Mr. President, the vital interest of our national

security is critical to our understanding of the degree to which we can

cope with the circumstances involving the intelligence failure we have

now experienced over this past year or more. Two important voices have

been added to the growing chorus, raising questions about the accuracy

and the veracity of the allegations the administration used to take

this country to war. Just yesterday Secretary Powell made clear the

importance of the prewar claims, suggesting that the case for war was

much weaker without the allegations of existing stockpiles of weapons.

When asked whether he would have recommended an invasion last year if

he knew then what he knows now, Secretary Powell said:

A year ago this week, Secretary Powell made a lengthy presentation to

the United Nations Security Council about the grave threat posed by

Iraq's weapons of mass destruction. The Secretary of State did not

speak of ``weapons of mass destruction-related program activities,''

but of existing stockpiles--existing stockpiles of horrendous weapons

and the means to deliver them. In large measure because of the alarming

assertions by Secretary Powell and similar claims by President Bush,

Vice President Cheney, Secretary of Defense Rumsfeld, National Security

Adviser Rice, and many other senior administration officials, a

majority of Congress voted to give the President the authority to send

troops to wage war against Iraq.

Late last month, Secretary Powell had something decidedly different

to say. For the first time since his U.N. presentation he explicitly

acknowledged the strong possibility his claims about Iraq's weapons

were untrue, telling reporters on his trip to Georgia:

A few days later, Dr. David Kay, Chief Weapons Inspector in Iraq

until a couple of weeks ago, told the Armed Services Committee here in

the Senate the administration's prewar intelligence on Iraq was, in his

words, ``all wrong.'' While several nonpartisan experts have reached

similar conclusions about our intelligence and raised concerns about

the accuracy of the administration statements on this issue, hearing

Secretary Powell and Dr. Kay, two of this Nation's most respected and

knowledgeable officials, speak in this manner, has raised some

questions at home and abroad about the foundation of the

administration's case for going to war against Iraq.

Given the significance of these questions, a broad, thorough,

nonpartisan review of both the intelligence community's assessment of

the threats posed by Iraq and the administration's use of this

information is essential to restoring the trust of the American public

and the international community in this administration and in the

intelligence system itself.

The reason is clear. The most effective means to counterterrorism and

the many other national security challenges facing this Nation today is

by gaining and maintaining the support of the American people and

assembling a international coalition. Accurate, unimpeachable

intelligence is one of the most crucial tools the President has at his

disposal for rallying the American people and the world. If the

President is to successfully convince Americans of the need to send

daughters and sons into harm's way and urge our allies to support

America's course of action, our intelligence must be seen as absolutely

credible and accurate. National security experts of both parties

have begun to warn that the lack of any weapons of mass destruction in

Iraq after the administration's grave predictions in the runup to the

war is undermining America's credibility, not only on Iraq but on other

national security challenges as well.

For example, the United States increasingly believes that North Korea

has used the last couple of years to create additional nuclear material

and weapons. However, officials in South Korea and China have raised

questions about these conclusions, in part by pointing to our

intelligence community's failures in Iraq. This failure to reach a

consensus on the threat posed by North Korea has greatly complicated

efforts to effectively confront a nation that already possesses nuclear

weapons and has been characterized as the world's greatest weapons

proliferator.

Given these stakes, one would think the President would be the first

to demand a full and complete accounting of the accuracy and use of

Iraq prewar intelligence. Yet up until this past weekend, the President

has stubbornly insisted there was nothing wrong with that intelligence

or the alarming assertions that he and senior administration officials

made in the days leading up to the start of the war in Iraq. In a

remarkable about-face this past week, administration officials said

publicly that the President will support the establishment of an

independent commission, provided he appoints the commissioners and

defines the scope of their work. As in other instances, the

administration is apparently seeking to both convince the America

public it supports a thorough investigation at the same time it stacks

the deck against such an investigation effort ever occurring.

Although one of the major questions that needs to be addressed is

whether senior administration officials exaggerated the nature of the

threat to Iraq, the President is attempting to make the case that

actions by these officials are best investigated by a commission whose

members are appointed by and report to those very officials in the

White House.

There is little reason to believe a commission appointed and

controlled by the White House will have the independence and

credibility necessary to investigate and bring closure to these crucial

issues. Consider this: At the same time the Secretary of State was

suggesting that it was an open question whether Iraq had any weapons of

mass destruction and the chief weapons

inspector in Iraq was concluding that Iraq did not have any stockpiles

of weapons before the war, Vice President Cheney was on national radio

still suggesting that it was just a matter of time until such weapons

could be found.

If the President's senior advisers are still arguing that the prewar

intelligence was right, can the American people be certain that

commissioners handpicked by the White House to undertake an

investigation defined by the White House will follow the facts wherever

they lead?

It would be a shame to have such an important commission start its

work under the shadow of such doubt. We can avoid ever having to ask

those questions by forming a truly independent commission that can rise

above those concerns. I strongly believe the Congress can and should

establish a truly independent commission to examine the collection,

analysis, dissemination, and use by policymakers of intelligence on

Iraq. Twice the Senate has voted to establish just such a commission

that would be given access to all relevant information, appointed on a

bipartisan basis by the congressional leadership of the House and

Senate. I voted for this proposal both times.

Although supporters of this commission fell short both times, I

continue to believe that after putting our troops in harm's way we owe

it to them to get to the bottom of this question. We owe them a truly

independent investigation, conducted in the same way that our Armed

Forces carry out their duties every day in Iraq, with honor and with

integrity. I fear the process being started by the administration is

neither, but it is not too late to establish a commission of which we

can all be proud.

I yield the floor.

Mr. President, I appreciate the question, as well as the

predicate offered by the distinguished Senator from Massachusetts.

The answer is yes, I am troubled by one fact that is now undeniable.

That fact is, we were given bad information, information that now is

much clearer than it was 6 months or 12 months ago, information that

many of our colleagues have used repeatedly on which to base decisions

fundamental to their interpretation of circumstances and ultimately the

vote they cast on the resolution committing this country to a course of

action.

I was troubled by a report I read just this morning that there are

many in the intelligence community who are becoming increasingly

angered and frustrated that all of this responsibility has been put on

their shoulders. The report by one intelligence officer was: ``We did

our job. We reported the information. It isn't us.''

My question is, If it is not the intelligence community, who is

responsible? Why did we get bad information? Was it the collection and

analysis or was it the use of that information once it was collected

and analyzed? We do not know the answer to that today. But we do know

our best opportunity for collecting the answers to the questions posed

by the Senator from Massachusetts is an independent counsel.

What does it say of the independence of those potential commissioners

when someone is suggesting to them, we want you to take this job to

investigate us; we want you to have the authority to investigate us,

with the implication that the detrimental consequences of an adverse

investigation could weigh heavily on the commission itself.

I don't think there is any doubt about the need for independence,

about the need to look at past precedent when we have established

commissions of this kind. We need to know beyond a shadow of a doubt

that this commission will have the opportunity to go wherever the facts

lead them.

The way the President and this administration are proposing this

investigation be done flies in the face of past precedent, with that

cloud that hangs over any investigation that could not be as open,

honest, and ultimately successful as it needs to be.

I yield the floor.