

WMD *in* IRAQ

evidence and implications

AUTHORS

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JANUARY 2004



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PREFACE

This report follows and builds on two earlier studies from the Carnegie Endowment, *Iraq: A New Approach* (August 2002) and *Iraq: What Next?* (January 2003). The first of these proposed a fundamentally new approach to the disarmament of Iraq: a comply-or-else, nonnegotiated regime of coercive inspections. The second analyzed what the UN inspectors had achieved as of January 2003 and argued for pursuing an enhanced inspection process over an invasion of Iraq, until and unless inspections were obstructed.

This report attempts to summarize and clarify the complex story of weapons of mass destruction

and the Iraq war. It examines the unclassified record of prewar intelligence, administration statements of Iraq's capabilities to produce nuclear, biological, and chemical weapons and long-range missiles, and the evidence found to date in Iraq. It draws findings from this material and offers lessons and recommendations for the future.

The report was prepared from September to December of 2003. All the source documents used, and a great deal of additional information, can be found on the Carnegie Endowment's web site on a special page devoted to this subject: www.ceip.org/intel.

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GUIDE TO KEY FINDINGS

Iraq's WMD programs represented a long-term threat that could not be ignored. They did not, however, pose an immediate threat to the United States, to the region, or to global security. (p. 47)

With respect to nuclear and chemical weapons, the extent of the threat was largely knowable at the time. (p. 47)

- ▶ Iraq's nuclear program had been dismantled and there was no convincing evidence of its reconstitution. (p. 47)
- ▶ Regarding chemical weapons, UNSCOM discovered that Iraqi nerve agents had lost most of their lethality *as early as 1991*. Operations Desert Storm and Desert Fox, and UN inspections and sanctions effectively destroyed Iraq's large-scale chemical weapon production capabilities. For both reasons, it appears that thereafter Iraq focused on preserving a latent, dual-use capability, rather than on weapons production. (p. 47–48)

The uncertainties were much greater with regard to biological weapons.

However, the real threat lay in what could be achieved in the future rather than in what had been produced in the past or existed in the present. (p. 48)

- ▶ The biological weapons program may also have been converted to dual-use facilities designed to quickly start weapons production in time of war, rather than making and storing these weapons in advance. (p. 48)

The missile program appears to have been the one program in active development in 2002. (p. 48) Iraq was expanding its capability to build missiles whose ranges exceeded UN limits.

It is unlikely that Iraq could have destroyed, hidden, or sent out of the country the hundreds of tons of chemical and biological weapons, dozens of Scud missiles and facilities engaged in the ongoing production of chemical and biological weapons that officials claimed were present without the United States detecting some sign of this activity before, during, or after the major combat period of the war. (p. 55)

How much radioactive and biological material have been lost and whether they have fallen into the wrong hands remain crucial unknowns. (p. 58–59)

Prior to 2002, the intelligence community appears to have overestimated the chemical and biological weapons in Iraq but had a generally accurate picture of the nuclear and missile programs. (p. 50)

The dramatic shift between prior intelligence assessments and the October 2002 National Intelligence Estimate (NIE), together with the creation of an independent intelligence entity at the Pentagon and other steps, suggest that the intelligence community began to be unduly influenced by policymakers' views sometime in 2002. (p. 50)

There was and is no solid evidence of a cooperative relationship between Saddam's government and Al Qaeda. (p. 48)

There was no evidence to support the claim that Iraq would have transferred WMD to Al Qaeda and much evidence to counter it. (p. 48)

The notion that any government would give its principal security assets to people it could not control in order to achieve its own political aims is highly dubious. (p. 49)

Today, the most likely source of a nuclear terrorist threat would be from theft or purchase of fissile material or tactical nuclear weapons from poorly guarded stockpiles in Russia and other former Soviet states, including Uzbekistan, Kazakhstan, and Ukraine. The security of Pakistan's nuclear assets, including technology and know how, is also a major concern. (p. 50)

Administration officials systematically misrepresented the threat from Iraq's WMD and ballistic missile programs, beyond the intelligence failures noted above, by:

- ▶ **Treating nuclear, chemical, and biological weapons as a single "WMD threat." The conflation of three distinct threats, very different in the danger they pose, distorted the cost/benefit analysis of the war. (p. 52)**
- ▶ **Insisting without evidence—yet treating as a given truth—that Saddam Hussein would give whatever WMD he possessed to terrorists. (p. 52)**
- ▶ **Routinely dropping caveats, probabilities, and expressions of uncertainty present in intelligence assessments from public statements. (p. 53)**
- ▶ **Misrepresenting inspectors' findings in ways that turned threats from minor to dire. (p. 53)**

While worst case planning is valid and vital, acting on worst case assumptions is neither safe nor wise. (p. 54)

The assertion that the threat that became visible on 9/11 invalidated deterrence against states does not stand up to close scrutiny. (p. 57)

Saddam's responses to international pressure and international weakness from the 1991 war onward show that while unpredictable he was not undeterrable. (p. 57)

The UN inspection process appears to have been much more successful than recognized before the war. Nine months of exhaustive searches by the U.S. and coalition forces suggest that inspectors were actually in the process of finding what was there. Thus, the choice was never between war and doing nothing about Iraq's WMD. (p. 55)

In addition to inspections, a combination of international constraints—sanctions, procurement investigations, and the export/import control mechanism—also appears to have been considerably more effective than was thought. (p. 56)

The knowledge, prior experience in Iraq, relationships with Iraqi scientists and officials, and credibility of UNMOVIC experts represent a vital resource that has been ignored when it should be being fully exploited. (p. 51)

To reconstruct an accurate history of Iraq’s WMD programs, the data from the seven years of UNSCOM/IAEA inspections are absolutely essential. The involvement of the inspectors and scientists who compiled the more-than-30-million-page record is needed to effectively mine it. (p. 56)

Considering all the costs and benefits, there were at least two options clearly preferable to a war undertaken without international support: allowing the UNMOVIC/IAEA inspections to continue until obstructed or completed, or imposing a tougher program of “coercive inspections” backed by a specially designed international force. (p. 59)

Even a war successful on other counts could leave behind three significant WMD threats: lost material, “loose” scientists, and the message that only nuclear weapons could protect a state from foreign invasion. (p. 58)

The National Security Strategy’s new doctrine of preemptive military action is actually a loose standard for preventive war under the cloak of legitimate preemption. (p. 60)

In the Iraqi case, the world’s three best intelligence services proved unable to provide the accurate information necessary for acting in the absence of imminent threat. (p. 61)

SUMMARY OF RECOMMENDATIONS

U.S. POLICY

Create a nonpartisan independent commission, including at least one member with first-hand knowledge of the extensive UNMOVIC, UNSCOM, and IAEA archive to establish a clear picture of what the intelligence community knew and believed it knew about Iraq's weapons program throughout 1991–2002. The commission should consider the role of foreign intelligence as well as the question of political pressure on analysts and the adequacy of agencies' responses to it. (p. 51)

No changes in the structure or practices of the intelligence community are worth acting on until the record described above is firmly established. If it reveals that the content and clarity of the intelligence product were significantly affected by the desire to serve political masters, Congress should seriously consider professionalizing the post of Director of Central Intelligence (DCI). (p. 52)

Make the security of poorly protected nuclear weapons and stockpiles of plutonium and highly enriched uranium a much higher priority of national security policy. (p. 50)

Deter any nation contemplating WMD terrorism against the United States by communicating clearly the national resolve to use overwhelming force against any state that transfers nuclear, chemical, or biological weapons to a terrorist group. (p. 49)

The National Security Strategy's dismissal of the utility of deterrence against "rogue" and other potential enemy states merits a focused national debate that has not taken place. (p. 57)

The National Security Strategy should be revised to eliminate a U.S. doctrine of unilateral, preemptive war in the absence of imminent threat (that is, preventive war). (p. 61)

INTERNATIONAL ACTION

The United States and the United Nations should collaborate to produce a complete history and inventory of Iraq's WMD and missile programs. UNMOVIC, the IAEA Iraq Action Team, and the enormous UNSCOM technical archive should all be brought into the present effort by the U.S. Iraq Survey Group. Both the United States and the United Nations should be seriously faulted for the failure to do so to date. (p. 56) This work should include sending UNMOVIC and IAEA teams back to Iraq. (p. 51)

In this joint effort, particular attention should be paid to discovering which of the several international constraints on Iraq were effective and to what degree. (p. 56)

The UN Secretary General should charter a related effort to understand the inspections process itself—an after-action report. The relative value of site visits and analysis needs to be clarified. Also, the various strengths and weaknesses of this pioneering international effort need to be fully understood, including its human resources, access to technology, access to nationally held intelligence, vulnerability to penetration, and contributions to national intelligence agencies. (p. 57)

If the findings in Iraq and of these studies warrant, the UN Security Council should consider creating a permanent, international, nonproliferation inspection capability. (p. 60)

By treaty or Security Council resolution, make the transfer of weapons of mass destruction capabilities by any government to any other entity a violation of international law and a threat to international peace and security. (p. 49)

Pursue initiatives suggested by Presidents Bush and Chirac to strengthen the UN Security Council's resolve and capacity to prevent proliferation and ensure compliance with nonproliferation norms and rules. (p. 59)

Convene international negotiations to define agreed principles for preemptive and/or preventive action to remove acute proliferation threats. (p. 61)

ASSESSING THREATS

Recognize distinctions in the degree of threat posed by the different forms of "weapons of mass destruction." Otherwise, the security risks of actions taken may outweigh the risks of the targeted threat. (p. 53)

Congress and the public must learn to recognize red flags indicating that sound intelligence practices are not being followed. (p. 52)

Examine and debate the assertion that the combined threat of evil states and terrorism calls for acting on the basis of worst case reasoning. (p. 54)

Examine and debate the unexamined assumption that "evil" or "rogue" states are likely to turn over WMD to terrorists. (p. 49)

INTRODUCTION

If history is any guide, the war and subsequent occupation and reconstruction of Iraq will shape U.S. relations with the Arab world—and perhaps with the whole Muslim world—for decades, just as prior military occupations altered U.S. relations with Latin America, the Caribbean, Europe, and Asia. What happens in Iraq is also likely to profoundly affect whether and with what degree of effort and success states choose to work together to constrain the spread of weapons of mass destruction (WMD). The war and its aftermath will affect U.S. foreign relations, influence U.S. policies regarding future armed interventions, and alter the international struggle against terrorism. It is a massive understatement, then, to say that a great deal is at stake, on the ground in Iraq, around the world, and in the lessons for the future that will be drawn here at home.

