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**Additional Views  
of  
Senator Ron Wyden**

I commend my fellow Members and the staff of the Senate Select Committee on Intelligence for their review of and report regarding the U.S. Intelligence Community's collection and analysis of intelligence information concerning Iraq's weapons of mass destruction programs and support for terrorism.

The report produced by the Committee has found glaring weaknesses in how intelligence was collected, and obvious faults in how that information was analyzed. Its descriptions of failures in information sharing, of the publication of poor analysis when better-supported alternative interpretation was available, and of the outright manipulation of the analytical process reflect a community in dire need of reform.

The intelligence failures preceding September 11<sup>th</sup> and regarding weapons of mass destruction in Iraq show that the management structure of the Intelligence Community is broken. Walls between organizations prevent information from being shared. Walls between organizations prevent the shifting of human and financial resources to address changing threats. Walls between organizations hinder the coordination of effort against a common target and foe.

The Intelligence Community needs broad, overall reform to help assure that U.S. policymakers receive better support when faced with decisions crucial to the security of our nation and the use of military forces. Congress and the Administration must use the work of both the Joint Inquiry Into The Terrorist Attacks of September 11, 2001 and the National Commission on Terrorist Attacks Upon the United States (the 9-11 Commission), as well as this Committee's review of pre-war intelligence on Iraq, as both impetus and guide on how to transform the IC to best address the threats of the 21<sup>st</sup> century.

However, reform of the Intelligence Community will not resolve all the mistakes and miscues that led to the invasion and occupation of Iraq. The CIA and other elements of the Intelligence Community did perform poorly in their collection and analysis of Iraq's weapons of mass destruction programs and its actual possession of these weapons. The Intelligence Community did fail the Bush Administration, the Congress, and the American public when it provided such poor intelligence on Iraqi WMD. But ultimately, poor intelligence collection and analysis do not absolve the Bush Administration of the decision to go to war. These events did not occur simply because the Bush Administration relied upon poor intelligence. In reality, the Administration repeatedly and independently made the case for war not by relying on U.S. intelligence, but by ignoring or directly

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contradicting the same. Therefore, I feel the inclusion of additional views is essential to the completion of a thorough report from the Senate Select Committee on Intelligence.

*Exaggeration of the Threat*

Bad intelligence and bad policy decisions are not mutually exclusive – that is, both can exist simultaneously yet quite independently of each other in the same situation. This is true of the U.S. march to war against Iraq. The Bush Administration used the Intelligence Community’s poor intelligence on Iraq’s WMD programs to support its decision to go to war, but just as the Intelligence Community’s conclusions were more definitive than the information warranted, the urgency expressed by President Bush and members of his administration was unsupported even by the faulty intelligence. The Bush Administration independently compounded the failure of the Intelligence Community by exaggerating the Community’s conclusions to the public – an inappropriate course of action that could have occurred even if the intelligence had been sound.

The Committee’s second phase of its review will hopefully delve more deeply into this issue and detail how policymakers’ public statements on Iraq’s threat to the U.S. did not match the classified intelligence analysis. Nevertheless, there is already enough information available publicly to fault the Administration for its seemingly single-minded pursuit of war to remove Saddam Hussein from power. Accurate intelligence information reflecting the marginal threat Saddam posed to the U.S. and its allies was available well before the March 2003 start of the war.

To further illustrate this, following are examples of the Administration’s exaggeration of intelligence regarding Iraq.

*“A Mushroom Cloud”*

“Facing clear evidence of peril, we cannot wait for the final proof - the smoking gun - that could come in the form of a mushroom cloud.”

*President Bush Outlines Iraqi Threat; Remarks by the President on Iraq, White House (10/7/2002).*

The phrase “mushroom cloud” conveys the globally recognized specter of a nuclear explosion. These words remind the listener of the nightmarish images of nuclear explosions and their ghastly aftermath. When President Bush uttered these words, simultaneously citing “clear evidence,” a listener would obviously infer that Iraq either had or soon would have nuclear weapons and a means to use them against the United States.

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However, the Intelligence Community believed otherwise at the time of this statement. In its unclassified October 2002 “white paper” entitled “Iraq’s Weapons of Mass Destruction Programs,” the Intelligence Community made a much less urgent judgment. The paper stated simply that “if left unchecked, (Iraq) probably would have a nuclear weapon during this decade.” It further stated:

Iraq is unlikely to produce indigenously enough weapons-grade material for a deliverable nuclear weapon until the last half of this decade; Baghdad could produce a nuclear weapon within a year if it were able to procure weapons-grade fissile material abroad.

