

Senate Democratic Policy Committee Hearing

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

Colonel Lawrence B. Wilkerson (Ret'd.)
Former Chief of Staff, U.S. Department of State

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I want to thank the Policy Committee for giving me the opportunity to express my views with regard to the U.S. intelligence situation in the period leading up to the current Iraq war. Also to speak about the weaknesses and strengths of the U.S. intelligence community in general as I see them, after being an intelligence user at every level for some 35 years — 31 in the Department of Defense as a soldier and four in the Department of State as a policy planner and as that department's chief of staff. When I say “at every level,” I mean tactical level intelligence on the battlefields of Vietnam, operational level intelligence as a special assistant to Admiral Stewart Ring when he was head of Admiral William Crowe's Strategy and Policy shop at the U.S. Pacific Command and the Iran-Iraq War was raging, and strategic intelligence when I was special assistant to General Colin Powell for the four years that he was Chairman of the Joint Chiefs of Staff and the U.S. Armed Forces executed Operations Just Cause and Desert Shield/Storm, among others. Moreover, I saw and used a wide range of strategic and other intelligence products in the four years I served at the State Department.

It is a matter of some regret on my part that we do not have a fully bipartisan group at this hearing today because, among other reasons, it will take a bipartisan effort to meet the serious challenges this nation confronts with regard to intelligence and, in particular, its criticality to the current conflict in which we are engaged against terrorist groups bent on doing harm to our nation. Unless we tackle these challenges together — Democrat, Republican, and Independent alike — we will never overcome them.

I want to divide my remarks today into three categories: (1) the pre-Iraq War intelligence situation, (2) the very specific — and very importantly — instance of failed intelligence on Iraq as demonstrated by Secretary Powell's presentation to the United Nations Security Council on February 5, 2003, and (3) the intelligence capability of the U.S. in general.

Pre-Iraq War

As we moved through the months following the horrendous attacks on our country of September 11, 2001, we had several key objectives before us at the State

Department. One was to build and sustain as wide a coalition of allies and friends as possible to wage what we increasingly believed would be a lengthy conflict against al-Qaeda, Jemaah Islamiya, Abu Sayyef, and other terrorist groups that seemed vaguely linked but quite demonstrably intent on doing harm to us and our friends and allies. We considered the best instruments for winning such a conflict to be superb intelligence, solid diplomacy including public diplomacy, economic and financial leverage (the latter including interdicting financial networks when necessary), law enforcement — domestic and international, and military force. We knew that, once non-military efforts had failed, the latter would be immediately employed against the Taliban in Afghanistan in order to get to the al-Qaeda forces in that state. We knew too that we wanted to build and sustain as wide a coalition as possible for that immediate war-waging effort, as well as the longer effort of the larger conflict.

A second objective was to calculate what each member of this wide-ranging coalition could offer — both to the immediate war effort in Afghanistan and to the larger and longer effort worldwide. This included everything from overflight rights, to sharing of intelligence and counterterrorism courts, to actual troop contributions.

A third objective was to increase the vigilance and security of our own assets around the world — our consulates, embassies, and American citizens overseas. We had been doing this as rapidly as possible anyway due to, among other things, the attacks on our embassies in East Africa in 1998 by al-Qaeda. Now, we redoubled our efforts.

At the same time, national security deliberations went on with regard to other important responsibilities — our review of North Korea policy, our attempt to achieve a policy with regard to Iran, developing further our new strategic relationship with Russia, U.S.-China relations, and a host of other foreign policy tasks, all of which, initially at least, seemed to be easier to deal with because of the solidarity created by the world's sympathy for our country after the terrorist attacks of 9/11. In short, the blow America had received plus the counterterrorism efforts — including intelligence sharing — we began pursuing to respond to it, became a new glue that held us all together more closely than before.

But toward the end of 2002, as we moved inexorably toward a second war with Iraq, this glue had begun to produce less of a bond. In fact, at the State Department we began to realize that America might be in this particular war alone, or virtually alone, were it to occur. On November 8, the 15-0 vote in the UN Security Council for Resolution 1441 was a heady moment of international accord, but that accord was to dissipate swiftly just a few months later.

