that he had leaked to him a number of documents. And one -- well, two were Cabinet office briefing papers, dated July 21st, 2002. This is the famous Downing Street memo. And he points out that the paper made the stunning revelation that Blair and Bush had agreed to invade Iraq at the Crawford summit, April 6th to 7th, 2002. Now, that's six months before the U.N. -- excuse me -- seven months before the United Nations and six months before we were asked to back that operation. If that, in fact, is true -- and, as we all know, the NIE came a great deal -- was done in a very short two- or three-week period, directly prior to our October vote -- it seems to me, and I would respectfully suggest, it might seem to you, Mr. Wilkerson, that the decision was made and then the intelligence was used to buttress the decision. And intelligence was used regardless of whether it was correct or incorrect. I wonder if you would have any comment on that, anyone on the panel.

MR. PILLAR: Well, as I commented, Senator Feinstein, in responding to Senator Bingaman's question, I think the documents from the U.K. are quite consistent with the perception from my part of the community as to where the administration was going as of the spring, perhaps April, of 2002. May I remind you that -- and I'm an old political analyst, by background, and those of us who are political analysts are supposedly good at, or at least trained and paid to figure out the direction of a government's policy. Usually it's a foreign government's, but in this case the analysts in places like CIA would be pretty obtuse if they couldn't have concluded where their own government was going by the middle of 2002. And, yes, I agree with your conclusion that the intelligence was being used to justify a policy that had already been decided on.

SEN. FEINSTEIN: Anybody else like to comment on that? You don't have to. I know what I think. Thank you.

MR. FORD: Senator Feinstein, I'm more like Larry. I think that there were a lot of serious considerations about the prospect that we might have to go to war, that we might have to invade Iraq, that we might have to take Saddam down. And I'm sure that there were some people in the administration who had been wanting to do that for years. But at least from my perspective, as I was watching from the State Department, I had the impression that there was still some chance much, much later than April that if Saddam had, in fact, been more forthcoming, that there was an opportunity for some other solution. But the only one who really knows for certain when that decision was made I'm sure is President Bush. And everybody else -- at least the historical record that we have, the president didn't tell a lot of people or even ask them what they thought on that particular subject. He'd watch and listen to them and, sort of, knew where they were coming from. But the idea that they had decided beforehand and were using the intelligence, that also may be true.

MR. FORD: But I would also stress that if the intelligence community had stood up and said, "We have real questions about the evidence that we have on weapons of mass destruction," it would have at least made it more difficult for any administration to use that as an excuse to go to war. And the notion that because we knew what the president wanted to do, that we changed our intelligence views, I find just terribly disturbing. That's when we get paid, is when the President doesn't like something and we have to go and tell him, "I'm sorry, sir, but we disagree with you." That's what intelligence officers are for. And if we can't, in a crucial moment like the Iraq war, do our job, you ought to look at us, too. Look at the Republicans. Look at the President. But don't forget about us. Give us a very close look to make sure we're doing our job.

MR. WHITE: I'd like to say something, Senator. I want to concur with one part of what Carl said. I really do not think, at least at the working level, up to the office director level, that there was some unanimity of opinion, even as late as, let's say, January of 2003, that we knew where the policy was going. There is something that actually impedes us in this area. And that is that separation between intelligence and policy, which is supposed to prevent policy from influencing intelligence. And to some degree, that worked against us in this scenario. I was not aware that any decision had been made in mid-2002. I still thought there was at least some chance that things might work out differently as early as early 2003. And many of my colleagues felt that way. A separation of policy and intelligence, for a reason which brings us to his hearing when it fails, also probably lowered the, sort of, danger levels in the minds of a lot of intelligence analysts that we were that close and that everything was that certain.

SEN. DORGAN: Congressman, thank you for joining us. Congressman Walter Jones comes to us from over on the other side of the Capitol building. And we're pleased he's here today.

REP. JONES: Senator, I am very pleased and honored that this distinguished panel of the Democratic Policy Committee would allow me to spend just a few minutes and ask questions. I have actually met with Mr. Pillar and Mr. Wilkerson, and eight other individuals from General Zinni to Newbeau to Betiste to Karren Ketowsti to Sam Garner to James Bamford. These men know that my heart has ached ever since I found out that maybe the intelligence that we were given as Members of the House to vote for the Resolution was flawed and possibly manipulated. I have taken it upon myself to write every family in America a two page letter that requires my signature on both

pages, and when you count the extended families, we have sent over 8,000 letters. I say that to you and that distinguished group today, because my heart has ached ever since I have questioned whether my vote was justified based on fact. What I would like to ask, and it might be only two or three questions, but what has befuddled me so greatly is, I will make reference very briefly to General Newbeau who I've met with. And he wrote an article for *Time* Magazine in April of 2006. It says why Iraq was a mistake. And this is not co-authored. This is his name, Lt. General Craig Newbeau, who actually gave up a third star. He was a two star Marine General, and gave up the third star, because he could no longer stay at the Department of Defense. He was part of J3. I want to read this, and then I want to get out my question.

"I was a witness, and therefore a party to the action that led us to the invasion of Iraq, an unnecessary war. Inside the military family I made no secret of my view that the zealot's rationale for war made no sense." It goes on to say that maybe he should have done more. What I am just, and I think the American people quite frankly, am so perplexed with, is how, and I think Colonel Wilkerson, since you identified yourself earlier on the radio as being a Republican, and since I'm a Republican I will go to you first. How did the four or five, the neo-conservatives that were put into policy positions in and around the Department of Defense, how were they able to take credible, or at least the best information that could be given, and somewhat it seems and correct me if I'm wrong, it seems like they re-wrote the intelligence. And I guess my point is, cause you were there with Secretary Powell I'm sure at some inner meetings so to speak or classified meetings at the time. I don't know how, unless somebody wanted them to have that authority, that they themselves could have so much influence. And knowing that the previous history of these individuals was that they tried to get President Clinton to go into Iraq.

