Mr. President, the question of whether or not the

intelligence was flawed which was used so forcefully by the

administration prior to going to war as the reason for going to war is

a question which is going to consume the time of this body and a number

of our committees for some time to come. It is a critically important

question as to whether or not the intelligence was flawed, not just in

terms of the accountability--which is so important if mistakes were

made, if exaggerations were undertaken in order to advance the decision

to go to war--but also in terms of the future security of this Nation.

This country went to war, we were told, because Iraq had weapons of

mass destruction. That was the reason that was given over and over

again by the administration. Whether or not there were other reasons,

and there surely were, for that decision, which could be argued as a

basis for the decision, the facts are that the American people were

told it was the presence in Iraq of weapons of mass destruction which

was the basis for attacking that country.

When a decision is made to go to war based on intelligence, it is a

fateful decision. It has ramifications and impacts way beyond the

current months and years. If the intelligence is as flawed as this

intelligence was, we should find out why.

Whether people are glad we went to war or are not glad we went to

war, whether history will prove we should have waited until we had

greater support through the United Nations in order to avoid the kind

of aftermath which we have seen, or not--we don't know what history is

going to show in that regard--but regardless of the arguments back and

forth as to the timing of it, the way in which it was handled, the

failure to galvanize the international community so we had a broad

array of countries with us, including Muslim nations so we would not be

there as a Western occupying power with other Western nations after the

military success; whether or not there was adequate planning for the

aftermath, and I think it is obvious that there was not adequate

planning, but regardless of what position one takes on all of those

issues, it is incumbent upon us to find out how in Heaven's name the

intelligence could be so far off.

How could we have 120 top suspect sites for the presence of weapons

of mass destruction that were high-level to medium-level sites, where

there was confidence that there were weapons of mass destruction either

being stored or produced, and we batted zero for 120? How could we be

so far off?

How is it possible that the CIA could tell us, as they did in their

assessments, that there were chemical weapons and biological weapons

and that a nuclear program was being undertaken again when, in fact,

that apparently is not the case? How is it possible that intelligence

can be as flawed as is this intelligence?

Again, regardless of what the arguments are on any side or any issue,

I don't think any of us should be in the position of arguing that it is

irrelevant to the future security of this Nation whether or not the

intelligence upon which the decision to go to war was based is

important. It is critically important.

Does North Korea have nuclear weapons or doesn't it have nuclear

weapons? Should we put some credibility in the intelligence community's

assessment of that? Where is Iran along the continuum of obtaining

nuclear weapons? What are their intentions? Should we put confidence in

the intelligence community's assessment of that?

Whether or not we place confidence or make decisions based upon the

intelligence community's assessment is critically important. The lives

of young men and women, perhaps the life of this Nation, could be

dependent upon intelligence which is being assessed by the intelligence

community. Life and death decisions are being made by the President of

the United States based on decisions and assessments and appraisals of

the intelligence community. When it is as wildly off as this

intelligence community's assessments apparently were, then it seems to

me we better find out for the future health of this country, not just

in terms of trying to assess the accountability for past assessments.

Something happened to the intelligence after 9/11. The pre-2002

intelligence assessments relative to nuclear programs and biological

programs and chemical programs were different from the October 2002

National Intelligence Estimate. Some of this has been set forth in the

Carnegie Endowment's recent report. There are so many examples of where

the intelligence shifted on these critical issues after 9/11.

A few examples: On the reconstitution of the nuclear program after

1998, the pre-2002 intelligence assessment was that Iraq had probably

not continued their research and development program relative to

reconstituting a nuclear program after 1998. Yet in October 2002, the

intelligence community said, yes, it has restarted its nuclear program

after the United Nations left in 1998. What happened between the pre-

2002 intelligence assessment and the post-9/11 assessment?

What about enriching uranium for use in nuclear weapons? Prior to

2002, the assessment was that Baghdad may be attempting to acquire

materials that could be used to reconstitute a nuclear weapons program.

But after 9/11, in the October 2002 National Intelligence Estimate, we

have, yes, Iraq has imported aluminum tubes and high-strength magnets.

The Department of Energy's disagreement with this conclusion was set

forth, but the assessment of the intelligence community shifted after

9/11.

Whether they attempted to purchase uranium from abroad, the same kind

of shift in the intelligence assessment, there were no reports

mentioning any attempts to acquire uranium prior to that 2002

assessment, but in 2002, October, suddenly the National Intelligence

Assessment says Iraq has been trying to procure uranium ore and yellow

cake. Again, disagreement from the Department of State, but that was

the assessment of the intelligence community, and on and on. We have

this kind of change that occurred in the intelligence assessments.

What is the explanation for that? What happened? There is no

evidence, as the President has mentioned; there is no evidence that

Saddam Hussein was part of the attack of 9/11, so what happened that

caused the intelligence community to shift its assessment of chemical,

biological, and nuclear programs after the 9/11 attack on us? That is

something which we must find out.