While noting Iraq’s continuing interest in nuclear weapons, the foremost intelligence analysis prior to the war does not include any information suggesting that Iraq did have a nuclear weapon.

President Bush’s statement about a “mushroom cloud” was not phrased to directly contradict the analysis of the Intelligence Community at that time. It was not a simple “lie.” However, the effect of this statement, if not the intention behind it, was alarmist. It conveyed an urgency that was not supported by the Community’s assessment of the situation at that time. In the aftermath of Saddam’s overthrow, it became clear that Iraq was in fact even farther away from a nuclear weapon than the Intelligence Community had judged.

#### *Capability vs. Intent*

“Year after year, Saddam Hussein has gone to elaborate lengths, spent enormous sums, taken great risks to build and keep weapons of mass destruction. But why? The only possible explanation, the only possible use he could have for these weapons, is to dominate, intimidate, or attack.”

*President Bush Delivers “State of the Union,” White House (1/28/2003)*

While the Intelligence Community characterized Saddam Hussein as having an ongoing interest in developing nuclear weapons, the Intelligence Community concluded that Iraq was already in possession of chemical and biological weapons. While these weapons are not as devastating and horrifying as nuclear weapons, they are capable of killing and maiming hundreds or thousands at a time if spread efficiently among a military force or population. Efficient deployment of these types of weapons to cause mass casualties, however, is a difficult technological feat, especially if the target of the attack is thousands of miles away. Two questions, then, were essential to the appropriate use of this intelligence for policymaking purposes.

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First, was Iraq capable of attacking the U.S. or its allies with chemical or biological weapons? Saddam Hussein did not have the capability to launch a chemical or biological attack against the U.S. homeland using missiles or airplanes launched from Iraq. In the 1980s, Saddam Hussein had used chemical weapons closer to home: against his own people and against Iran. In the unclassified October 2002 "white paper," the Intelligence Community suggested Iraq could still effectively use biological weapons against his enemies within or close to its borders. So, Iraq arguably possessed the technological capability to attack American troops and allied nations in the area.

However, to launch a chemical or biological assault, Saddam Hussein had to be willing to deal with the consequences of such an attack on our far more advanced and overpowering military or those the U.S. would likely aid if attacked.

So the second key question has a much less certain answer. Did Saddam intend, or was he likely, to use WMD to attack U.S. troops or its allies in the region? The Intelligence Community's assessment was that he was not – as long as the threat of an imminent American-led invasion to overthrow his regime did not enter the picture. In an October 7, 2002 letter to then-SSCI Chairman Bob Graham, Director of Central Intelligence George Tenet provided declassified testimony from a Senior Intelligence Witness concerning the possibility that Saddam Hussein would initiate an attack using a weapon of mass destruction if he was not threatened. The witness' assessment was as follows: "My judgment would be that the probability of him initiating an attack – let me put a time frame on it – in the foreseeable future, given the conditions we understand now, the likelihood I think would be low."

In October 2002, when Congress was weighing a resolution to authorize the use of military force to remove Saddam Hussein from power, the United States' intelligence analysis was that he was not a threat to our troops or allies even in the region. Yet the President's public statements exaggerated the Intelligence Community's assertion of Saddam's capability into an insufficiently supported pronouncement of his intention to attack U.S. interests.

#### *Terrorist Threat from Iraq*

Before September the 11th, many in the world believed that Saddam Hussein could be contained. But chemical agents, lethal viruses, and shadowy terrorist networks are not easily contained. Imagine those 19 hijackers with other weapons and other planes -- this time armed by Saddam Hussein. It would take one vial, one canister, one crate slipped into this country to bring a day of horror like none we have ever known.

*President Delivers "State of the Union", White House (1/28/2003).*

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President Bush's comments above present a nightmare scenario of terrorists armed with Saddam Hussein-supplied chemical or biological weapons attacking the U.S. homeland. His statement is noteworthy for its reliance on hypothetical examples which, as hypothetical examples do, dealt with possibilities that might or might not be likely occurrences. There are innumerable possibilities, but only limited numbers of truly likely events. Before going to war, a President should be assured that there is a significant likelihood that the scenarios being used as a basis for attack will actually occur.