My question is this to all four if you'd like to answer. Maybe it's a very simple question. I apologize if it's been asked before. But what perplexes me is how is the world could professionals, and I'm not criticizing anybody here at this table; But how could the professionals see what was happening and nobody speak out? I'm not saying you did not do your duty, please understand. But my point is as a Congressman who trusted what I was being told. I'm not only the Intelligence Committee Senator Dorgan, but I am on the Armed Services Committee, and I was being told this information. And I wish I would have had the wisdom then that I might have now. I would have known what to ask. But I think many of my colleagues, that did not have the experience on the Intelligence Committee, we just pretty much accepted. So, where along the way, how did these people so early on get so much power that they had more influence in the Administration to make decisions than you the professionals?

MR. WILKENSON: Let me try to answer you first, but let me say right off the bat, I'm glad to see you here.

REP. JONES: Thank you sir.

MR. WILKENSON: As a Republican, I'm somewhat embarrassed by the fact that you're the only member of my party here.

REP. JONES: I Agree

MR. WILKENSON: But I understand it. I'd answer you with two words. Let me put the article in there and make it three: The Vice-President.

REP. JONES: Would all the three gentlemen agree with Colonel Wilkenson's three words?

MR. FORD: I don't, and I'm also a Republican, but they've disowned me a long time ago.

REP. JONES: I might be next.

MR. WILKENSON: They're still sending me things, asking for contributions.

MR. WHITE: I'd have to interject something similar to what I said to Senator Feinstein. To a lot of analysts working these issues, we weren't aware of what was going on up there, whether it was the Vice President or somebody else. To give you an illustration, I didn't even know about the existence of the Feith office in the Pentagon until maybe six, seven months before the war. And the way I found out about the existence of Mr. Feith's office, because somebody who worked in terrorism in our Bureau showed me a product produced by that office. As I recall it was two pages long, and it was the evidence linking Iraq with terrorism, and the person was giving it to me effectively as comic relief saying, "can you believe what is on this paper?" It was as if I had gotten my morning traffic someday, because there's a lot of junk in intelligence that the analyst knows that has needs to be sifted out to get to the real cornels. And it looked like an unsorted pile of junk. And this is one reason the Feith office, which does relate to the Secretary of Defense and then to others, becomes extremely important. I didn't go into it in what I read here. It's in my written testimony. Those types of nodes and offices must be completely eliminated, because people aren't even aware of them, there aren't standard communications between them and the rest of the intelligence community, and more importantly, there has been no vetting of their personnel whatsoever for professionalism, for experience in that field. That office basically was writing intelligence that was getting far more attention than what Carl or I were working on, and yet it had none of the professional standards that it had applied to the rest of the intelligence community. And it was so low profile, if you didn't know what was going on behind the scenes, to many of us it was utterly invisible until the last moments.

REP. JONES: Senator, may ask one more question when Mr. Pillar finishes, sir?

SEN. DORGAN: yes

MR. PILLAR: Congressman Jones, if I can extend what Wayne White mentioned with regard to the detached nature of some of what was going on within the office of the Secretary of Defense and office of the Vice President. What this little group under Mr. Feith was doing in trying to come up with all the scraps and trying to show a link with Al-Qaeda. They did put together a briefing, which was briefed out at Langley to Mr. Tenet and to members of the Counter Terrorism Center. Again, I wasn't working on Counter-terrorism at the time. I didn't receive the briefing. But it wasn't the whole briefing as we later learned that they provided down at the White House. And the way I and others found out about this was in a hearing of the Senate Select Committee of Intelligence, closed hearing. In which one of Senator Feinstein's colleagues had before him the version of the briefing slides he was given, and my colleagues, who was then Deputy Chief of the

Counter-Terror Center had the version that he was given, and the version that came to the Intelligence community was missing the couple of slides that were devoted to criticizing the community for missing this big link between Saddam and Al-Qaeda. And here's what the intelligence community is doing wrong, and why their analysis on this is so poor. This was never briefed to Mr. Tenet or to the counter-terror center. It was briefed down at the White House, and only thanks to one of the members of the Senate Intelligence Committee did we ever find out about it.

If I could just add one more thing, and I disagree with my friend Carl Ford on this. That group wasn't established because the intelligence community wasn't doing its job. It was doing its job rather intensively and devoting a great deal of effort, particularly the counter-terror center, again, I wasn't in it at the time, to this whole issue of Iraq and Al Qaeda, because they were asked so many questions again and again and again and again and again. So they wrote a bunch of papers. It wasn't that they didn't do the good analysis or come up with the specific evidence. It's that the policymakers, these particular ones in the office of the Secretary of Defense, didn't like the answer. And the answer was there's no alliance. And that was a very well documented answer. And there was a lot of other information that pointed in an opposite direction from all these scraps that Mr. Feith's office put together and we later read about in the *Weekly Standard*. Evidence that showed, for example, that there was not training going on. That there were not contacts between Iraq and just about any Islamist you could come up with in Afghanistan. That was all the other side that was ignored.