It was at this time that I personally became very interested in the intelligence picture we were being given by DCI Tenet and the documents his groups were producing (i.e., his DCI assets and his CIA assets), as well as the use of that intelligence by administration personnel. I was made doubly aware of what sort of effects these efforts were having by the fact that even as Secretary Powell was trying to create a diplomatic pathway forward, Vice President Cheney was undermining him by giving speeches (such

as the one at the 103rd National Convention of the VFW) that virtually denied the possibilities for such a pathway. In doing so, the Vice President was using portions of the intelligence documents in ways that the documents themselves did not seem to support, or at least not strongly. Others in the administration were participating in this distortion. The most startling example was the President's State of the Union Address on January 28, 2003, which included the now infamous statement about uranium and Niger. The Secretary of State and I, and a host of others in the administration, knew that Iraq's alleged attempt to acquire uranium from Niger, as that attempt was then reported, was highly improbable. Moreover, when statements such as "we don't want the smoking gun to be a mushroom cloud" were made, for example by the National Security Advisor, Dr. Rice, we grew concerned at the State Department because our own intelligence people told us they doubted Iraq's nuclear program was even active.

I became concerned enough that I had a group of scientists visit me in my office at State, scientists who were former members of UNSCOM inspection teams or otherwise very experienced in the history and specifics of Iraq's weapons programs. They told me that it was their belief Saddam Hussein was waiting for the international focus on his regime to relax, for sanctions to be lifted, and for key countries to resume normal trade relations with Iraq. At that time, Saddam intended to resume his pursuit of weapons of mass destruction, including a nuclear capability, but that at present he had virtually nothing in the way of WMD except perhaps out-sourced research programs in the Sudan and in Syria, such programs chiefly aimed at keeping warm his chemical and biological weapons research capability. This group of scientists marshaled arguments that were quite convincing. I began to have serious doubts about what we would find were we to invade Iraq and search for weapons of mass destruction.

Then, on January 29, 2003, the Secretary of State came through the door that adjoined our two offices and handed me a 48-page script describing Iraq's WMD programs. He had received the script from the Vice President's office earlier that day. As he handed the script to me, he instructed me to form a task force and be prepared to relocate to CIA headquarters at Langley the next day. He wanted me to prepare him to present the case against Iraq at the UNSC just seven days later. He informed me that the next day I would be receiving two similar scripts in addition to the one on WMD, a script on Iraq's involvement in terrorist activities and another on Iraq's human rights violations.

The Presentation at the UNSC

I immediately went to work drafting a work schedule and determining the composition of my task force. I was aided in this effort by the NSC staff who provided me Will Toby from Bob Joseph's non-proliferation office and John Hannah from the Vice President's office. The remainder of my task force I selected from State Department assets, and the next day the entire task force relocated to Langley where DCI Tenet and DDCI McLaughlin put themselves and their people and facilities at our disposal. The task force located in the National Intelligence Council's spaces and used DCI Tenet's Conference Room for rehearsals and discussions. DDCI McLaughlin stayed with us almost on a round-the-clock basis, as did several NIO's and CIA analysts.

Through the DCI, we also had access to the DIA, the NSA, the NRO, the NGA, and all other elements of the intelligence community, including State Department's INR (here our contact was direct, without going through the DCI).

The task force got directly to work. The first thing we did was begin to move through the 48-page script on WMD, attempting to verify what we were reading by going to the sources Hannah gave us as we read through the paragraphs. After a few hours of growing frustration, we realized that the 48-page document provided by the Vice President's office was not going to work. It was not sourced like a normal intelligence community document and therefore every line had to be run down and checked against the source citations provided by Hannah. These ranged from newspaper articles to intelligence reports. Checking each source, line by line, was simply impossible in the short time we had to prepare the presentation. I turned to DCI Tenet in some frustration and said that what we were attempting was simply not going to work. Without hesitation, DCI Tenet agreed and said we should use the October 2002 NIE on Iraq's WMD. I agreed and we began work again, after losing more than a precious half-day, this time using the NIE.

As we worked on the WMD portion of the Secretary's presentation over the next two days, we received a 25-page document on Iraq's ties to terrorism, as well as a shorter document on Iraq's human rights violations. We would eventually work to incorporate these documents in the presentation, leaving the latter almost intact as received and cutting the former to slightly over seven pages. What we eliminated from the document on Iraq's ties to terrorism was almost a genealogy of terrorism that made little sense and provided no substantive evidence of Iraqi terrorist contacts other than Saddam Hussein's payments to the families of deceased Palestinian terrorists. The heart of what we kept in that portion of the presentation was Abu Musab al-Zarqawi's presence in Iraq and what that purported, and the alleged contacts between Iraq and al-Qaeda with regard to chemical and biological weapons training (this latter having been gleaned from the interrogation of captured terrorist Ibn al-Sheikh al-Libi).