Drawing useful lessons from experience begins with an accurate record of what happened. It is not too soon to begin this inquiry into the Iraq experience, because public confusion is widespread and revisionism has already begun. Some pundits now claim that the war was never about WMD but was undertaken to bring democracy to Iraq or the entire Middle East. Others say it was a response to 9/11 or was the necessary answer to a composite threat posed by Saddam Hussein's domestic evils, past aggressions, defiance of the United Nations, and desire for WMD. The administration has adjusted

its public expectation of what Iraq will be found to have had from actual weapons and massive stockpiles of agent, to weapon programs, to “capabilities,” and even to the “capability that Iraq sought” for weapons of mass destruction.¹ U.S. Deputy Secretary of Defense Paul Wolfowitz has called WMD merely “the one reason everyone could agree on,” chosen for “bureaucratic reasons.”

Drawing lessons from experience depends on an accurate record.

Notwithstanding these varied views, the definitive voice of U.S. policy—the president's—was unequivocal that the reason for going to war was the present threat to U.S. security posed by Iraq's WMD. From Mr. Bush's first detailed case for the war on October 7, 2002, to the declaration of war on March 17, 2003, the purpose is always clear: “Saddam Hussein must disarm himself—or for the sake of peace, we will lead a coalition to disarm him.”² Other than warnings addressed to the Iraqi military and reassurances to the American people regarding homeland security, the declaration of war address was *only* about WMD until the closing paragraphs, which touched on human liberty and a better future for the Iraqi people.

The reasons for war made to the rest of the world through months of negotiations at the United Nations, before and after the dispatch to Iraq of a greatly strengthened WMD inspection team, were the same. The basis for international action is stated in UN Security Council Resolution 1441, paragraph 2, as “bringing to full and verified completion the disarmament process.” U.S. Secretary of State Powell’s detailed case to the Security Council on February 5, 2003, mirrored the president’s speeches: At issue was the threat from Saddam’s WMD. All other matters were at most, a minor afterthought. (Texts of these speeches can be found in the appendices in this report.)

Because the WMD threat was the reason Americans and citizens of most other countries were given for invading Iraq, the large divergence between prewar descriptions of the threat and what has been discovered in the nine months since the war is a matter of some consequence. The discrepancies raise questions whose answers should inform a full understanding of the war itself, the handling of pending proliferation crises in Iran and North Korea, and an urgently needed, broad rethinking of U.S. non-proliferation policy. These questions are:

- ▶ Did a WMD threat to U.S. and/or global security exist in Iraq, and if so, precisely what was it?
- ▶ Was there reason to believe that Saddam Hussein would turn over unconventional weapons or WMD capability to Al Qaeda or other terrorists?
- ▶ Were there errors in intelligence regarding the existence and extent of Iraqi WMD?

If so, when did they arise and were they based on faulty collection or analysis, undue politicization, or other factors? What steps could be taken to prevent a repetition?

- ▶ Did administration officials misrepresent what was known and not known based on intelligence?

If so, what were the sources and reasons for these misrepresentations? Are there precautions that could be taken against similar circumstances in the future?

- ▶ How effective was the more-than-ten-year-long UN inspection, monitoring, and sanctions effort in Iraq?

What lessons can be drawn regarding the applicability of international pressure to prevent proliferation elsewhere?

- ▶ Was Iraq deterrable, or had deterrence been superseded by a terrorist threat only fully appreciated after 9/11?
- ▶ Were alternate courses of action with an equal or more favorable risk-benefit profile available at the time war was decided upon?
- ▶ Does the war in Iraq shed any light on the wisdom of the Bush National Security Strategy of preemptive/preventive war?

Although the complete story can not yet be told, a massive amount of information is available from declassified U.S. intelligence, reports from the UN Special Commission on Iraq (UNSCOM), the UN Monitoring, Verification, and Inspection Commission (UNMOVIC) and the International Atomic Energy Agency (IAEA), administration statements, corroborated press reports, and postwar findings. This study sorts through this mass of material, disentangles many of its complexities, and lays out a much clearer, if still incomplete, picture of what was known, uncertain, and unknown at each stage. From this we offer partial answers to these questions and point to issues that need fuller attention by bodies with access to the full classified record and to others that need further analysis and public debate. The aim is to clarify the record of the central reason for the Iraq war and to suggest changes in U.S. and international policies and practice that could help prevent the spread and use of weapons of mass destruction.

II

IRAQ'S WMD CAPABILITIES

Prior to 2002, most national and international officials and experts believed that Iraq likely had research programs and some stores of hidden chemical or biological weapons and maintained interest in a program to develop nuclear weapons. The debate that began in 2002 was not over weapons, but over war. The issue was whether Iraq's capabilities and its failure to cooperate fully with UN inspections by adequately accounting for its activities posed such a severe threat as to require military invasion and occupation in early 2003.

FOUNDATIONS OF THE ASSESSMENTS

For many years, UN inspectors had detailed questions that needed to be answered before they could declare that all of Iraq's chemical and biological programs and long-range missile programs had ended and that all remaining weapons had been destroyed. There were

*The debate that began in 2002 was
not over weapons, but over war.*

also concerns, but fewer questions, on the nuclear program. The International Atomic Energy Agency

had destroyed all known equipment related to the development or production of nuclear weapons and concluded in 1999 that its "verification activities have revealed no indication that Iraq possesses nuclear weapons or any meaningful amounts of weapon-usable nuclear material or that Iraq has retained any practical capability (facilities or hardware) for the production of such material." It should be noted, however, that some claimed unilateral destruction of equipment and components could not be verified.

No one knew for certain how many, if any, chemical or biological weapons Iraq still had. All estimates were based on the weapons and materials unaccounted for when UNSCOM ended its inspections in 1998. There remained justifiable suspicions that Iraq could have tons of chemical weapons hidden or enough growth media to produce tons of new biological weapon agents.

For example, the U.S. intelligence consensus in 1999, as reported to Congress was:

We do not have any direct evidence that Iraq has used the period since Desert Fox [1998] to reconstitute its WMD programs, although given its past behavior, this type of activity must be regarded as likely. The United Nations assesses that Baghdad has the capability to reinstate both its CW and BW programs within a few weeks to months, but without an inspection monitoring program, it is difficult to determine if Iraq has done so.³

The report further noted that:

Since the Gulf War, Iraq has rebuilt key portions of its chemical production infrastructure for industrial and commercial use, as well as its missile production facilities. It has attempted to purchase numerous dual-use items for, or under the guise of, legitimate civilian use. This equipment—in principle subject to UN scrutiny—could also be diverted for WMD purposes.

These findings were repeated almost verbatim in subsequent biannual intelligence reports to Congress. A Defense Intelligence Agency (DIA) estimate from September 2002 stated:

A substantial amount of Iraq's chemical warfare agents, precursors, munitions, and production equipment were destroyed between 1991 and 1998 as a result of Operation Desert Storm and UNSCOM (United Nations Special Commission) actions. Nevertheless, we believe Iraq retained production equipment, expertise, and chemical precursors and can reconstitute a chemical warfare program in the absence of an international inspection regime. . . . There is no reliable information on whether Iraq is producing and stockpiling chemical weapons, or where Iraq has—or will—establish its chemical warfare agent production facilities. . . . Iraq is steadily establishing a dual use industrial chemical infrastructure that provides some of the building blocks necessary for production of chemical agents.⁴

In brief, the consensus of the intelligence agencies in early 2002 was that:

- ▶ The 1991 Gulf War, UN inspections, and subsequent military actions had destroyed most of Iraq's chemical, biological, nuclear, and long-range missile capability.
- ▶ There was no direct evidence that any chemical or biological weapons remained in Iraq, but agencies judged that some stocks could still remain and that production could be renewed.
- ▶ As Iraq rebuilt its facilities, some of the equipment purchased for civilian use could also be used to manufacture chemical or biological weapons.
- ▶ Without an inspection regime, it was very difficult to determine the status of these programs.

RISING ALARM

Beginning in mid-2002, however, the official statements of the threat shifted dramatically toward greater alarm regarding certainty of the threat and greater certainty as to the evidence. This shift does not appear to have been supported by new, concrete evidence from intelligence community reports—at least those now publicly available. These statements were picked up and amplified by congressional leaders, major media, and some experts.

Most of the official statements on Iraq's weapon programs were supported by a National Intelligence Estimate (NIE) on Iraq that was produced, partially in response to congressional requests, over a three-week period in September 2002.⁵ It was delivered to Congress ten days before the vote authorizing the use of force to compel Iraqi compliance with UN resolutions. The Director of Central Intelligence released an unclassified version of the estimate, *Iraq's Weapons of Mass Destruction Programs*, in October 2002.

Three aspects of this NIE merit particular attention: It was produced far more quickly than is normal for such documents; it went far beyond the consensus intelligence assessments of the preceding five years; and, it had more serious dissents to its key findings than any other declassified NIE.

Importantly, the unclassified October version, presented to the public before the war, notes only that some “specialists” disagreed with the claim that Iraq was importing aluminum tubes for nuclear weapon production. The more accurate declassified excerpts released in July 2003, after the war, had additional detail, including dissenting opinions. This version made clear that entire agencies, not just some individuals, dissented on the aluminum tubes and on a number of other key issues. Nor does the October public summary include the important finding included in the declassified version that Saddam would be unlikely to give WMD to terrorists, “fearing that exposure of Iraqi involvement would provide Washington a stronger cause for making war,” and that he might do so only “if sufficiently desperate.” This finding was, however, included in a letter from

CIA Director George Tenet to Senate Intelligence Committee Chairman Bob Graham, who read the letter aloud at an open hearing on October 8.⁶ Set side by side, the letter, the NIE, and the summaries suggest that the CIA was, with a degree of muddle, attempting to straddle two contradictory positions: The White House view that the likelihood of transfer was very high, and its own analysts' view that the likelihood was quite low.

The July 2003 declassified excerpts contained forty distinct caveats or conditions on the intelligence judgments—including fifteen uses of the adverb “probably”—that other publications and statements usually dropped. For example, the declassified NIE excerpts say, “We assess that Baghdad has begun renewed production of mustard, sarin, GF (cyclosarin) and VX.” The unclassified October 2002 version released to the public before the war says, “Baghdad has begun renewed production of chemical warfare agents. . .” Cutting the phrase “we assess” changes the statement from an opinion to a fact.