REP. JONES: Senator, one more question sir. The Rendon Group. I have spent two years trying to put the puzzle on the table and trying to put the pieces of the puzzle together. The Rendon Group, at least from the Department of Defense, the best we could find out has been paid millions of dollars during this period of time of 2001, 2002 right after September, 11 up until I think 2004 or 3. Being the professionals you are, and knowing Mr. Feith's influence and relationship, can you help me tie into any of that policy group that might have been tasked with the responsibility of help getting the public relations out, and does the Rendon Group ring a bell to you at all?

MR. FORD: I had never heard of the Rendon Group until these investigations started happening. So at the time I didn't know about them.

MR. WILKINSON: I have my theories about what's happening. They are a bit more than theories. I think we've outsourced things we couldn't officially put in the Department of Defense. And the Rendon Group and Lincoln Group and others like that are part of that outsourcing. Because of the internet and the speed of communications in the world today, laws such as those we have on the books right now that try to keep public affairs and public diplomacy apart, and propagandizing the American people in the illicit activities category are very difficult to adhere to. We dealt with this in our public diplomacy shop at the State Department. I think what happens now is you propagandize Australia, you propagandize Germany or whatever, and with the internet, the next morning Judy Miller's writing about it in the New York Times. And there's no question in my mind that the Rendon Group, the Lincoln Group, and others like them have been complicit in that activity.

REP. JONES: Thank you

SEN. DORGAN: We have kept you for two hours, and you've been very generous with your time. And you've been generous to this country with your service, all of you. As I indicated it looks to me like about 120 years of service to the United States, for which we are very appreciative. And we appreciate the time that you've taken to come here. I know these are controversial issues. I told a couple of you by phone when we talked that our intention is not to try to tar anybody singularly with the responsibility of what might or might not have happened. It's to try to understand what happened, and try to understand what lessons we can draw from that with respect to the future, because we face very significant challenges from terrorists, from rogue nations, and other issues and including the issue of who is going to acquire nuclear weapons. North Korea, Iraq, and so one. So your willingness to speak out requires some courage and a commitment to your country's future, and we very much appreciate it.

SEN. DORGAN: We have another panel that will include someone who is joining us by video from Australia and someone who is joining us by telephone from London, then Mr. Joseph Ciriccione who is with us as well. Mr. Ford you had a closing comment?

MR. FORD: One of the things that I still don't feel people have fully grasped is that the intelligence community said that the consensus view was that Saddam had weapons of mass destruction, and that he was reconstituting his weapons program; and we believed that, and most of the people on the intelligence committee believed that; not everybody did but that was the accepted view. That was wrong. Wayne White wrote and argued and talked about what Iraq was going to look like the day after Saddam left, and he was right, and nobody listened to him. That suggests to me that the intelligence community, there's something wrong there. That when we're right, they don't listen, when we're wrong, they do listen. My interpretation is that we've become almost irrelevant to the policymakers, because we don't do enough detailed work. We didn't do one research project on Iraq that I know of on the military side in the ten years prior to the war. You can know much about it unless you do any research. I've said my piece.

SEN. DORGAN: Sen. Feinstein would like to respond.

SEN. FEINSTEIN: I'd like to say something in response; I've served on the intelligence committee for six years now, you are not irrelevant. Never believe it. I try to read most of the daily reports that I can, I think INR does a very good job I think somehow we had a real problem here, and being able to really zero in on that problem is very difficult, because it gets into the political arena. But certainly the NIE that came to us was not a good document; I've seen many other NIE's, and I think they're very good documents. So what happened with that NIE still remains to be seen, and what the influence of the intelligence was of the INC office for special plans still remains a question. I mentioned in opening remarks we set out the parameters of the investigation two years ago. We still cant get down to what is really critical which is these last two areas. I meant what I said when, whether intelligence is really able in that NIE label, to be devoid of what the policy is going to be. If you asked me today, just taking that one example, do I think the NIE lent itself to what was already going to be established administration policy, I'd say yes, and I'd be dishonest if I said no.

SEN. DORGAN: The point is we cant allow the intelligence community in this country to become irrelevant. This country needs the finest intelligence in the world, it needs to be world class

in order to protect our interest. All of you are to be commended for being here and willing to speak out for these last two hours. Thank you very much. The next panel will be Joseph Cirricione, and we also have someone from us who will be here from London by videoconference and from Australia by telephone. Mr. Rod Barton is a former senior advisor to the Iraq Survey Group. Mr. Barton served for 23 years with the Australian Defense Intelligence Organization, where he came the Director of Strategic Involvement overseeing Weapons of Mass Destruction. In 1991 he was appointed by UNSCOM to participate in the first weapons inspections in Iraq. With the disbandment of UNSCOM in 1999, he worked as a private consultant. In 2001 he worked for UNMOVIC where for two years he was an advisor to Dr. Hans Blix. After 2003 at the request of the CIA Mr. Barton worked as a technical advisor to the Iraq Survey group involved in the hunt for Iraq's WMD's. He's written a book called "The Weapons Detective."

That's Mr. Smith's face... Why don't we go to Mr. Smith, then we'll go to Mr. Barton... Michael Smith is a defense correspondent for "The Sunday Times", he covers Defense and Security Issues for "The Sunday Times". He left school at the age of 15 to join the British Army and was later a member of the British Intelligence Corps, left the Army in 1982 to join the BBC Monitoring Service which is the equivalent of the CIA's foreign broadcast information service. He left the BBC in 1990 to become a journalist; he's written extensively, is the author of a number of books on intelligence and special operations, including "The Spying Game." Mr. Smith thank you for being with us. You have been involved in the release of the Downing Street memos.

(Crosstalk)

Mr. Smith do you have volume controls that you can...