The Intelligence Community did not believe that Saddam Hussein was likely to use his own forces or an outside group like al Qaeda to attack the United States – with one important caveat. The Intelligence Community believed that an impending U.S.-led attack to remove Hussein from power would increase the likelihood of a terror attack. Again in the October 7, 2002 letter to Chairman Graham, members of the Intelligence Community stated::

Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or CBW against the United States.

Should Saddam conclude that a US-led attack could no longer be deterred, he probably would become much less constrained in adopting terrorist actions. Such terrorism might involve conventional means, as with Iraq's unsuccessful attempt at a terrorist offensive in 1991, or CBW (chemical or biological weapons).

Saddam might decide that the extreme step of assisting Islamic terrorists in conducting a WMD attack against the United States would be his last chance to exact vengeance by taking a large number of victims with him.

The intelligence analysis presented as devastating a scenario as President Bush described in his State of the Union Address, with one vitally important distinction. President Bush outlined what he believed would occur if *no* action was taken against Saddam Hussein. But, according to the Intelligence Community, a war to remove Saddam Hussein from power would make terrorist attacks against the U.S. *more likely* than a continuance of the policy then in place. With these public statements, President Bush directly contradicted the intelligence information he had been given. A war undertaken ostensibly to remove a threat, the war to remove Saddam, would actually increase the possibility of attacks against the United States and its citizens.

#### *Saddam Hussein and Al Qaeda*

“If the world fails to confront the threat posed by the Iraqi regime, refusing to use force, even as a last resort, free nations would assume immense and unacceptable risks. The attacks of

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September the 11th, 2001, showed what the enemies of America did with four airplanes. We will not wait to see what terrorists or terrorist states could do with weapons of mass destruction.”

*President’s Radio Address - “War on Terror,” White House (3/8/2003).*

The September 11 attacks were a direct assault on the United States homeland. Strikes on the World Trade Center and Pentagon awakened Americans to their vulnerability, ended any misconceived notions of inviolability to catastrophic terrorism, and introduced all Americans to the shadowy organization known as al Qaeda. The basis for making war on al Qaeda after September 11 seemed more or less straightforward to most Americans. The basis for making war on Saddam Hussein because of an alleged connection to al Qaeda was much more complex, much less clear-cut, than portrayed by the Administration.

In his address to the United Nations Security Council in February 5, 2003, Secretary of State Powell outlined the extent of what the Intelligence Community knew about Saddam’s interactions with al Qaeda. His remarks noted contacts between the Iraqi government and al Qaeda dating back to the mid-1990s, reports that Iraq provided training to al Qaeda, including possibly in chemical and biological weapons, and the presence of al Qaeda members both in Baghdad and in the Kurdish areas of northeastern Iraq, presumably with the knowledge and acquiescence of the Saddam regime. The connections described by Secretary Powell at first glance might seem provocative, but upon closer inspection the conclusions do not present as ominous a picture. Also, it is important to note what the Intelligence Community did not say.

Secretary Powell did not describe, and the Intelligence Community never concluded that there was, cooperation between Iraq and al Qaeda on terrorist operations, nor did they actively support each other with resources or personnel. Saddam Hussein and al Qaeda are not natural allies; far from it, they are natural foes. Secular Arab regimes like Saddam Hussein’s were threatened by religious fundamentalists like those within al Qaeda. Likewise, al Qaeda’s fierce Islamists would be wary of cooperation for fear of being associated with or co-opted by a dictator like Saddam.

The Iraqi government likely had contacts at various levels with al Qaeda. Yet the same could be said of many other governments inside and outside the region, especially with regard to state intelligence services trying to collect information about al Qaeda and whether it threatened their nations’ interests. Secretary Powell mentioned the *possibility* that Iraq had given chemical and biological training to al Qaeda. His careful choice of words reflected the level of uncertainty in the Intelligence Community surrounding this information. As for the presence of al Qaeda in Iraq, Powell did not say that Saddam

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knew al Qaeda operatives were in Baghdad or elsewhere in Iraq, or that he could have done anything to prevent the use by al Qaeda of Iraqi territory such as the Kurdish areas not under his control.

In their public comments, the Bush Administration never claimed directly that Iraq was involved in the September 11 attacks. President Bush himself said on September 17, 2003, "No, we've had no evidence that Saddam Hussein was involved with September the 11th." However, President Bush clearly did not refrain from associating Saddam Hussein and Iraq with al Qaeda and thereby with the attacks against the World Trade Center and the Pentagon. Repeated associations helped build the case for war against Iraq, despite the absence of a real connection between Iraq and September 11. According to an August 2003 Washington Post poll, almost 70 percent of Americans believed that Iraq was complicit in the September 11 attacks.