Over the next few days, principally at Langley and for two days and nights in New York, we built the UNSC presentation and Secretary Powell rehearsed its delivery. These rehearsals were initially in the DCI Conference Room at Langley. Always present were the Secretary, the DCI, the DDCI, key intelligence analysts hand-picked by the DCI and DDCI, myself and members of my task force, and, on several occasions, deputy national security advisor Steve Hadley, national security advisor Dr. Rice, OVP chief of staff I. Lewis Libby, and others from the White House, as well as deputy Secretary of State Richard Armitage. In New York, we conducted two major rehearsals at the USUN Mission, the last one a full dress rehearsal. At these two, the DCI and the DDCI were present, along with the Secretary and myself, and a few others.

In the rehearsal and discussion sessions at Langley, the give and take was mostly the Secretary of State trying to eliminate unsubstantiated and/or unhelpful material and others from the White House trying to keep that material in, or add more. One such incident occurred several times and the final time it occurred provided an example of the

Secretary's growing frustration. Repeatedly, the OVP or NCS staff personnel tried to insert into the presentation the alleged meeting in Prague between al-Qaeda operative and 9/11 hijacker Mohamed Atta and Iraqi intelligence personnel. Repeatedly, Secretary Powell eliminated it based on the DCI's refusal to corroborate it. Finally, at one of the last Langley rehearsals, Secretary Powell was stopped in mid-presentation by deputy national security advisor Steve Hadley and asked what had happened to the paragraph describing the meeting in Prague. Secretary Powell fixed Hadley with a firm stare and said with some pique, "We took it out, Steve — and it's staying out."

But the most dramatic moment for me during this intense preparation period—and there were quite a few dramatic moments — came during the dress rehearsal in New York. The Secretary had just finished running rapidly through what was a full hour-plus presentation and he turned to DCI Tenet and asked him if he stood by everything the Secretary had just said. The DCI responded in the affirmative and remarked that, if anything in the presentation were inaccurate, he would have to take it before his own oversight committees in the Congress — and that would be a daunting task. The Secretary commented that Mr. Tenet would indeed have to stand by his words because he would be "in camera" with the Secretary in the morning at the UNSC.

My own reaction after seeing the full, formal presentation at the UNSC the next morning was that the presentation was not very convincing. It was the man who was giving it — Colin Powell — that gave it its credibility. So much of what was presented could have been interpreted in different ways. In short, it was a compilation of circumstantial evidence, and not a very convincing compilation at that. My feeling at that moment was that I had failed the Secretary because I had not put together a very powerful presentation.

Moreover, as time passed and I departed the State Department in January 2005, I discovered two very disturbing developments. First, I began hearing from reputable sources that the DIA had dissented on the results of Ibn al-Sheikh al-Libi's interrogation, the first dissent occurring around the time of the interrogation (which occurred outside the U.S. and under conditions of torture or near-torture) and the second dissent occurring about the time of the UNSC presentation, in early February 2003. This was disturbing because no such dissent was ever made known to me during the preparations for the February 5, 2003, UNSC presentation, nor to the best of my knowledge to Secretary Powell. Al-Libi's forced testimony was of course crucial to the Secretary's assertions in the presentation that al-Qaeda had substantive links with Baghdad.

The second development was even more disturbing and involved Iraq's alleged mobile biological laboratories. Word reached me that the multiple, independent sources we had been given for the existence of these labs were in fact only one source, that that one source was an informant called "Curveball," and that there were very serious doubts as to this source's reliability; furthermore, that these doubts had been made known to DCI Tenet and to DDCI McLaughlin prior to Secretary Powell's presentation at the UNSC. It is now public knowledge that the chief of the CIA's European Division, Tyler Drumheller, has expressed as much. Since I never heard the name "Curveball" during the

preparations for the Secretary's UNSC presentation, let alone the doubt as to his reliability, I was quite disturbed by these revelations. Secretary Powell was not told of Curveball, nor the unreliability of any sources, during our preparations either.