MR. SMITH: My name is Michael Smith. I am the Defense Correspondent of the London Sunday Times and between September 2004 and May 2005, I was passed a number of British government documents by a source within Whitehall. These documents later became known as the Downing Street Memos, after the address of the official residence of the British Prime Minister.

The first batch of six documents was passed to me in September 2004, when I was the Defense Correspondent of the London Daily Telegraph. The main thrust of this first batch was the deep concern among British officials over the justification for the war and the way in which the U.S. administration was prepared to invade Iraq without any clear idea of what would happen after the war.

The earliest of the documents was a "Secret UK Eyes Only Options Paper" compiled by the Overseas and Defense Directorate of the Cabinet Office, and dated March 8, 2002. It warned bluntly that "the only certain means to remove Saddam and his elite is to invade and impose a new government, but this would involve nation-building over many years." Without a continued significant allied military force on the ground, "there would be a strong risk of the Iraqi system reverting to type. Military coup could succeed until an autocratic, Sunni dictator emerged who protected Sunni interests. With time he could acquire WMD."

The second document was the Foreign Office legal advice appended to the Options Paper. It had none of the certainty that would be evident in the UK government pronouncements on the

legality of the war. Regime change per se was illegal, it said. The UK's position, that Security Council condemnation of Iraq for failing to cooperate fully with the weapons inspectors automatically reactivated the 1990 authorization to invade Iraq, was "controversial," the Foreign Office lawyers warned. "Reliance on it now would be unlikely to receive any support," they said, adding, "The US have a rather different view: they maintain that the assessment of breach is for individual member states. We are not aware of any other state which supports this view."

A week after the Cabinet Office Options Paper was distributed, Sir David Manning, the Prime Minister's Foreign Policy Adviser (and now the UK ambassador to the US), flew to Washington for talks with President Bush's National Security Adviser Condoleezza Rice. He sent a memo to Tony Blair on his talks warning that the US seemed to have no idea what would happen after the war. This was the third of the memos. Manning told Blair, "There is a real risk that the Administration underestimates the difficulties. They may agree that failure isn't an option, but this does not mean that they will avoid it."

Shortly after arriving back in London, Sir David received a letter from Sir Christopher Meyer, the then British ambassador in Washington. This was the fourth memo. Meyer said he had discussed the need to create a legal justification for invading Iraq with Paul Wolfowitz, U.S. Deputy Defense Secretary, over Sunday lunch in the ambassador's residence. In many ways, this was the most significant of the documents, giving as it did the first indication that there was already a very clear plan, initiated by Downing Street, to "wrongfoot" Saddam into giving the allies an excuse for regime change.

Meyer said that in his conversation with Wolfowitz, he had stressed that Britain "backed regime change, but the plan had to be clever and failure was not an option. I then went through the need to wrongfoot Saddam on the inspectors and the UNSCRs [UN Security Council Resolutions]. If all this could be accomplished skillfully, we were fairly confident that a number of countries could come on board."

Blair and Bush were due to discuss Iraq at the Crawford summit on April 6 and 7, 2002. So Jack Straw, the British Foreign Secretary, who would need to advise the Prime Minister on how to handle the talks, asked Peter Ricketts, the Foreign Office Political Director, to provide him with a full briefing. The Ricketts response was the fifth memo. Ricketts was candid about the threat from Iraqi weapons of mass destruction. "The truth is that what has changed is not the pace of Saddam Hussein's WMD programs, but our tolerance of them post-11 September."

He also dismissed U.S. attempts to tie Iraq to the 9/11 attacks in order to sell the war to the US electorate. "US scrambling to establish a link between Iraq and al-Qa'ida is so far frankly unconvincing. Military operations need clear and compelling military objectives. For Iraq, regime change: does not stack up. It sounds like a grudge between Bush and Saddam."

Straw's advice, in his subsequent letter to Blair dated March 25, 2002, the last of the first batch of six documents, was certainly not that the Prime Minister should agree to go to war. "If 11 September had not happened, it is doubtful that the US would now be considering military action against Iraq," Straw said. "There has been no credible evidence to link Iraq with UBL [Osama bin Laden] and al-Qa'ida." Straw also made what was perhaps the most prescient comment in any of the

documents, and certainly the one that, given the appalling situation in post-war Iraq, is the most relevant today.

“What will this action achieve?” Straw asked. “There seems to be a larger hole in this than on anything. Most of the assessments from the US have assumed regime change as a means of eliminating Iraq’s WMD threat. But none has satisfactorily answered how that regime change is to be secured, and how there can be any certainty that the replacement regime will be better. Iraq has had no history of democracy so no-one has this habit or experience.”

The second batch of documents was leaked to me in the run-up to the general election that took place on May 5, 2005. By now I was writing for the London Sunday Times. There were three documents, one was the same Foreign Office legal advice that I had received as part of the previous batch of documents. Of the other two, the first was a Cabinet Office briefing paper, dated July 21, 2002, and prepared for a key meeting of Blair’s war cabinet which was to take place at 10 Downing Street, the Prime Minister’s official residence, two days later. This document, although widely ignored, was by far the most important of the Downing Street Memos. It made the stunning revelation that Blair and Bush had agreed to invade Iraq at the Crawford summit on April 6-7, 2002, six months before the UN Security Council passed Resolution 1441, which the British Prime Minister said legalized the war, and five months before Congress authorized military action.