During 2002 and 2003, public government statements (including fact sheets from the State Department and the White House) increased steadily in the alarm they expressed over the extent of these programs and began to assert that the Hussein regime had operational ties to Al Qaeda terrorists. Some public statements went far beyond the NIE. For example, the NIE says “*Most* agencies assess that Baghdad started reconstituting its nuclear weapons program” (emphasis added), whereas Vice President Cheney said in August 2002, “We now know that Saddam has resumed his efforts to acquire nuclear weapons...Many of us are convinced that Saddam will acquire nuclear weapons fairly soon.”⁷

It has been reported that some official statements relied on unverified claims from Iraqi defectors, rather than information gathered by UN inspections or intelligence professionals. Several of the defectors provided by the Iraqi National Congress headed by Ahmad Chalabi were judged to be not credible after the war began. An assessment by the DIA concluded that most of the information given by Iraqi defectors

was of little or no value, with much of it invented or exaggerated.⁸

Lacking hard evidence on Iraqi programs, government officials say they had to develop an outline of a threat picture, then accumulate “bits and pieces” of information that filled in that picture. National Security Advisor Condoleezza Rice explained on June 8 that the White House did not have one, single assessment, but rather formed a “judgment.” The judgment was “not about a data point here or a data point there, but about what Saddam Hussein was doing. That he had weapons of mass destruction. That was the judgment.” This, she said, was a picture they developed when they “connected a lot of dots from multiple sources.”⁹

*The declassified NIE contained
forty distinct caveats or conditions
usually dropped by officials.*

Former British foreign secretary Robin Cook says of similar methodology in the United Kingdom, “I think it would be fair to say there was a selection of evidence to support a conclusion. I fear we got into a position in which the intelligence was not being used to inform and shape policy, but to shape policy that was already settled.”¹⁰

A November 2003 report by retired Israeli General Shlomo Brom critiques the failure of Israeli intelligence to accurately assess Iraq's arsenals. He attributes the Israeli intelligence community's adoption of worst-case scenarios to a desire to evade culpability for underestimating threats. The intelligence lapse prior to the Yom Kippur War, he notes, created a culture of “assigning culpability and punishing those responsible.” As a result, intelligence estimates tend to be dire. “Intelligence analysts feel that by giving bleak assessments they decrease the threat to themselves,” he says, “if the assessment ends up being correct they will be heroes, and if it ends up being untrue, no one will give them any trouble because everyone will be pleased that their bleak prophecies did not materialize.”¹¹

Some official statements misrepresented the findings of UN inspections. For example, President Bush said,

The regime was forced to admit that it had produced more than 30,000 liters of anthrax and other deadly biological agents. The inspectors, however, concluded that Iraq *had likely produced* two to four times that amount. This is a massive stockpile of biological weapons that has never been accounted for, and is capable of killing millions.¹² (emphasis added)

The inspectors, however, did not say that Iraq *had likely produced* these additional amounts of deadly agents, only that Iraq *might have imported enough growth media to produce* these amounts. They did not know for sure either the amount of media or whether it had been used for this purpose. As then-Executive Chairman of UNMOVIC Hans Blix explained to the UN Security Council in December:

About anthrax—well, Iraq declared earlier that they had produced 8,500 litres of anthrax and there was not sufficient evidence to demonstrate that it was limited to 8,500. If it was so, we must ask ourselves was there more?...UNSCOM actually calculated that, with the capacity that [Iraq] had, they could have produced about three times as much, something like 24,000 litres. Then Iraq declared that they had destroyed it all and there was some evidence given that they had destroyed some of it. There was not sufficient evidence to show that all was destroyed. Hence, there is a question: is there still some anthrax in Iraq?...This is the kind of questions that we have on many items.¹³

Blix said in his reports to the Security Council that though there were weapons and agents unaccounted for, “One must not jump to the conclusion that they exist. However, that possibility is also not excluded.”¹⁴ The inspectors carefully kept both possibilities open.

The U.S. assessments in the months before the war, however, appear to have drawn just such conclusions. Official estimates peaked with the statement by the President to the nation on the eve of war:

Intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues to possess and conceal some of the most lethal weapons ever devised...The danger is clear: using

chemical, biological or, one day, nuclear weapons, obtained with the help of Iraq, the terrorists could fulfill their stated ambitions and kill thousands or hundreds of thousands of innocent people in our country or any other.¹⁵

On March 19, 2003, the main body of U.S. and British forces began the invasion of Iraq. But the search for the expected stockpiles of weapons had already begun.

THE WEAPONS HUNT

The initial search team, known as Task Force 20, entered Iraq covertly before fighting began, according to reports. The special forces were tasked with uncovering Iraq’s WMD and “high-value targets” such as Saddam Hussein. As major operations began, the 75th Exploitation Task Force (XTF) became the primary search team in the WMD hunt. Site Survey Teams also joined the search as forward teams with preliminary detection equipment.

In June 2003, the Iraq Survey Group (ISG) replaced the 75th XTF. The ISG, a group of about 1,300 to 1,400 military and civilian personnel, assumed responsibility to unearth and record Iraq’s WMD and uncover Saddam’s human rights abuses and links to terrorist groups such as Al Qaeda. Today, the number of personnel searching for WMD far exceeds the number of original UN inspectors; current teams also use more sophisticated detection equipment. (For a summary of WMD search teams in Iraq, see table 1.)

These teams had high expectations. Before the war, administration officials stated repeatedly that Iraq had a reconstituted nuclear weapon program, hundreds of tons of chemical and biological weapons, industrial facilities for large-scale, ongoing production of even more chemical and biological weapons, dozens of Scud missiles, and a fleet of unmanned aerial vehicles capable of delivering these weapon agents. U.S. Secretary of State Colin Powell asserted in January 2003 that “Iraq continues to conceal quantities, vast quantities, of highly lethal

TABLE 1. SUMMARY OF WMD SEARCH TEAMS^a

TEAM	DATES	ESTIMATED PERSONNEL ^b	DESCRIPTION
UNSCOM Inspectors (UN)	1991–1998	70–80 inspectors	UN inspectors charged to monitor and verify the destruction of Iraq’s non-nuclear WMD after the 1991 Gulf War and operate an ongoing monitoring and verification of Iraqi compliance
IAEA Iraq Action Team (UN)	1991–1998	Varied	IAEA team tasked to monitor and verify the dismantlement of Iraq’s nuclear program after the Gulf War and operate an ongoing monitoring and verification of Iraqi compliance
UNMOVIC Inspectors (UN)	November 2002–March 2003	100 inspectors	UN inspectors tasked to disarm Iraq of chemical or biological weapons or prohibited missiles and operate an ongoing monitoring and verification system
Iraq Nuclear Verification Office (UN)	November 2002–March 2003	17 inspectors	IAEA team tasked to uncover and dismantle any Iraqi nuclear program and operate an ongoing monitoring and verification system
Task Force 20 (U.S.)	March 2003–Summer 2003	classified	Covert special forces team tasked to find and destroy WMD, high-profile targets, and conduct rescue operations
Site Survey Teams (U.S.)	March 2003–June 2003	100 (8–24 WMD experts)	Four teams tasked to initially examine and evaluate suspect WMD sites; according to reports, in May 2003 these teams reduced the number of WMD experts per team from six to two and were charged with investigating additional sites related to human rights abuses and terrorist links
75th Exploitation Task Force (XTF) (U.S.)	March–June 2003	600 (25–120 actively searching)	Formerly a field artillery brigade, the 75th XTF was charged with uncovering and documenting WMD; the XTF had four Mobile Exploitation Teams (METs) composed of approximately 25–30 special forces, intelligence officers, computer specialists, and WMD experts; initially all four teams searched for WMD but according to reports by mid-May three METs were tasked with “non-WMD” missions including terrorist activity and theft of antiquities
Iraq Survey Group (U.S., Britain, Australia)	June 2003–Present	1,300–1,400 (200–300 actively searching)	Team composed of military and civilian specialists to uncover WMD, terrorist ties, and human rights abuses; and to interview Iraqi scientists and review recovered documents. Former UN inspector David Kay coordinates the group’s activities

^a Table compiled by authors from official sources and news reports. Sources on file with authors.

^b This column provides an estimate of the number of personnel at any one particular time. However, many more experts were potentially involved in the activities of each team. For example, approximately 3,000 experts participated in UNSCOM inspections in the period from 1991 to 1998.

material and weapons to deliver it.”¹⁶ U.S. Secretary of Defense Donald Rumsfeld said in March 2003 that U.S. officials knew the location of Iraq’s WMD: “We know where they are.”¹⁷

Although it cannot be said that hidden weapons will not be found, none have been located by UN inspectors or U.S. forces. As David Kay, Director of the ISG, concluded in his report to Congress

on October 2, “We have not yet found stocks of weapons...”¹⁸

The following sections detail the Iraqi programs for nuclear, biological, and chemical weapons, missile systems, and ties to terrorist groups. We compare the pre-2002 intelligence estimates with the October 2002 NIE, administration claims, UN findings, and evidence discovered in Iraq to date.

■ NUCLEAR WEAPON PROGRAM

Administration Statements

Senior officials said that Saddam Hussein was very close to having a nuclear weapon or might already have one.

The administration said that Saddam Hussein continued to actively pursue nuclear weapons and that Iraq's biggest challenge was to obtain sufficient fissile material for a device. Evidence cited for this included Iraqi attempts to purchase uranium from Africa and import aluminum tubes and high-strength magnets for enrichment.

- ▶ “[W]e now know that Saddam has resumed his efforts to acquire nuclear weapons. . . Many of us are convinced that Saddam will acquire nuclear weapons fairly soon.” (Vice President Cheney, Remarks to the Veterans of Foreign Wars 103rd National Convention, August 26, 2002)
- ▶ “[W]e do know, with absolute certainty, that he is using his procurement system to acquire the equipment he needs in order to enrich uranium to build a nuclear weapon.” (Vice President Cheney, NBC “Meet the Press,” September 8, 2002)
- ▶ “The regime has the scientists and facilities to build nuclear weapons, and is seeking the materials needed to do so.” (President Bush, Rose Garden Ceremony, October 2, 2002)
- ▶ “The evidence indicates that Iraq is reconstituting its nuclear weapons program. . . Satellite photographs reveal that Iraq is rebuilding facilities at sites that have been part of its nuclear program in the past. Iraq has attempted to purchase high-strength aluminum tubes and other equipment needed for gas centrifuges, which are used to enrich uranium for nuclear weapons. If the Iraqi regime is able to produce, buy, or steal an amount of highly-enriched uranium a little larger than a single softball, it could have a nuclear weapon in



Briefing slide from Secretary Powell's February UN presentation.

- less than a year.” (President Bush, Address on Iraq, October 7, 2002)
- ▶ “We don't know whether or not he has a nuclear weapon.” (President Bush, Crawford, Texas, December 31, 2002)
- ▶ “The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa. Our intelligence sources tell us that he has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production.” (President Bush, State of the Union Address, January 28, 2003)
- ▶ “We have no indication that Saddam Hussein has ever abandoned his nuclear weapons program. On the contrary, we have more than a decade of proof that he remains determined to acquire nuclear weapons. . . Saddam Hussein is determined to get his hands on a nuclear bomb. He is so determined that he has made repeated covert attempts to acquire high-specification aluminum tubes from 11 different countries, even after inspections resumed. . . We also have intelligence from multiple sources that Iraq is attempting to acquire magnets and high-speed balancing machines. . . to enrich uranium.” (Secretary Powell, Address to United Nations Security Council, February 5, 2003)
- ▶ “Intelligence gathered by this and other governments leaves no doubt that the Iraq regime con-

tinues to possess and conceal some of the most lethal weapons ever devised.” (President Bush, Address to the Nation on War with Iraq, March 17, 2003)

Intelligence Assessment

In October 2002, the CIA concluded that Iraq had restarted its nuclear weapon program, but key agencies disagreed. Before 2002, the consensus intelligence assessments expressed concern that Iraq might be “attempting to acquire materials that could aid in reconstituting its nuclear weapons program.”