We must make a determination--hopefully someday there will be an

outside commission which will make a comprehensive review of this whole

matter--but, in any event, we must do the best we can through the

Intelligence Committee.

I am making an effort, the Armed Services Committee, my staff, to

look into these issues, particularly as they relate to the question of

how intelligence affected the operations and the planning relative to

our military effort in Iraq.

But we must make that decision. We have an obligation. This is not a

partisan issue and it makes no difference to me whether this assessment

is finished before the election or after the election. It must be made

for the health of this Nation, as to how our intelligence community,

No. 1, could be so totally wrong relative to the presence of weapons of

mass destruction on Iraqi soil immediately prior to the war; and, No.

2, how and why did the intelligence community shift its assessments so

significantly after 9/11 from the assessments that occurred before 9/

11?

There is another aspect of this which relates to the way in which

intelligence was used or exaggerated by the policymakers. Here we have

another issue--an issue which is going to be looked at by the

Intelligence Committee at least as far as the use of the intelligence

is concerned up to the point where the war began. There are some recent

statements that I think also require explanation.

I have tried a number of times to find out how the Vice President

could have, about a month ago, made a statement relative to the vans

that were found in Iraq, that those vans were part of a mobile

biological weapons program. For the life of me, I do not understand how

the Vice President can make that statement when Dr. Kay who has looked

at the van has said that there is a consensus in the intelligence

community--and I am now reading from Dr. Kay's answer to my question in

the Armed Services Committee--that the consensus opinion is that those

two trailers were not intended for the production of biological

weapons.

How is it that the Vice President of the United States at about the

same time that statement was made before the Armed Services Committee

by the chief weapons inspector--that some trailers which were found in

Iraq are unrelated to a biological weapons program--would say the

opposite in a very public forum? What is the basis for the Vice

President's statement? I tried to find out. In fact, I wrote the Vice

President the other day asking him: What is the basis for your

statement?

We should know. The American people should know when the Vice

President says something as significant as that, that these particular

vans which we have now gotten in our possession are, in fact,

biological weapons laboratories. In fact, what the Vice President said

on January 22 on NPR was:

Here he is referring to those two vans--

Again, this is so totally opposite from what our chief weapons

inspector has decided and said the consensus opinion is--that surely

the American public is entitled to an explanation from the Vice

President.

What is the basis for his statement of January 22 on national radio?

What is the basis, Mr. Vice President, for your statement? The American

public is entitled to know that. This is not some assistant secretary

of some agency sitting in the bowels of the Pentagon or the bowels of

some other building. This is the Vice President of the United States

who is saying on national radio that we believe, in fact, that those

semitrailers were part of the biological weapons program, that they

were biological weapons vans. There is no explanation forthcoming, just

sort of silence from the Office of the Vice President. We are entitled

to more than that.

One possibility which the CIA's Director suggested when I asked him

the question was that, well, maybe the Vice President was using old

information when he said that. If the Vice President of the United

States is making statements of significance based on old information,

first, it seems to me he ought to say so and then say, Too bad that

happened, I will make sure it doesn't happen again.

But it is also kind of discouraging, if that is true. There are daily

briefings which I assume he is a part of--at least weekly briefings on

these critical issues. We have a chief weapons inspector who says those

vans, according to the consensus opinion, are not part of and were not

part of the production of biological weapons.

But what all this is part of is kind of what is going to be phase 2

of the Intelligence Committee's investigation which is the use of

intelligence by the policymakers. Here the statements of our top

leadership go beyond the intelligence in a number of ways. They are

much more certain than the intelligence communities' assessments were.

For instance, the Vice President, on August 2002, said the following:

We have this additional aspect which is now being looked into by the

Intelligence Committee and again by my staff on the Armed Services

Committee as to how the administration could take the intelligence that

was given and then turn those less certain findings into certainties.

Our friend from Arizona, Senator Kyl, made the point earlier tonight

that there is a lot of uncertainty in intelligence, and he surely is

right. But wow. It sure doesn't sound that way coming from the

administration prior to the war.

Vice President Cheney told Tim Russert: We know with absolute

certainty that Saddam is using his procurement system to acquire the

equipment he needs in order to enrich uranium to build a nuclear

weapon.

Secretary of State Colin Powell--and this will be my last comment--

said at the U.N.: There can be no doubt that Saddam Hussein has

biological weapons.

The list of these statements where there is no doubt and there is

absolute certainty that the administration says exists about these

programs goes beyond what the intelligence communities' assessments

were. It is those statements of absolute certainty which, it seems to

me, require an explanation as to what was the basis of those statements

of absolute certainty and there being no doubt, particularly in light

of the fact Senator Kyl pointed out that intelligence is, indeed, very

uncertain and should be treated that way.

I yield the floor.