“When the Prime Minister discussed Iraq with President Bush at Crawford in April he said that the UK would support military action to bring about regime change.” This was arguably the most important point made in any of the Downing Street Memos and, although it was the Sunday Times lead when we broke the story, its significance was largely ignored by both the UK and U.S. media. Even those who chose to write articles said the memos showed that Blair and Bush had agreed to go to war in July. But the Cabinet Office Briefing Paper makes clear that they agreed to go to war in April 2002, six months before Congress was asked to back legal action and seven months before the UN Security Council passed Resolution 1441.

The briefing paper repeated the concerns of UK officials over the lack of preparedness for post-war Iraq: “The US Government’s military planning for action against Iraq is proceeding apace. But, as yet, it lacks a political framework. In particular, little thought has been given to creating the political conditions for military action, or the aftermath and how to shape it. A post-war occupation of Iraq could lead to a protracted and costly nation-building exercise. As already made clear, the US military plans are virtually silent this point.”

But perhaps the most important point was its assessment of the illegality of invading Iraq to secure regime change and what the allies would have to do to remedy this. The briefing paper warned the members of Blair’s war cabinet who would attend the Downing St meeting that America was committed to using British bases in Cyprus and Diego Garcia so even if the British government decided not to back an invasion, they would need to “create the conditions” that would make it legal. “Regime change per se is illegal under international law,” it said. “U.S. plans assume, as a minimum, the use of British bases in Cyprus and Diego Garcia. This means that legal base issues would arise virtually whatever option Ministers choose with regard to UK participation...It is necessary to create the conditions in which we could legally support military action.”

The last of the memos was the one that caused the most stir in America and which was to become known as the Downing Street Memo. It was the minutes of that meeting of Blair's war cabinet, held in 10 Downing Street on July 23, 2002. The most famous quote came from Sir Richard Dearlove, the Chief of the British Secret Intelligence Service, or MI6, who reported back on his recent talks in Washington with George Tenet, the then-CIA Director. "There was a perceptible shift in attitude," the minutes recorded Dearlove as saying. "Military action was now seen as inevitable. Bush wanted to remove Saddam, though military action, justified by the conjunction of terrorism and WMD. But the intelligence and facts were being fixed around the policy. The NSC had no patience with the UN route, and no enthusiasm for publishing material on the Iraqi regime's record. There was little discussion in Washington of the aftermath after military action."

Jack Straw, the British Foreign Secretary, worried that the evidence against Iraq was thin and stressed the need to go to the UN. "It seemed clear that Bush had made up his mind to take military action, even if the timing was not yet decided," Straw was reported as saying. "But the case was thin. Saddam was not threatening his neighbors, and his WMD capability was less than that of Libya, North Korea or Iran. We should work up a plan for an ultimatum to Saddam to allow back in the UN weapons inspectors."

Lord Goldsmith, who as Attorney-General was the UK government's chief legal adviser, repeated the point that "the desire for regime change was not a legal base for military action. There were three possible legal bases: self-defense, humanitarian intervention, or UN Security Council authorization. The first and second could not be the base in this case." Tony Blair, who of course had already committed Britain to war regardless of the legality, referred obliquely to the plan to trap Saddam into giving them a legal excuse for war, saying, "It would make a big difference politically and legally if Saddam refused to allow in the UN inspectors. If the political context were right, people would support regime change. The two key issues were whether the military plan worked and whether we had the political strategy to give the military plan the space to work."

Geoff Hoon, the British Defense Secretary, revealed that "the US had already begun 'spikes of activity' to put pressure on the regime," a reference to increased activity by U.S., and in fact UK, aircraft patrolling the no-fly zones over Iraq. Donald Rumsfeld, Hoon's U.S. counterpart, had ordered the increased attacks on Iraqi military installations in May 2002, five months before Congress authorized military action and six months before the UN passed Resolution 1441.

The "spikes of activity" are another important point to come out of the Downing Street Memos that has largely been lost in subsequent reporting. Data released to the British parliament in response to written questions from MPs show a marked increase in the amount of bombs dropped on Iraq which began in May and reached a peak between September and December 2002. Lieutenant General T. Michael Moseley, who was the coalition air commander during the war and is now the U.S. Air Force Chief of Staff, told a coalition briefing on lessons learned from the Iraq War — held at Nellis Air Base, Nevada on July 17, 2003 — that allied aircraft flew 21,736 sorties dropping more than 600 bombs on 391 carefully selected targets before the war officially started in March 2003. The nine months of allied raids that preceded the ground war ensured that allied forces did not have to start the war with a protracted bombardment of Iraqi positions and according to Mosley, "laid the foundations" for the war. Thank you.

SEN. DORGAN: Thank you very much, I believe it is roughly 10 o'clock in London...

MR. SMITH: 9 o'clock.

SEN. DORGAN: 9, well I was close. Thank you for spending part of your evening with us; we had a little bit of volume trouble, but we were able to hear your presentation. Sen. Feinstein had a question.

SEN. FEINSTEIN: In your written statement, you mentioned that the British ambassador, Mayer, said he had discussed the need for creating a legal justification for the invasion of Iraq with Paul Wolfowitz, over lunch in the ambassadors residence. I believe that lunch took place in the ambassadors residence on March 17, 2002, and I got a copy of the actual communiqué from the ambassador entitled "Iraq and Afghanistan: Conversation with Wolfowitz." I see no mention in it in coming up with a legal justification. Could you tell us why you felt this memo created a need for a legal justification.

MR. SMITH: (unintelligible) This is a British issue, it was a major issue for the British that there was a legal justification for the war, and I think in context of all the documents that's what he was talking about.

SEN. FEINSTEIN: Well I will get the other documents, thank you very much.