The CIA’s National Intelligence Estimate concluded with “high confidence” that “Iraq is continuing, and in some areas expanding, its chemical, biological, nuclear and missile programs. . .” The estimate also judged that Iraq “probably will have a nuclear weapon during this decade.” However, it dissents unusual for an NIE that is drafted as a document representing the consensus view of the entire intelligence community, two key intelligence offices—the U.S. Department of State’s Bureau of Intelligence and Research (State/INR) and the U.S. Department of Energy (DOE)—disputed the report’s nuclear assessments.¹⁹ (For a summary of key NIE dissents, see table 2. For the declassified excerpts of the NIE, see appendix 1.)

Intelligence assessments of Iraq’s nuclear program had evolved after 2001. In 1997 and 1999, unclassified CIA reports on Iraq’s WMD did not mention

“Intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues to possess and conceal some of the most lethal weapons ever devised.”

—President Bush

a nuclear program. In the first half of 2001, the reports concluded that Iraq “has probably continued at least low-level theoretical R&D associated with its nuclear program. . . The Intelligence Community remains concerned that Baghdad may be attempting to acquire materials that could aid in reconstituting its nuclear weapons program.” In 2002, however, the language shifted. The January–June 2002 report said that “most analysts assess that Iraq is working to reconstitute its nuclear program,” and the July–December 2002 report concluded, “all intelligence experts agreed that Iraq remained intent on acquiring nuclear weapons. . .”

UN Findings and Actions

The IAEA found no evidence that Iraq had restarted its nuclear program.

The IAEA established the IAEA Iraq Action Team in April 1991 to conduct inspection activities in Iraq with the assistance and cooperation of UNSCOM. The IAEA conducted inspections in Iraq from 1991 to 1998, and later from November 2002 to March 2003.²⁰ (In December 2002, the office changed its name to the Iraq Nuclear Verification Office, or INVO.)

IAEA inspections between 1991 and 1998 uncovered and dismantled an extensive nuclear program. They revealed that before 1991 Iraq had secretly constructed industrial-scale facilities for the production of uranium compounds suitable for isotopic enrichment or fuel fabrication, pursued research and development of indigenous uranium enrichment technologies, as well as explored weaponization capabilities for implosion-based nuclear weapons.²¹ Inspectors also discovered that Iraq had conducted design and feasibility studies for an indigenous plutonium production reactor and devised a “crash program” for diverting safeguarded research reactor fuel and recovering the highly enriched uranium for use in a nuclear weapon.²²

During this time period, the IAEA removed or secured all known imported and indigenously produced uranium compounds and destroyed or removed all known single-use equipment used in

TABLE 2. KEY NIE DISSENTS

NIE STATEMENTS ABOUT IRAQ'S NUCLEAR PROGRAM	DISSENTING STATEMENTS ABOUT IRAQ'S NUCLEAR PROGRAM
<p>The NIE stated that although Saddam Hussein did “not yet have nuclear weapons or sufficient material to make any, he remains intent on acquiring them.” “Most agencies” believed that Iraq restarted its nuclear program in 1998 after inspectors left the country. The report said that “if Baghdad acquires sufficient fissile material from abroad it could make a nuclear weapon within several months to a year.” (emphasis in original)</p>	<p>“The activities [State/INR] have detected do not, however, add up to a compelling case that Iraq is currently pursuing what INR would consider to be an integrated and comprehensive approach to acquire nuclear weapons. Iraq may be doing so, but INR considers the available evidence inadequate to support such a judgment.”</p>
<p>“Most agencies believe that Saddam’s personal interest in and Iraq’s aggressive attempts to obtain high-strength aluminum tubes for centrifuge rotors—as well as Iraq’s attempts to acquire magnets, high-speed balancing machines, and machine tools—provide compelling evidence that Saddam is reconstituting a uranium enrichment effort for Baghdad’s nuclear weapons program.”</p>	<p>“DOE agrees that reconstitution of the nuclear program is underway but assesses that the [aluminum] tubes probably are not part of the program.” “Iraq’s efforts to acquire aluminum tubes is central to the argument that Baghdad is reconstituting its nuclear weapons program, but INR is not persuaded that the tubes in question are intended for use as centrifuge rotors . . . The very large quantities being sought, the way the tubes were tested by the Iraqis, and the atypical lack of attention to operational security in the procurement efforts are among the factors, in addition to the DOE assessment, that lead INR to conclude that the tubes are not intended for use in Iraq’s nuclear weapon program.”</p>
<p>The document sources outside reports and foreign intelligence to support the statement that Iraq attempted to purchase uranium from Niger, Somalia, and the Democratic Republic of the Congo.</p>	<p>“[T]he claims of Iraqi pursuit of natural uranium in Africa are, in INR’s assessment, highly dubious.”</p>

enrichment research and development. Inspectors dismantled all known facilities for the enrichment of fuel, destroyed the principal building of the Al Atheer nuclear weapon development and production plant and related equipment. It verified and accounted for the entire inventory of research reactor fuel targeted by the “crash program.”²³

In October 1997, the IAEA’s assessment of Iraq’s nuclear program was that “There are no indications that there remains in Iraq any physical capability for the production of amounts of weapon-usable nuclear material of any practical significance.”²⁴ No evidence was found that Iraq had been successful in its attempt to produce nuclear weapons, and no proof was discovered that Iraq had produced more than a

few grams of weapon-grade nuclear material through indigenous processes or secretly acquired weapon-usable material from abroad.²⁵

IAEA inspections resumed on November 27, 2002, after a four-year hiatus. There were 237 inspections at 148 sites including all those identified in overhead satellite imagery as having suspicious activity. IAEA Director General Mohamed ElBaradei reported to the UN Security Council on March 7, 2003, that:

- ▶ There is “no indication of resumed nuclear activities...nor any indication of nuclear-related prohibited activities at any inspected sites.”
- ▶ “There is no indication that Iraq has attempted to import uranium since 1990.” The documents that

THE NIGER URANIUM CONTROVERSY

Administration Statements

Iraq has “Embarked on worldwide hunt for materials to make an atomic bomb.” (White House Fact Sheet, “A Decade of Defiance and Deception,” September 12, 2002)

“[W]e judge that Iraq has. . .sought significant quantities of uranium from Africa, despite having no active civil nuclear power programme that could require it.” (Government of Great Britain, “Iraq’s Weapons of Mass Destruction,” September 24, 2002)

“We now know that Saddam has resumed his efforts to acquire nuclear weapons. . .Many of us are convinced that Saddam will acquire nuclear weapons fairly soon.” (Vice President Cheney, Remarks to Veterans of Foreign Wars Association, August 26, 2002)

Department of State December 19 fact sheet lists Iraqi failure to declare “efforts to procure uranium from Niger” as one of the omissions in its report to the United Nations, and asks “Why is the Iraqi regime hiding their [sic] uranium procurement?” (Department of State Fact Sheet, “Illustrative Examples of Omissions from the Iraqi Declaration to the United Nations Security Council,” December 19, 2002)

“[T]he [Iraqi] declaration fails to account for or explain Iraq’s efforts to get uranium from abroad. . .” (National Security Advisor Condoleezza Rice, “Why We Know Iraq Is Lying,” *New York Times*, January 23, 2003)

“The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa.” (President Bush, State of the Union Address, January 28, 2003)

“I did not use the yellowcake in my [February 5] presentation. The reason that I did not use the yellowcake in my presentation is that I didn’t sense in going through it all that I saw enough substantiation of it that would meet the tests that we were applying.” (Secretary of State Powell, Department of State Press Briefing, June 2, 2003)

“We did not know at the time—no one knew at the time in our circles—maybe someone knew down in the bowels of the agency, but no one in our circles knew that there were doubts and suspicions that this might be a forgery. Of course it was information that was mistaken.” (National Security Advisor Condoleezza Rice, NBC “Meet the Press,” June 8, 2003)

Intelligence Assessment

None of the pre-2002 unclassified CIA assessments discussed attempts to acquire uranium from Africa, although most assessments noted that “A sufficient source of fissile material remains Iraq’s most significant obstacle to being able to produce a nuclear weapon.”²⁶

According to the NIE, Iraq “began vigorously trying to procure uranium ore and yellowcake,” reportedly in Niger, Somalia, and the Democratic Republic of the Congo, although the report said “We cannot confirm whether Iraq succeeded in acquiring uranium ore and/or yellowcake from these sources.” INR noted, in a separate dissent: “the claims of Iraqi pursuit of natural uranium in Africa are, in INR’s assessment, highly dubious.”²⁷

UN Assessment

On March 7, 2003, IAEA Director General Mohamed ElBaradei concluded that the documents purporting to show a uranium purchase in Niger provided to the IAEA by the United States were unsubstantiated and likely forged. He told the UN Security Council that “Based on thorough analysis, the IAEA has concluded, with the concurrence of outside experts, that these documents, which formed the basis for the reports of recent uranium transaction between Iraq and Niger, are in fact not authentic. We have therefore concluded that these specific allegations are unfounded.”²⁸

Other Statements

In July 2003, former U.S. ambassador Joseph Wilson revealed that he had visited Niger at the CIA’s request in February 2002 to investigate the alleged uranium sale. Wilson said that he not only found the allegation “bogus and unrealistic” but said that his conclusions were likely forwarded to the vice president, who made the initial inquiry in a CIA briefing.²⁹ Wilson said, “The office of the vice president, I am absolutely convinced, received a very specific response to the question it asked and that response was based upon my trip out there.”³⁰ Wilson said that despite similar reports from other sources, including the U.S. ambassador to Niger and a Marine Corps general, a single apparently forged document “formed the basis” of the

president's State of the Union claim.³¹ Wilson concluded, "Based on my experience with the administration in the months leading up to the war, I have little choice but to conclude that some of the intelligence related to Iraq's nuclear weapons program was twisted to exaggerate the Iraqi threat."³²

On July 22, Deputy National Security Advisor Steven Hadley said that he deleted a reference to Iraq's attempts to purchase uranium in Africa from President Bush's October 7 Cincinnati speech based on a telephone call from Director of Central Intelligence George Tenet and two CIA memos sent to himself—one of which was also sent to National Security Advisor

Condoleezza Rice. Hadley said that this second memo detailed

some weakness in the evidence, the fact that the effort was not particularly significant to Iraq's nuclear ambitions because the Iraqis already had a large stock of uranium oxide in their inventory. The memorandum also stated that the CIA had been telling Congress that the Africa story was one of two issues where we differed with the British intelligence . . . based on what we now know, we had opportunities here to avoid this problem. We didn't take them . . . having been taken out of Cincinnati, it should have been taken out of the State of the Union.³³

indicated Iraq attempted to purchase uranium from Niger were declared "in fact not authentic."