The U.S. Intelligence Community

Before I end and try to answer your questions, I would like to make a few comments with respect to the U.S. intelligence community in general.

Many of you at one time or another may have met Tom Fingar, formerly of INR at the State Department and now with Ambassador Negroponte at the Office of the Director for National Intelligence. When Tom was INR's Acting Assistant Secretary and then, later, Assistant Secretary, he would come into my office daily, sometimes multiple times. We discussed frequently how to make intelligence products better. I have great respect for Tom's views and found his reasoning on intelligence matters sound and convincing. Largely, his views coincided with my own experience of some 30-plus years. Here are my own views:

First, the intelligence community is far too big. It is a huge and sclerotic bureaucracy composed of more than a dozen different entities, ranging from the CIA to the intelligence branches/specialties in the armed forces. It spends over \$40 billion dollars per year and that spending has few oversight mechanisms that work. For a glaring example, billions are spent on satellites designed for the Cold War that deliver very little in the way of helpful intelligence today and whose tracks and capabilities are well known by our enemies — in fact, so well known that our satellites may be being used to deliver disinformation to our analysts and decision makers. The billions thus expended could be put in hundreds of briefcases and used to bribe people around the globe and that practice would produce far more actionable intelligence.

Second, the intelligence community lacks real competition. There are turf battles, to be sure, but in terms of having to fight it out in fierce debates as to what, for example, are the intentions of a particular country's leadership, or even what that country's true capabilities are, there is not much going on. Instead, the DCI is frequently able to impose a sort of groupthink consensus on the entire intelligence community, with any dissent no matter how significant turned into footnotes or annotations in some obscure appendix or annex. I do not see the creation of the ONDI as correcting this failing, simply moving it up an echelon.

Language proficiency, cultural and societal knowledge, a real ability to get inside the heads of a country's leadership elite, all are sorely lacking throughout the intelligence community, with the possible exception of State's INR.

The intelligence community as a whole too often applies the military mindset to its analysis, i.e., it performs worst-case analysis rather than most likely case analysis. Perhaps this tendency is understandable when one realizes that more than eighty percent of the intelligence budget is managed by the Department of Defense. There is simply no

question that DOD dominates the intelligence business. I am a soldier of three decades experience and am predisposed to DOD, but I still know that such dominance is debilitating if what is required is strategic intelligence for national decision makers. I also know that our experience in the first Gulf War (Operations Desert Shield/Storm) may have added to this military bias. During that conflict, Secretary of Defense Cheney, Chairman of the Joint Chiefs of Staff General Powell, and the theater commander General Norman Schwarzkopf were all so displeased with the intelligence products of the CIA that one of the corrective measures they engineered following the war was to insert an entire organization at the CIA, headed by a two-star flag officer, that in future would ensure the Agency's strong interest in the needs of the military.

Professionals within the intelligence community are moved around far too much, usually in order to accommodate the threat or crisis of the day. Grouping hundreds of people together and throwing hundreds of millions of dollars at them to go after, for example, terrorists instead of what has been their targets — a particular country or region, a particular system or function, a specific threat — does not mean that the conglomerate thus created is going to be effective. It does mean that all the other areas are going to be neglected.

As James Bamford has pointed out in his book *A Pretext For War*, the intelligence community — particularly the CIA — is far too risk-adverse. This is both a morale problem for those personnel who want to take risks and achieve results and an operational problem because being adverse to risks means missing out on a wealth of intelligence.

Finally and most significantly in my view, intelligence analysts need to be left alone to do their jobs without inordinate political pressure to produce what is desired rather than what is most likely the truth. For example, it is considerably less than wise to believe that a Vice President who visits the CIA a dozen or so times is not bringing inordinate pressure to bear on that agency. No matter what analysts may say to the contrary to official commissions and oversight committees, I can tell you from my experience of having been in the arena that it is naïve to believe that a President, a Vice President, or a Cabinet principal who visits a particular part of the bureaucracy repeatedly is not bringing his or her influence to bear. Similarly, cherry-picking intelligence products, or assembling their ingredients in “new” and “unique” ways, as was done in the 48-page script on WMD prepared by the Vice President's office for Secretary Powell's presentation at the UNSC, is debilitating. Such efforts undermine the real intelligence community and do not serve the interests of the American people.

Thank you for allowing me to express my views.