SEN. DORGAN: Mr. Smith thank you very much for being with us. You have a very distinguished career and a distinguished contribution to public service, and we appreciate your willingness to be with us tonight, London time. You're welcome to continue to listen to the hearing; if you have to leave we understand.

MR. SMITH: Thank you very much.

SEN. DORGAN: Thank you. Next we will hear from Rod Barton; after the 2003 Iraq war Mr. Barton worked as a senior technical advisor for the Iraq Survey Group involved in the hunt for Iraq's WMD. Are we able to hear you Mr. Barton, are you able to hear us.

(garbled communication)

What time is it in Australia at the moment?

MR. BARTON: It's almost 6 o'clock in the morning.

SEN. DORGAN: Wow, well why don't you proceed, I believe we can hear you sufficiently.

MR. BARTON: I've given you my statement and I don't have too much to add to that, but I would like to summarize it.

I was the senior advisor to the Iraq survey group after the war. I there from December 2003 to March 2004. Among other things I was the coordinator of the reports of the ISG, and just to

summarize my statement rather than go through it entirely, I'd like to say that the ISG had an opportunity in 2004 to report its findings, and found no evidence of WMDs in Iraq after 1991. ISG by this stage, had overturned much of the pre-war intelligence. Instead of reporting this to the congressional committees in March 2004, the ISG were suppressed. The report that was presented in March 2004 was 20 pages long, and most of it was not (unintelligible). Eventually a comprehensive report was produced at the end of September 2004, and was presented to congress in October 2004. Except for one section of that report, the first section on regime strategic intent, most of that report that was presented to congress in October 2004 had been published much earlier in the year.

That's really the summary of the statement that I provided to the committee, and I'd be happy to discuss anything in further detail.

SEN. DORGAN: Mr. Barton thank you very much. May I ask you to hold a moment, I'm going to let Mr. Cirincione deliver his statement, and then we'll have some questions for you both. Are you able to do that?

MR. BARTON: I'd be happy to do that.

SEN. DORGAN: Thank you very much. Joseph Cirincione is the Senior-Vice President for the Center for American Progress. He served as the director for non-proliferation at the Carnegie Endowment for International Peace. He worked for nine years in the Committee of the Armed Services in the House of Representatives, and has done many additional things. Mr. Cirincione thank you very much for your patience, I know you've waited for some time, and we appreciate your being with us.

MR. CIRINCIONE: My pleasure Senator, I'm here at your convenience, it enabled me to cancel several administrative meetings that I didn't want to have anyway, so I'm very happy to be here.

Well I'll be brief because I know its been a long day. Thank you very much for holding this hearing Senator and Congressman for attending. Our understanding of what went wrong in the build-up to the war and the intelligence for the war is still incomplete. We still do not yet know the whole story. There have been various rationales put fourth, and I believe the majority of them are wrong, and self serving. It is not true that we were all wrong, as some have suggested. Many experts before the war doubted the validity of the intelligence assessments and they were right. We now know many analysts contested the conclusions that were made and they were right; whole agencies resisted some of these conclusions. The Air Force challenged the assertion that Saddam had a fleet of unmanned aerial vehicles, the Department of Energy said they didn't think those tubes could be used for centrifuges, the State Department said they didn't believe that Saddam was reconstituting his force. We now know that in fact all those agencies and institutions were right. It isn't accurate to say this information was unknowable. It was there for all those who wanted to find it. In particular I believe that the UN inspectors have been given short shrift in this regard. And the dozens of inspectors found a great deal; they concluded that there was no evidence that Saddam was reconstituting his nuclear program. Mohammad al-Baradei testified in January and in 2003 to the security council that the evidence on the aluminum tubes were wrong, that the documents on the

attempted importation of uranium from Niger was forged, and that the magnets and some other elements was not proof at all. Hans Blix found no evidence of these biological programs. This evidence was presented, but it was ignored.

Finally, I don't believe that this was the fault of the intelligence agencies. Although Carl Ford had some excellent recommendations, I fundamentally disagree that the intelligence agencies let down the American government. The reason I say that, is that the study that we did at the CEIP, we looked at the intelligence estimates. If this was the fault of some groupthink, then surely the estimates would have shown that, and shown up after 1998 when the original UNSCOM inspectors were kicked out. When you look at the intelligence estimates in 1999, 2000, and 2001, you saw a rising level of concern as it became harder for us to ascertain what Saddam was doing with this programs, but there were deep cautions over what we actually knew. Certainly nothing to suggest the definitive answers that suddenly came out of the intelligence agencies in 2002 particular with the NIE. The NIE took a dramatic leap forward in terms of what was said in previous intelligence. This is one of the pieces of the evidence that lead us to conclude at the CEIP that the intelligence failures were due primarily to political pressure brought to bear on the intelligence agencies from senior administration officials, and not at the level of the analysts themselves, or even at the senior level. It was happening at the very top level, the interface between the agencies and the political figures.

When you look at this you can categorize four ways that the administration officials systematically mislead the American people on the nature of the Iraqi threat. The first, and this is in my testimony, administration officials consistently conflated the three types of threats, nuclear, biological, and chemical, into a single expression: weapons of mass destruction. Now many people do this, but the administration officials do this it allowed them to conflate the higher likelihood that Iraq had chemical weapons with the very low likelihood that Iraq had nuclear weapons. It exaggerated the threat as more grave than most analysts believed and this distorted the cost-benefit analysis in terms of the war.