- ▶ "There is no indication that Iraq has attempted to import aluminium tubes for use in centrifuge enrichment." Even if it had, "it was highly unlikely that Iraq could have achieved the considerable redesign needed to use them in a revived centrifuge program."
- ▶ Although the question was still under review, there was "no indication to date that Iraq imported magnets for use in a centrifuge program."
- ▶ "[D]uring the past four years, at the majority of Iraqi sites, industrial capacity has deteriorated substantially due to the departure of the foreign support that was often present in the late '80s, the departure of large numbers of skilled Iraqi personnel in the past decade, and the lack of consistent maintenance by Iraq of sophisticated equipment. At only a few inspected sites involved in industrial research, development and manufacturing have the facilities been improved and new personnel been taken on."³⁴

Evidence Since March 2003

There is no evidence of any active Iraqi nuclear program.

In July 2003, former ambassador Joseph Wilson revealed that, in response to an administration request, in February 2002 he investigated the allegation that Iraq attempted to purchase uranium from Niger. Wilson had reported to the U.S. Department of State and the CIA that "it was highly doubtful

"[W]e have not uncovered evidence that Iraq undertook significant post-1998 steps to actually build nuclear weapons or produce fissile material."

—David Kay

that any such transaction had ever taken place."³⁵ Administration officials acknowledged that they could not support the allegation and that the

statement should not have appeared in the president's State of the Union speech. (See box on Niger uranium controversy.)

David Kay said on October 2, "to date we have not uncovered evidence that Iraq undertook significant post-1998 steps to actually build nuclear weapons or produce fissile material. However, Iraq did take steps to preserve some technological capability from the pre-1991 nuclear weapons program."³⁶

Although Kay asserted his belief that Saddam was determined to develop nuclear weapons, he noted in interviews that there was "no doubt" that Iraq had less ability to produce fissile material than in 1991. The program, he said, "had been seriously degraded. The activities of the inspectors in the early 1990s did a tremendous amount."³⁷ He reported further that there were "indications that there was interest, beginning in 2002, in reconstituting a centrifuge enrichment program," but "the evidence does not tie any activity directly to centrifuge research or development."³⁸

Kay says that his interviews with Iraqi scientists "should clear up any doubts about whether Saddam still wanted to obtain nuclear weapons." He cited research under way on "nuclear-relevant dual-use technologies" that could have been used in a renewed program and noted "at least one senior Iraqi official believed that by 2000 Saddam had run out of patience with waiting for sanctions to end and wanted to restart the nuclear program."³⁹ However, published statements from several scientists and officials indicate otherwise, though it is difficult to judge each statement's veracity. According to reports, all of the remaining scientists in U.S. custody deny that WMD exist in Iraq.⁴⁰ Kay did not cite these contradictory statements in his testimony.

► In April 2003, Mahdi Obeidi, an Iraqi scientist, came to U.S. forces with sample parts and blueprints for a nuclear centrifuge that he said he had been ordered to bury in his backyard in 1991. He said that back then, officials had planned to restart the nuclear program once and if the inspection regime collapsed. Obeidi, however, also told U.S. officials that he had never been asked to dig up the parts and plans. He said that the intercepted

aluminum tubes were purchased for Iraq's rocket program, not to enrich uranium.⁴¹

- Another Iraqi nuclear scientist, Jaffar Dhaj Jaffar, also told U.S. officials in July 2003 that Iraq had not reconstituted its nuclear program in the 1990s.⁴²
- Tariq Aziz, the former Iraqi deputy prime minister who surrendered to U.S. troops on April 24, denied that Iraq had any WMD, although he said that Saddam violated the UN-imposed range limit on missiles.⁴³
- General Amir al-Saadi, one of Iraq's top scientists and liaison to UNSCOM and UNMOVIC, in an interview just prior to his surrender to U.S. au-

*"There is no doubt that he has
chemical weapons stocks."*

—Secretary Powell

thorities on April 12, said that Iraq did not have illicit WMD programs: "Nothing, nothing. . . I'm saying this for posterity, for history, not for defending the regime. . . Time will bear me out. . . There will be no difference after the war is over. . . I was knowledgeable about those programs, those past programs, and I was telling the truth."⁴⁴ Since entering into U.S. custody, he has not spoken in public.

- Former Iraqi nuclear physicist Imad Khadduri wrote in a new book, *Iraq's Nuclear Mirage*, that Iraqi scientists lied to Saddam about their progress toward building a weapon before 1991 and that the program was never restarted after the Gulf War.⁴⁵
- "There was no point in trying to revive this program," former bomb designer Sabah Abdul Noor, of Baghdad's Technology University, said in November. "There was no material, no equipment, no scientists. Scientists were scattered and under the eyes of inspectors. To do a project, you have to be together."⁴⁶ Though some Iraqi news

TABLE 3. SUMMARY OF IRAQ'S NUCLEAR WEAPON PROGRAM

PREWAR CONCERNS	PRE-2002 INTELLIGENCE ASSESSMENTS	OCTOBER 2002 NIE ASSESSMENT	UN FINDINGS 2002–2003	ADMINISTRATION STATEMENTS	EVIDENCE SINCE MARCH 2003
Iraq reconstituted its nuclear program after 1998.	PROBABLY NOT. Consensus was that Iraq "probably continued low-level theoretical R&D."	YES. Iraq restarted its nuclear program after UNSCOM left in 1998: "probably will have a nuclear weapon during this decade." Department of State disagreed.	PROBABLY NOT. No evidence that Iraq had restarted a nuclear program. The IAEA dismantled all known aspects of the program in the 1990s. ElBaradei: majority of Iraqi nuclear sites "deteriorated substantially" over decade.	YES. Saddam restarted Iraq's nuclear program and would acquire nuclear weapons fairly soon. Bush: "We don't know whether or not he has a nuclear weapon."	NO. No signs of any active program. Kay: "to date we have not uncovered evidence that Iraq undertook significant post-1998 steps to actually build nuclear weapons or produce fissile material."
Iraq attempted to enrich uranium for use in nuclear weapons.	MAYBE. Concern that "Baghdad may be attempting to acquire materials that could aid in reconstituting its nuclear weapons program."	YES. Iraq imported aluminum tubes and high-strength magnets for uranium enrichment—but the Department of Energy and Department of State disagreed.	NO. IAEA: Unlikely the tubes or magnets could be used for a centrifuge program.	YES. Vice President Cheney: Iraq was procuring equipment to enrich uranium. Iraq purchased high-strength tubes and magnets for uranium enrichment.	NO. No evidence that the tubes or magnets were meant for uranium enrichment. Iraqi scientists maintain the tubes were for rockets. Kay: "the evidence does not tie any activity directly to centrifuge research or development."
Iraq attempted to purchase uranium from abroad.	NO. None of the pre-2002 reports mention any attempts to purchase uranium, although most noted that "a sufficient source of fissile material remains Iraq's most significant obstacle to being able to produce a nuclear weapon."	YES. "Iraq also began vigorously trying to procure uranium ore and yellowcake." Department of State rejected reports that Iraq sought to buy uranium in Africa.	NO. IAEA: The documents supporting the African uranium claim were forgeries.	YES. President Bush: "The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa."	NO. In July 2003, various reports revealed that U.S. officials were aware that the evidence for the African uranium claim was unfounded. The administration acknowledged that the remark should not have appeared in the president's State of the Union address.

reports mentioning Saddam's praise of nuclear science teams over the past few years may indicate the opposite.

Looted Materials

Another concern is the status of Iraq's known stores of nuclear material and equipment. At Tuwaitha, Iraq's largest nuclear facility, Iraq stored over 500 tons of natural uranium and almost two tons of low enriched uranium. IAEA inspectors continued to verify, even after 1998, that Iraq's uranium remained sealed.⁴⁷ U.S. forces secured the Tuwaitha site on April 7, 2003, but not before Iraqis looted the facility. In July, a small team of IAEA inspectors—who returned to Iraq in June—reported that at least 10 kilograms of ura-

nium compounds remain missing from Tuwaitha.⁴⁸ Although the material is not suitable for a nuclear weapon, these compounds could be used in a radiological dispersal device or a “dirty bomb.”

Looters damaged at least six other nuclear facilities in Iraq, including the nearby Baghdad Nuclear Research Center, which stored other radioactive isotopes including cesium, strontium, and cobalt. It is unknown if significant quantities of these materials are missing. IAEA inspectors have not been allowed to investigate whether material is missing from this or any additional nuclear facilities and have been limited in their activities by U.S. officials. (For a summary of Iraq's nuclear program, see table 3.)

■ CHEMICAL WEAPON PROGRAM

Administration Statements

The administration said there was no doubt that Saddam possessed a vast stockpile of chemical weapons (CW) and had ongoing production of new weapons. Officials emphasized that Iraq had used chemical weapons against both Iranians and Iraqis in the past.

- ▶ “There is no doubt that he has chemical weapons stocks.” (Secretary of State Powell, Fox “News Sunday,” September 8, 2002)
- ▶ “We know that the regime has produced thousands of tons of chemical agents, including mustard gas, sarin nerve gas, and VX nerve gas.” (President Bush, Address on Iraq, October 7, 2002)
- ▶ “We know that Iraq has embedded key portions of its illicit chemical weapons infrastructure within its legitimate civilian industry. To all outward appearances, even to experts, the infrastructure looks like an ordinary civilian operation. Illicit and legitimate production can go on simultaneously; or, on a dime, this dual-use infrastructure can turn from clandestine to commercial and then back again.” (Secretary Powell, Address to the United Nations Security Council, February 5, 2003)
- ▶ “Our conservative estimate is that Iraq today has a stockpile of between 100 and 500 tons of chemical weapons agent. That is enough agent to fill 16,000 battlefield rockets. Even the low end of 100 tons of agent would enable Saddam Hussein to cause mass casualties across more than 100 square miles of territory, an area nearly 5 times the size of Manhattan. . . when will we see the rest of the submerged iceberg? Saddam Hussein has chemical weapons. Saddam Hussein has used such weapons. And Saddam Hussein has no compunction about using them again, against his neighbors

and against his own people”. (Secretary Powell, Address to the United Nations Security Council, February 5, 2003)

- ▶ “Iraqi operatives continue to hide biological and chemical agents to avoid detection by inspectors. In some cases, these materials have been moved to different locations every 12 to 24 hours, or placed in vehicles that are in residential neighborhoods.” (President Bush, National Press Conference, March 6, 2003)

Intelligence Assessment

The NIE judged that Iraq was producing and stockpiling chemical weapons; previous estimates noted potential capability but were less definitive about whether production was under way.