Advertising executives know the power of association when trying to convince customers to purchase a product. Advertisers do not have to promise specific benefits from that product; they only have to associate the product with the benefit.

White House Chief of Staff Andrew Card used a business analogy to explain the timing of the public debate on military action against Iraq: "from a marketing point of view, you don't introduce new products in August." In his warning about "terrorists or terrorist states" and in other comments regarding Iraq and al Qaeda, President Bush seemed to be using marketing-based associative techniques to attempt to convince the American public of a connection not explicitly stated in his remarks: that Iraq was somehow involved in the September 11 attacks. It was not.

#### *No Imminent Threat*

"The history, the logic, and the facts lead to one conclusion: Saddam Hussein's regime is a grave and gathering danger."

*President's Remarks at the United Nations General Assembly, White House  
(9/12/2002)*

Just as he never said Iraq was involved with September 11, President Bush never said explicitly that Saddam Hussein's regime was an imminent threat to the United States. Nevertheless, as in the remark above, he repeatedly drove home the image of an Iraq that had attacked its neighbors in the past, that had used and likely still possessed chemical and biological weapons, that was pursuing nuclear weapons, and that had defied the will of the international community by refusing to abide by United Nations Security Council resolutions. Iraq was presented by President Bush as a problem that needed to be addressed immediately.

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The Intelligence Community never considered Iraq an “imminent threat.” In fact, DCI Tenet made that clear in his February 5, 2004 speech describing the Intelligence Community’s performance in assessing Iraq’s weapons of mass destruction programs. Referring to the analysts who worked on the National Intelligence Estimate on Iraq’s Weapons of Mass Destruction Programs, Tenet specifically noted, “They never said there was an ‘imminent’ threat.”

Clearly, the United States and the international community were wise to maintain focus on the intransigence and threatening actions of Saddam Hussein. The policy of containment toward Iraq had weakened since the removal of United Nations weapons inspectors in 1998, and a renewed effort was needed to strengthen the restrictions put in place to prevent Saddam Hussein from further destabilizing the region. The Bush Administration was right to rebuild the resolve of the United Nations (UN) and to get the weapons inspectors back into Iraq. However, the UN weapons inspectors were only in Iraq for less than three months before the U.S.-led military campaign to overthrow Saddam from power began. At that point, the weapons inspections process had not yet confirmed the disarming of Saddam, but it had clearly and significantly thwarted his weapons programs and was the best source of information on his efforts.

Why, then, was it necessary to attack Iraq in March 2003? Iraq, as understood then, was not an “imminent threat,” and, as understood today, did not present even the “grave and gathering danger” President Bush described.

The U.S. was in the midst of the continuing effort to find, capture or kill Osama bin Laden, members of al Qaeda and members of affiliated groups seeking to attack the U.S. and its allies. Instead of being able to maintain a single-minded focus to find and root out the terrorists who committed the September 11 attacks and who continue to threaten American lives, the United States military, intelligence agencies, diplomatic corps, and the rest of the national security apparatus were forced to shift their primary attention to an issue that the facts reveal to have been far less urgent. While Saddam Hussein has been captured, Osama bin Laden remains at large and his al Qaeda organization continues to plan attacks against the U.S. homeland. Despite this imminent threat, the situation in Iraq remains the primary focus of our national security apparatus. The US has 130,000 troops now in Iraq and will likely need similar numbers for the foreseeable future if security in that nation is to be established and maintained.

### *Conclusion*

It was not a conspicuous rationale before the war, but President Bush and members of his administration today note prominently that the Iraqi people are better off now than under the regime of Saddam Hussein. The security situation in Iraq, although still tenuous, would have to deteriorate significantly for that not to be the case. Yet, however noble a



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goal, freeing the Iraqi people was not the foremost reason presented to the American people for going to war. President Bush said Iraq was a threat to the United States and that removing Saddam Hussein from power was necessary to improve the security of Americans.

Are Americans safer today? Are Americans less likely to suffer a terrorist attack because Saddam is out of power? Can the U.S. military, intelligence agencies, and the remainder of our government better protect our citizens and interests around the world than it could before Operation Iraqi Freedom? Unfortunately, the answer to all these questions is no. But they are questions that are appropriately posed to the Bush Administration – not the U.S. Intelligence Community – in the aftermath of the Iraq war. These are the issues by which the decision to invade and occupy Iraq must be judged.