Secondly administration officials stated that Iraq would transfer these technologies to terrorist groups, particularly Al-Qaeda. This was a crucial linkage in the administration's case for war, and it effectively eliminated deterrence as a response to the Iraqi threat, but there were no intelligence findings whatsoever to support this claim. Third, administration officials routinely dropped caveats in the intelligence assessments. Now the NIE itself still contained over 40 distinct caveats that were dropped in the administrations disclosures to the American public. For example when Cheney said he knew with absolute certainty that Iraq was procuring materials for a nuclear enrichment program; Secretary of State Colin Powell said to the UN Security Council that there was no doubt that Iraq had chemical weapons. We know now that the intelligence assessments were far less certain.

And finally the administration mis-represented the findings of UN weapons inspectors. In 2002 the president said that UN inspectors had concluded that Iraq had likely produced 2-4 times the amount of anthrax and other deadly agents that had been found. This is a massive stockpile of biological weapons. But the UN inspectors said that Iraq had created enough growth medium for this to be used, for this amount of anthrax, and inspectors never said that Iraq had produced additional materials. In fact Hans Blix went out of his way, to say that the inspectors were not saying that these weapons did exist, or did not exist. If inspections had gone on for a few more

months, we would have arrived at a definitive answer as to whether or not Iraq had stockpiles of chemical weapons, whether Iraq had reconstituted its nuclear program, or whether there were stockpiles of SCUD missiles. We now know that none of these weapons existed, nor was there an actual intent to start these programs anytime in the future. Thank you very much.

SEN. DORGAN: Mr. Cirincione thank you very much. Let me call on Sen. Feinstein, and then I will call on Rep. Jones.

SEN. FEINSTEIN: My first question is to Mr. Barton. Mr. Barton after the first reports came back to Washington, administration officials continued make statements that biological laboratories had been found. Was there any attempt to correct the record by members of the ISG, either in public, or to the CIA, that the labs were not for WMD?

MR. BARTON: When you refer to the first reports, are you referring to later?

SEN. FEINSTEIN: Yes.

MR. BARTON: In September 2003, that was the first report. Even then the inspectors in the ISG had a good idea that the laboratories were not for WMD purposes. No evidence even then really; there was no attempt as far as I am aware to correct the impression that they were for WMD purposes. By the time we were producing the next report in March 2004, we were very well aware that those laboratories were not for WMD purposes. We couldn't say that. The whole idea of the March 2004 report, in short was to say nothing. We could not assess that those laboratories were not for WMD purposes, we couldn't say that.

SEN. FEINSTEIN: Let me ask you, in your statement, you said you were talking to somebody that isn't defined, and that the ISG had lost its independence and lost its direction mid-March, '04. He told me in relation to the trailers, he didn't care what they were for, but it was not politically possible to say they were not biological trailers. Who told you that.

MR. BARTON: The two trailers that were found in Iraq, alleged to be involved in biological production. The person who said that is the deputy of Charles Dayfur, he is a senior allied official. I cannot give you his name.

SEN. FEINSTEIN: You said in this that he is a senior CIA official.

MR. BARTON: He is an engineer by profession.

SEN. FEINSTEIN: Was he CIA?

MR. BARTON: He was CIA.

SEN. FEINSTEIN: And what was his name again?

MR. BARTON: I didn't give you his name, nor can I give you his name of course.

SEN. FEINSTEIN: Why cant you, you wrote he was a CIA official.

MR. BARTON: Yes but I did not give you his name, nor could I give you the name of a CIA official as I'm sure you can understand why.

SEN. FEINSTEIN: Okay you're saying he was a clandestine official.

MR. BARTON: Well he worked for the CIA, I cant tell you what his actual role was but he was the (unintelligible) CIA official there.

SEN. FEINSTEIN: In Iraq at the time?

MR. BARTON: In the ISG.

SEN. FEINSTEIN: Okay thank you very much. Mr. Cirincione, did you find that statements made by administration officials reflect the weight of the intelligence, or were public statements much stronger and less caveated by the assessments?

MR. CIRINCIONE: This was the pattern we found, we spent about ten months at the CEIP producing the report. We all concurred on these findings that when you looked at the intelligence reports and the NIE there was a clear pattern of escalating the rhetoric. Earlier intelligence findings done in 2002 expressed concern but were more cautious; the NIE then took a leap and for the first time appeared specific claims 300-500 tons of biological agents produced. When the administration presented this they would *always* drop the uncertainties. This was part of the political necessity as being clear about the subject, but when all that clarity goes in one direction of exaggerating the threat, you can understand there is a political distortion of the threat and distortion of the intelligence to achieve that purpose.

SEN. FEINSTEIN: If I may, let me just tell you what happened to this member of the intelligence committee. We do not see the president's daily intelligence briefs. Therefore there is always the assumption that the President, because he owns the intelligence, knows something that we don't know. You tend to think, the President of the United States or the Vice-President, or the Secretary of State, isn't going to get before the American public and say something that isn't absolutely true, and therefore must have intelligence that we don't have, and in fact, they didn't.

MR. CIRINCIONE: When you hear the Secretary of Defense, we know where the weapons are, you believe that they have rock solid intelligence—

SEN. FEINSTEIN: Oh yes and then he said, 'north of Baghdad'...

MR. CIRINCIONE: Or when you hear the Secretary of State at the UN say that there was a fleet of SCUDs and they move them at night, you assume there is some kind of surveillance that lets you know that. But in all those instances none of those statements were supported by solid intelligence assessments.

SEN. FEINSTEIN. Thank you very much.

SEN. DORGAN: Thank you. Congressman Jones?