The NIE stated that although Iraq had less chemical weapon capability than in the early 1990s, the agencies judged that the regime “has begun renewed production of mustard, sarin, GF (cyclosarin), and VX.” The report said “Iraq probably has stocked at least 100 metric tons (MT) and possibly as much as 500 MT of CW agents—*much of it added in the last year*” (emphasis added). The report further assessed that Iraq had chemical weapon “bulk fills” for missile warheads “including for a limited number of covertly stored Scuds.”⁴⁹

No unclassified intelligence assessment before the NIE had reached such conclusions. The biannual reports to Congress had noted that Iraq had not accounted for several thousand chemical-capable munitions and that rebuilt commercial infrastructure could be turned to weapon production. The assessments were uncertain. A September 2002 DIA report concluded, for example, “there is no reliable information on whether Iraq is producing and stockpiling chemical weapons, or where Iraq has—or will—establish its chemical warfare agent production facilities.”⁵⁰



Briefing slides from Secretary Powell's February presentation to the UN.

UN Findings and Actions

UNMOVIC did not uncover evidence of a renewed chemical weapon program.

Iraq's chemical weapon program began in the 1970s and accelerated during the Iran–Iraq war. Iraq developed mustard gas as well as the more sophisticated nerve agents tabun, cyclosarin, and sarin.⁵¹ Between 1991 and 1994, UNSCOM found and supervised the destruction of 38,537 filled and unfilled munitions, 690 tons of agents, 3,000

“Iraq’s large-scale capability to develop, produce, and fill new CW munitions was reduced—if not entirely destroyed—during Operations Desert Storm and Desert Fox, 13 years of UN sanctions and UN inspections”
—David Kay

tons of precursor chemicals, and over 100 pieces of chemical weapon production equipment. In 1996, UNSCOM concluded that equipment previously exempted from destruction based on false Iraqi declarations was, in fact, used or intended for use in

chemical weapon production. In 1997, UNSCOM destroyed 325 pieces of additional production equipment, 125 pieces of analytical instruments, and 275 tons of precursor chemicals.⁵²

Iraq did not account for 15,000 artillery rockets capable of delivering nerve agents and 550 artillery shells filled with mustard agents.⁵³

Another major area of concern related to VX nerve agent. By 1995, UNSCOM accumulated enough circumstantial evidence to force Iraq to admit to the production of 4 tons of VX. In November 1997, UNSCOM found evidence that Iraq had developed a production capability of VX and obtained at least 750 tons of VX precursor chemicals.⁵⁴ As of October 1998, UNSCOM had no evidence that Iraq had weaponized its VX. A U.S. laboratory reported that it detected the presence of VX on samples of missile warhead remnants found by UNSCOM inspectors. Testing at French and Swiss laboratories did not confirm this report. Iraq continued to insist that it had destroyed all VX agents and precursors.⁵⁵

Iraqi defector Hussein Kamal told UNSCOM inspectors in the summer of 1996 that Iraq had destroyed all its chemical and biological weapons stocks and the missiles to deliver them, according to published reports. Kamal, Saddam's son-in-law, had run these programs for ten years before defecting. He said that Iraq had not abandoned all its plans for these programs, however. He said officials had retained designs and engineering details of the weapons—in

some cases, by bringing them to their homes—but destroyed the actual weapons. He gave the same information to U.S. and British intelligence agencies.⁵⁶

UNMOVIC inspections between November 2002 and March 2003 did not reveal evidence of a renewed chemical weapon program. UNMOVIC found sixteen chemical artillery munitions,⁵⁷ information and hardware relating to cluster bombs and cluster warheads, and sixteen 122-millimeter chemical warheads and rockets.⁵⁸ Analyses of the contents of the 122-millimeter warheads showed that the clear liquid they contained was primarily water. UNMOVIC found and destroyed 155-millimeter shells containing mustard gas produced over fifteen years ago.⁵⁹ In March 2003, Iraq proposed a technical method to substantiate its claims of having destroyed its VX in 1991 and provided significant scientific data and documentation to resolve outstanding concerns regarding VX.⁶⁰

No evidence was found to substantiate claims of underground chemical facilities.⁶¹

Evidence Since March 2003

No chemical weapons or programs found.

U.S. search teams have not found chemical agents or chemical weapons in Iraq. David Kay said on October 2,

Multiple sources with varied access and reliability have told ISG that Iraq did not have a large, ongoing, centrally controlled CW program after 1991. Information found to date suggests that Iraq's large-scale capability to develop, produce, and fill new CW munitions was reduced—if not entirely destroyed—during Operations Desert Storm and Desert Fox, 13 years of UN sanctions and UN inspections. . . . Our efforts to collect and exploit intelligence on Iraq's chemical weapons program have thus far yielded little reliable information on post-1991 CW stocks and CW agent production. . . .

Kay also said that he had “multiple sources that indicate that Iraq explored the possibility of CW production in recent years, possibly as late as 2003.”

“During its war against Iran, Iraq found that chemical warfare agents, especially nerve agents such as sarin, soman, tabun, and later VX, deteriorated after just a couple weeks' storage in drums or in filled chemical warfare munitions. The reason was that the Iraqi chemists, lacking access to high-quality laboratory and production equipment, were unable to make the agents pure enough. (UNSCOM found in 1991 that the large quantities of nerve agents discovered in storage in Iraq had lost most of their lethal property and were not suitable for warfare.) . . . The rather bizarre political focus on the search for rusting drums and pieces of munitions containing low-quality chemicals has tended to distort the important question of WMD in Iraq and exposed the American and British administrations to unjustified criticism.”

—former executive chairman of UNSCOM
Rolf Ekeus, “Iraq's Real Weapons Threat,”
Washington Post, June 29, 2003

He said the ISG would continue to investigate “key areas in which Iraq may have engaged in proscribed or undeclared activity since 1991, including research on a possible VX stabilizer, research and development for CW-capable munitions, and procurement/concealment of dual-use materials and equipment.”⁶² He emphasized that “in searching for retained stocks of chemical munitions, ISG has had to contend with the almost unbelievable scale of Iraq's conventional weapons armory. . . . there are approximately 130 known Iraqi Ammunition Storage Points. . . . of these. . . 120 still remain unexamined.”⁶³

Other officials say that many of these sites have been searched. Lt. Gen. James Conway, Commander of the 1st Marine Expeditionary Force, told reporters in May, “It was a surprise to me then, it remains a surprise to me now, that we have not uncovered unconventional weapons. It's not for lack of trying. We've been to virtually every ammunition supply point between the Kuwaiti border and Baghdad, but they're simply not there.”⁶⁴ (For a summary of Iraq's chemical program, see table 4.)

TABLE 4. SUMMARY OF IRAQ'S CHEMICAL WEAPON PROGRAM

PREWAR CONCERNS	PRE-2002 INTELLIGENCE ASSESSMENTS	OCTOBER 2002 NIE ASSESSMENT	UN FINDINGS 2002-2003	ADMINISTRATION STATEMENTS	EVIDENCE SINCE MARCH 2003
Iraq had large stockpiles of chemical weapons.	MAYBE. Pre-2002 reports did not report the existence of chemical weapon stockpiles. Discrepancies in Iraqi accounting suggested that "Iraq may have hidden an additional 6,000 CW munitions."	YES. "High confidence" that Iraq had chemical weapons, probably between 100 and 500 metric tons.	NOT SURE. UNMOVIC uncovered several chemical warheads, but no significant stockpile. Iraq failed to provide evidence that it destroyed significant quantities of chemical munitions and precursor materials.	YES. Certain that Iraq had vast chemical weapon stockpiles including mustard gas, sarin nerve gas, and VX, and was hiding them from inspectors.	NO. No chemical weapons found. Appears none were produced after 1991. Kay: "Iraq did not have a large, ongoing, centrally controlled CW program after 1991."
Iraq had covert chemical weapon production facilities.	NOT SURE. Iraq "rebuilt key portions of its chemical production infrastructure for industrial and commercial use" in addition to purchasing dual-use equipment.	YES. Iraq "has begun renewed production" of chemical agents, including mustard, sarin, cyclosarin, and VX.	PROBABLY NOT. UNMOVIC inspections did not find any active production facilities or evidence of hidden chemical weapon production capability.	YES. Iraq hid its chemical program. Secretary Powell: "We know that Iraq has embedded key portions of its illicit chemical weapons infrastructure within its legitimate civilian industry."	NO. No open or covert chemical munitions or production facilities found. Some low-level research activity and dual-use programs possible.

■ BIOLOGICAL WEAPON PROGRAM

Administration Statements

The administration was certain that Iraq was hiding a large, sophisticated biological weapon production program, probably with hundreds of tons of agent and weapons including several mobile weapon laboratories built to deceive inspectors. These weapons were said to be capable of “killing millions.”

- ▶ “With respect to biological weapons, we are confident that he has some stocks of those weapons, and he is probably continuing to try to develop more.” (Secretary Powell, Fox “News Sunday,” September 8, 2002)
- ▶ “Right now, Iraq is expanding and improving facilities that were used for the production of biological weapons.” (President Bush, Remarks at the United Nations General Assembly, September 12, 2002)
- ▶ “[T]he regime was forced to admit that it had produced more than 30,000 liters of anthrax and other deadly biological agents. The inspectors, however, concluded that Iraq *had likely produced* two to four times that amount. This is a massive stockpile of biological weapons that has never been accounted for, and capable of killing millions” (emphasis added). (President Bush, Address on Iraq, October 7, 2002)
- ▶ “Iraq’s BW program includes mobile research and production facilities that will be difficult, if not impossible, for the inspectors to find. Baghdad began this program in the mid-1990s, during a time when UN inspectors were in the country.” (Director of Central Intelligence George Tenet, Testimony to the Senate Select Intelligence Committee, February 11, 2003)
- ▶ “One of the most worrisome things that emerges from the thick intelligence file we have on Iraq’s biological weapons is the existence of mobile production facilities used to make biological agents. . . We

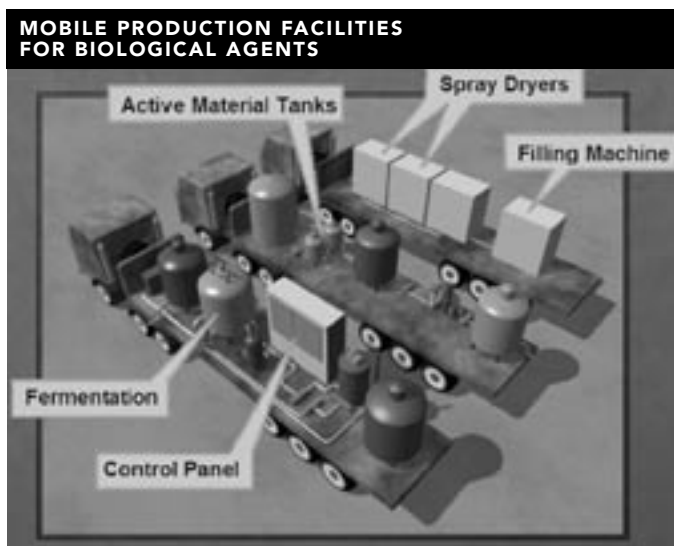
have first-hand descriptions of biological weapons factories on wheels and on rails. . . We know that Iraq has at least seven of these mobile biological agents factories. . . Saddam Hussein has investigated dozens of biological agents causing diseases such as gas-gangrene, plague, typhus, tetanus, cholera, camelpox, and hemorrhagic fever. And he also has the wherewithal to develop smallpox. . . there can be no doubt that Saddam Hussein has biological weapons and the capability to rapidly produce more, many more.” (Secretary of State Powell, Address to the United Nations Security Council, February 5, 2003)

- ▶ “Iraq declared 8,500 liters of anthrax, but UNSCOM estimates that Saddam Hussein could have produced 25,000 liters. . . And Saddam Hussein has not verifiably accounted for even one teaspoon-full of this deadly material. . . The Iraqis have never accounted for all of the biological weapons they admitted they had and we know they had. They have never accounted for all the organic material used to make them. And they have not accounted for many of the weapons filled with these agents such as their R-400 bombs. This is evidence, not conjecture. This is true. This is all well-documented.” (Secretary of State Powell, Address to the United Nations Security Council, February 5, 2003)

Intelligence Assessment

The NIE concluded that Iraq’s biological weapon (BW) program was active and larger than its program in 1991. Before 2001, the assessments were less definitive, expressing concern that Iraq might still be pursuing a BW program.

The NIE said, “We judge that all key aspects—R&D, production, and weaponization—of Iraq’s offensive BW program are active and that most elements are larger and more advanced than they were before the Gulf War.” The report concluded with



Secretary Powell's presentation slide on mobile biological vehicles.

“high confidence” that Iraq had biological weapons.

The report also said, “We judge Iraq has some lethal and incapacitating BW agents and is capable of quickly producing and weaponizing a variety of such agents, including anthrax, for delivery by bombs, missiles, aerial sprayers, and covert operatives.” The NIE also said, “Chances are even that smallpox is part of Iraq’s offensive BW program” and “Baghdad probably has developed genetically engineered BW agents.”

The NIE stated that Iraq possessed mobile biological weapon laboratories capable of producing “an amount of agent equal to the total that Iraq produced in the years prior to the Gulf War.”⁶⁵

Assessments prior to December 2001 had voiced concerns and warned of intentions to restart weapon programs but did not assert that any programs or weapons existed. Most were consistent with the 1998 intelligence report to Congress—while UNSCOM inspectors were still in Iraq:

After four years of denials, Iraq admitted to an offensive program resulting in the destruction of Al Hakam—a large BW production facility Iraq was trying to hide as a legitimate biological plant. Iraq still has not accounted for over a hundred BW bombs and over 80 percent of imported growth media—directly related to past and future Iraqi

production of thousands of gallons of biological agent. This lack of cooperation is an indication that Baghdad intends to reconstitute its BW capability when possible.⁶⁶

UN Findings and Actions

UNMOVIC inspectors had not found any evidence of programs, production, or stockpiles of biological weapons.

From 1991 to 1994, Iraq consistently denied having a biological warfare program. In July 1995, it finally admitted to possessing an offensive biological warfare program. A month later, Iraq conceded that it also had a program to weaponize biological agents.⁶⁷ UNSCOM found that Iraq might have produced up to 10 billion doses of anthrax, botulinum toxin and aflatoxin.⁶⁸ The Iraqi research program also focused on other agents such as camel pox, gas gangrene, and bubonic plague. Although research and development facilities at Salman Pak and Al Muthanna were known to intelligence forces, the largest research and

“We judge that all key aspects—R&D, production, and weaponization—of Iraq’s offensive BW program are active and that most elements are larger and more advanced than they were before the Gulf War.”

—NIE

development and production site at Al Hakam remained secret until it was detected and identified by UNSCOM in April 1995, as reported to the Security Council. Further information was provided by the defection of General Hussein Kamal, Saddam’s son-in-law, in 1995.⁶⁹ In 1996, UNSCOM demolished

all Al Hakam facilities, equipment, and materials. In addition, equipment from the Al Manal and Al Safah sites was transported to Al Hakam and dismantled, the air handling system for high containment at Al Manal was inactivated, and some of the growth media acquired by Iraq for proscribed activities was destroyed.⁷⁰

The 731 inspections conducted by UNMOVIC between November 27, 2002, and March 18, 2003, did not reveal any “evidence of the continuation or resumption of programs of weapons of mass destruction or significant quantities of proscribed items.”⁷¹ Twenty-eight percent of the inspections were to biological sites, including laboratories and military sites. The main problem inspectors reported was the absence of documentation to confirm the quantities of proscribed agents listed in 1998 that Iraq claimed to have destroyed. Under UNMOVIC supervision, Iraq excavated the remnants of 128 (out of the 157 declared) R-400 bombs that the Iraqis said they had destroyed but had not previously adequately documented.⁷² The biological team supervised and verified the destruction of 244.6 kg of declared but expired growth media and 40 vials of expired toxin standards. In both cases, Iraq initiated the destruction request.⁷³ Inspectors did not find evidence to support intelligence reports regarding the existence of mobile production units for biological weapons. They noted that shortly before the suspension of inspections, Iraqi officials provided more information on vehicles that could have been mistaken for mobile labs, but the inspectors did not have time to investigate fully.⁷⁴

Evidence Since March 2003

U.S. search teams have not uncovered any biological weapons or weaponized agents.

Kay concluded that U.S. evidence “suggests Iraq after 1996 further compartmentalized its program and focused on maintaining smaller, covert capabilities that could be activated quickly to surge the production of BW agents.”⁷⁵ The U.S. search teams did not find any evidence of an active weapon program,

or production of facilities, although Kay reported on October 2 that Iraq had a “clandestine network of laboratories” and “concealed equipment and materials from UN inspectors,” such as a “vial of live *C. botulinum* Okra B. from which a biological agent can be produced.”

Kay’s testimony and subsequent administration statements highlighted the discovery of the vial, stored in an Iraqi scientist’s kitchen refrigerator since 1993. This was the only suspicious biological material Kay had reported as of the end of December 2003. President Bush said the “live strain of deadly agent botulinum” was proof that Saddam Hussein was “a danger to the world.”⁷⁶ Several former U.S. bioweapons officials, UN inspectors, and biological experts told the *Los Angeles Times* that the sample was purchased from the United States in the 1980s and that no country, including Iraq, has been able to use

DIA engineers concluded the trailers were likely used to make hydrogen for weather balloons.

botulinum B in a weapon. Iraq had used the more deadly botulinum A in its pre-1991 weapon program, mimicking other countries’ programs, including those of the Soviet Union and the United States.⁷⁷

Kay also said he had uncovered new research on Congo Crimean Hemorrhagic Fever (CCHF) and Brucella that pointed to a new weapon program. The *Los Angeles Times* reported that both diseases are common in Iraq, and that there is no evidence that the research is connected to weapons.⁷⁸ Experts note that no one has ever weaponized CCHF, and the UN inspectors never found evidence that Iraq had weaponized Brucella. The United States at one time had tried Brucella in weapons but rejected it as too slow-acting and too easily treated with antibiotics.⁷⁹

In April and May 2003, U.S. troops uncovered two vehicles that a joint CIA-DIA report called “the strongest evidence to date” of Iraq’s biological weapon capabilities, although the vehicles did not test

positive for BW agents.⁸⁰ Undersecretary of Defense Stephen Cambone said on May 7, “The experts have been through it. And they have not found another plausible use for it.”⁸¹ The announcement generated headlines in the *Washington Post* and newspapers around the world. President Bush said, “We found the weapons of mass destruction. We found biological laboratories.”⁸²

However, in August 2003, the *New York Times* reported that engineers from the DIA who had examined the trailers had concluded in June that the vehicles were likely used to chemically produce

hydrogen for artillery weather balloons, as the Iraqis had claimed.⁸³ Similarly, an official British investigation into the two trailers concluded that they were not mobile germ warfare labs, but were for the production of hydrogen gas. One British scientist said, “They are not mobile germ warfare laboratories. You could not use them for making biological weapons. They do not even look like them.”⁸⁴ Kay concluded in his testimony to Congress that the ISG had “not yet been able to corroborate the existence of a mobile BW production effort.”⁸⁵ (For a summary of Iraq’s biological program, see table 5.)

TABLE 5. SUMMARY OF IRAQ'S BIOLOGICAL WEAPON PROGRAM

PREWAR CONCERNS	PRE-2002 INTELLIGENCE ASSESSMENTS	OCTOBER 2002 NIE ASSESSMENT	UN FINDINGS 2002-2003	ADMINISTRATION STATEMENTS	EVIDENCE SINCE MARCH 2003
Iraq had current biological weapon stockpiles.	NOT SURE. "We are concerned that Iraq may again be producing BW agents."	YES. "High confidence" that Iraq had biological weapons.	NOT SURE. UNMOVIC inspectors could not find evidence of any BW agents or biological weapons.	YES. Iraq had a stockpile of biological weapons. President Bush: Iraq had "a massive stockpile of biological weapons that has never been accounted for, and capable of killing millions."	NO. No weaponized biological agents found.
Iraq had reconstituted its biological weapon program.	YES. December 2001 report: "Baghdad continued to pursue a BW program," and Iraq had a "knowledge base and industrial infrastructure that could be used to produce quickly a large amount of BW agents at any time."	YES. Iraq had an active bioweapon program that was larger than before 1991.	NOT SURE. UNMOVIC inspections did not reveal evidence of a continued biological weapon program. However, Iraq did not provide evidence that it had destroyed BW agents.	YES. Iraq was producing and developing several different types of biological agents and the means to disperse them. President Bush: "Right now, Iraq is expanding and improving facilities that were used for the production of biological weapons."	NO. No evidence of an active biological weapon program. ISG found some evidence of intent to restart program at future date, and some possible dual-use research.
Iraq possessed at least seven mobile biological weapon laboratories.	NO COMMENT. No pre-2002 report mentions mobile biological laboratories.	YES. Iraq had an unspecified number of mobile biological agent laboratories.	NOT SURE. UNMOVIC did not uncover evidence of mobile biological weapon facilities.	YES. Secretary Powell: "We know that Iraq has at least seven of these mobile biological agents factories."	PROBABLY NOT. Two vans found, but neither tested positive for biological agents. DIA: the labs are most likely for producing hydrogen artillery weather balloons.

■ MISSILE AND DELIVERY SYSTEM PROGRAMS

Administration Statements

Administration officials said that Iraq had delivery systems, such as missiles and unmanned aerial vehicles (UAVs), capable of striking Israel or potentially the United States with chemical or biological payloads.