REP. JONES: Senator I want to thank you again for allowing me to be with this committee today. I continue to be amazed with how...and I take responsibility as a member of Congress; I didn't ask the right questions, I feel like I let my district down, let my state down, and let the people of America down. This has been very helpful for me, this is an ongoing project for me, because I don't believe that American democracy can survive or will survive unless people know the truth. And Mr. Cirincione...I've been practicing that...

MR. CIRINCIONE: No that's fine!

REP. JONES: I've been practicing that quietly and knew once I said that aloud...

MR. CIRINCIONE: No that's great coming from a guy with a one syllable name.

REP. JONES: Well it does help me in the south, but you would be welcome too by the way. I want your feedback, it must sound like I'm hung up on the neocons that were in this policy making position. I asked General Anthony Zinni, I got involved in a bipartisan commission about a year ago on the house side with two democrats and two republicans, trying to create a resolution that we can at least try and develop a definition for victory so at some point we can say to the Iraqis, this is your fight now, we're going to bring our boys and our girls home. When I met with General Zinni I was amazed, I just asked him, General I want to know did we have to go into Iraq? He said, Congressman, no. We knew what Saddam had, and what he wanted, but his ability to get weapons of mass destruction or devices was limited to nil, and he said the canisters that he might have had left from desert storm had pretty much degraded. I said General did you tell anyone, and he said yes I told the administration. You have him contained, he is not a threat to America. If you do decide to go in, you need to take 300,000 troops. I really would, I am just amazed at how with all the professional information that you and others have brought forward, how that cabal was able to manipulate...and either the press did not do its job, and I'm certainly not blaming them because I took the blame myself when I started my comments, but where in the world was this misinformation so protected that it did not get out before congress voted for the resolution?

MR. CIRINCIONE: In March of 2003 it was clear to many of that Saddam was in an iron cage, he wasn't going anywhere. We had the security council united, we had inspectors there, it was working. Then, we went to war, and everything started to fall apart. One, in America we're not used to a group like this, this neoconservative movement. Francis Fukuyama, who was one of the founding fathers of neo-conservatism and has since moved himself away from it compares it to Bolsheviks. A small group of people who shared an ideology were put in senior positions in this administration, largely in the early states of the administration when the transition was being run by Vice-President Cheney and his Chief of Staff Scooter Libby. Libby was friends with all these people and they were all seated at the Deputy or Deputy Assistant Secretary levels of these agencies. When you look at the agency process, which is supposed to be an integration of competing views, it turns out they had already agreed on their priorities. So there were a lot of decisions that were taking place that never even came up to the principals levels, because there was little disagreement about them.

Then they set up their own nerve system, their own sort of network, you heard some of the experts in the previous panel about the Doug Feith operation, or what Steve Cambone was doing. These supplanted and replaced the normal intelligence process, by having a direct pipeline into the Vice-Presidents office. I agree with Larry Wilkerson, that the answer is the enormous power that the Vice-President has had in this administration, that he set the tone for this, and has provided the strategic and political analysis that under laid the drive for war.

REP. JONES: I'm not an attorney. Do you feel that the law has been broken? I'm not being specific with that question, but the point is that the congress is responsible for sending the troops to Iraq. Somewhere along the way, maybe the intelligence was cherry picked...I'm not saying anybody's name, but do you feel that someone intentionally manipulated the intelligence and therefore congress sent men and boys to die for this country?

MR. CIRINCIONE: As deeply flawed as this policy is, I would say that most of it was done legally; they won most of the policy battles within the administration fair and square. The question is in the cover-up. Answers to congress, are they or have they given false information in their answers to congress? This is really the landmines underlying this investigation. If congress peruses this, and tries to find the truth of what went wrong, you're going to be getting into cover-up and that's where you get into crime.

REP. JONES: Senators I just want to let you know that I have encouraged the leadership on the House side to hold hearings like you have today. I think what you are doing for the American people that a democracy will withstand when it is challenged, and I thank you for this privilege, and this honor for letting me sit with you today.

SEN. DORGAN: Congressman Jones thank you for joining us, when you expressed an interest in attending we were very happy to have you come and join us on the dais. You're a republican, I'm a democrat, we share the same dream for this country's future; we want this country to do well; this is not about partisanship, under any set of circumstances. I want to make one other point. We have a number of colleagues who would have come for this, but there are no votes scheduled today so a number of colleagues are on plane right now, otherwise they would have all been in town. We invited all Senators from both parties to join us today and I thank Congressman Jones for coming today. The reason we hold this hearing in the policy committee which has the opportunity and the right to hold hearings, is that no other committee in the US congress would hold this type of hearing, and that's sad. It is very important that a hearing like this, for us to proceed to ask questions as to what happened and how does it affect what we do in the future. Tomorrow morning we're all going to get up and we're going to be confronted with the issue of North Korea having nuclear weapons; the country of Iran wanting nuclear weapons; Kashmir and the tensions between two countries having nuclear weapons. Tomorrow we're going to be confronted with all of that. Every morning we're confronted with those challenges in this country, and we must rely on intelligence that is world class. If we don't have that intelligence I believe that this country is severely let down. That's the purpose of asking these questions. So I understand the difficulty, some will say this is partisanship, the purpose is to blame, that's not the point of this. The point to day is to find out what happened and what does that do for the future of this country. This is a great country, we can get all this right and even as I conclude let me say again: While we ask questions, we have men and women risking their lives today, all of us hope and pray for their safe return, and

hope we can find a way to resolve this issue, and hope to avoid similar issues in the future, and stop the spread of terrorism and nuclear weapons in the future. That's the hope of democrats, republicans, liberals, conservatives. We share a goal of having a better future for this country. This hearing is adjourned.