“Iraq also possesses a force of Scud-type missiles . . . [and is] building more long-range missiles [so] that it can inflict mass death throughout the region.”

—President Bush

Missiles

- ▶ “Iraq also possesses a force of Scud-type missiles with ranges beyond the 150 kilometers permitted by the United Nations. Work at testing and production facilities shows that Iraq is building more long-range missiles [so] that it can inflict mass death throughout the region.” (President Bush, Remarks at the United Nations General Assembly, September 12, 2002)
- ▶ “[N]umerous intelligence reports over the past decade from sources inside Iraq indicate that Saddam Hussein retains a covert force of up to a few dozen Scud-variant ballistic missiles. These are missiles with a range of 650 to 900 kilometers. . . “[Saddam] has the ability to dispense these lethal poisons and diseases in ways that cause massive death and destruction. . . Iraq has programs that are intended to produce ballistic missiles that fly over 1,000 kilometers. One program is pursuing a liquid fuel missile that would be able to fly

more than 1,200 kilometers.” (Secretary of State Powell, Address to the United Nations Security Council, February 5, 2003)

- ▶ “While we were here in this council chamber debating Resolution 1441 last fall, we know, we know from sources that a missile brigade outside Baghdad was disbursing rocket launchers and warheads containing biological warfare agents to various locations, distributing them to various locations in western Iraq. Most of the launchers and warheads have been hidden in large groves of palm trees and were to be moved every one to four weeks to escape detection.” (Secretary of State Powell, Address to the United Nations Security Council, February 5, 2003)
- ▶ “[F]rom recent intelligence, we know that the Iraqi regime intends to declare and destroy only a portion of its banned Al Samoud inventory and that it has, in fact, ordered the continued production of the missiles that you see being destroyed. Iraq has brought its machinery that produces such missiles out into the daylight for all to see. But we have intelligence that says, at the very same time, it has also begun to hide machinery it can use to convert other kinds of engines to power Al Samouds 2.” (Secretary of State Powell, Speech at Center for Strategic and International Studies, March 5, 2003)

Unmanned Aerial Vehicles

- ▶ “We’ve also discovered through intelligence that Iraq has a growing fleet of manned and unmanned aerial vehicles that could be used to disperse chemical and biological weapons across broad areas. We are concerned that Iraq is exploring ways of using these UAVs for missions targeting the United States.” (President Bush, Address on Iraq, October 7, 2002)
- ▶ “Iraq has been working on a variety of UAVs for more than a decade. . . Iraq is now concentrating not on these airplanes but on developing and testing smaller UAVs such as this. . . There is ample

evidence that Iraq has dedicated much effort to developing and testing spray devices that could be adapted for UAVs . . . The linkages over the past ten years between Iraq's UAV program and biological and chemical warfare agents are of deep concern to us. Iraq could use these small UAVs which have a wingspan of only a few meters to deliver biological agents to its neighbors, or if transported, to other countries, including the United States." (Secretary of State Powell, Address to the United Nations Security Council, February 5, 2003)

Intelligence Assessment

The NIE said Iraq probably had some Scuds and pursued programs for longer-range missiles and UAV delivery vehicles. Assessments from 2000 on had similar findings.

The NIE said the evidence suggested that Iraq "retains a covert force of up to a few dozen Scud-variant SRBMs with ranges of 650 to 900 km." The report asserted that Iraq, with foreign assistance, was in the process of "developing medium-range ballistic missile

"We have not discovered evidence to corroborate these claims [of Scuds]." —David Kay

capabilities," including a "test stand for engines more powerful than those in its current missile force."

The report stated that Iraq had a "development program" for UAVs that was "probably intended to deliver biological warfare agent" and could pose a threat to states and U.S. troops in the Middle East "and if brought close to, or into, the United States, the US Homeland" (emphasis in text).⁸⁶ The Air Force dissented from this finding.

Previous assessments had noted that Iraq might use the technologies and equipment from their permitted short-range missiles to build longer-range systems especially if sanctions and UN inspections

ended. Reports to Congress beginning in 2000 said that "Iraq probably retains a small, covert force of Scud-type missiles," and that it was believed to be working on a UAV program.

UN Findings and Actions

Missiles

UNMOVIC inspectors found more activity in the missile programs than in any other area. They found and began destroying missiles that exceeded the UN-imposed 150-kilometer range limits and the test stands and equipment to build longer-range systems.

Between 1991 and 1993, UNSCOM found and supervised the destruction of 48 operational Al Hussein missiles (a 600 kilometer variety of the Scud B 300 kilometer missile), 14 conventional missile warheads, 6 operational mobile launchers, 28 operational fixed launch pads, 32 fixed launch pads under construction, 30 missile chemical warheads, other missile support equipment and materials, and a range of assembled and nonassembled "super-gun" components.⁸⁷ UNSCOM could also later verify first partly in 1992, and later more completely in 1995 that Iraq had, in violation of its obligation to submit to UNSCOM for destruction all its missiles of prohibited range, secretly and unilaterally destroyed 83 Al Hussein missiles.⁸⁸ Subsequently in 1997 UNSCOM could report to the Security Council that it had accounted for all but two of the 819 proscribed missiles, including the missiles modified into Al Hussein missiles.⁸⁹ By early 1995, UNSCOM accumulated evidence that Iraq had failed to declare all proscribed items and forced Iraq to destroy a variety of proscribed dual-use equipment, including production equipment, flow-forming machines, vacuum furnaces, a turbo pump test stand, and a balancing machine.⁹⁰ In early 1996 UNSCOM could disclose and halt an advanced procurement activity by Iraq in Russia of large quantities of ballistic missile guidance systems, part of which Iraq tried to hide in the Tigris River. UNSCOM's October 1998 report stated

that it had accounted for all but 50 conventional Scud warheads and for 43 out of 45 chemical and biological warheads unilaterally destroyed by Iraq in 1991.⁹¹

UNMOVIC/IAEA inspections carried out between November 2002 and March 2003 did not find any evidence of Scuds but did reveal that “There has been a surge of activity in the missile technology field in Iraq in the past four years.”⁹² Iraq continued to develop two ballistic missiles after inspectors left in 1998: the Al Samoud 2 (liquid propellant) and the Al Fatah (solid propellant). UNMOVIC informed Iraq that the Al Samoud 2 was proscribed and would be destroyed because it exceeded the permitted range of 150 kilometers by 30 kilometers.⁹³ Iraq started the destruction process on March 1, 2003, and within a week, 34 Al Samoud 2 missiles, including four training missiles and two combat warheads, one launcher, and five engines had been destroyed under UNMOVIC supervision.⁹⁴ By the time the war started, Iraq had destroyed two-thirds of its Al Samoud 2 missiles and one-third of the associated support equipment and logistics.⁹⁵ A decision on the Al Fatah missiles was still pending further information, when UNMOVIC withdrew from Iraq in March 2003.⁹⁶ UNMOVIC also discovered large propellant chambers that could be used to produce rocket motors for missiles with ranges greater than 150 kilometers.⁹⁷ Iraq destroyed these in the first week of March under UNMOVIC supervision. In his report to the UN Security Council on March 7, 2003, Executive Chairman of UNMOVIC Hans Blix, stated: “The destruction undertaken constitutes a substantial measure of disarmament—indeed, the first since the middle of the 1990s. We are not watching the breaking of toothpicks. Lethal weapons are being destroyed.”⁹⁸

Unmanned Aerial Vehicles

In its December 8, 2002 declaration to the United Nations, Iraq claimed it possessed a number of UAVs and other smaller remotely piloted vehicles with wingspans up to 5.52 meters. UNMOVIC inspectors inspected a remotely piloted vehicle in February.

By mid-February, Iraq amended the declared wingspan of its remotely piloted vehicles to 7.4 meters. UNMOVIC had insufficient time to determine whether the vehicles were capable of chemical and biological weapons dissemination and whether their range exceeded 150 kilometers.⁹⁹

Evidence Since March 2003

U.S. troops have not found any Scud-type missiles, evidence of continued production of Scud-type missiles, or any UAVs capable of delivering chemical or biological agents.

Kay said, “To date we have not discovered documentary or material evidence to corroborate these claims [about Scud-type missiles]. . .” Kay reported that detained scientists and officials said Saddam had begun programs to develop missiles with 400- to 1000-kilometer ranges. Kay said, “One cooperative source has said that he suspected that the new large-diameter solid-propellant missile was intended to have a CW-

*“Secretly, and without fingerprints,
he could provide one of his
hidden weapons to terrorists...”*

—President Bush

filled warhead, but no detainee has admitted any actual knowledge of plans for unconventional warheads for any current or planned ballistic missile.”

Kay reported evidence of two cruise missile programs, one of which he said was intended to develop cruise missiles with a 1,000-kilometer range. However, Kay noted that Iraq halted development once UN inspections began in 2002. Kay said that several Iraqi officials stated that one UAV system flew over 500 kilometers on auto-pilot in 2002 and the UAV issue “remains an open question.” Kay concluded that Iraq also had a “substantial illegal procurement for all aspects of the missile programs.”¹⁰⁰

TABLE 6. SUMMARY OF IRAQ'S MISSILE AND DELIVERY SYSTEM PROGRAMS

PREWAR CONCERNS	PRE-2002 INTELLIGENCE ASSESSMENTS	OCTOBER 2002 NIE ASSESSMENT	UN FINDINGS 2002–2003	ADMINISTRATION STATEMENTS	EVIDENCE SINCE MARCH 2003
Iraq possessed a covert fleet of Scuds.	PROBABLY. "Iraq probably retains a small, covert force of Scud-type missiles."	PROBABLY. "Gaps in Iraqi accounting" to the United Nations indicated that Iraq had "up to a few dozen" Scud-type missiles with ranges of 650–900 km.	PROBABLY NOT. By 1998, UNSCOM destroyed or verified destruction of all known Scud missiles and most warheads. UNMOVIC did not find any evidence of Scuds.	YES. President Bush: Iraq had a "force of Scud-type missiles."	NO. No Scud-type missiles found. Kay: "We have not discovered documentary or material evidence to corroborate these claims."
Iraq was developing UAVs as delivery vehicles for chemical and biological agents.	MAYBE. Iraq attempted to convert a L-29 jet trainer into a UAV, and "we suspect that these refurbished trainer aircraft have been modified for delivery of chemical or, more likely, biological warfare agents."	PROBABLY. Iraq had a "development program" for UAVs "probably intended" to disperse biological agents—the Air Force disagreed.	NOT SURE. UNMOVIC did not have time to evaluate whether Iraq's UAVs could disperse biological agents.	YES. President Bush: "Iraq has a growing fleet of manned and unmanned aerial vehicles that could be used to disperse chemical and biological weapons across broad areas."	NO. Air Force experts: The drones recovered so far are too small to disperse significant quantities of biological agents.
Iraq was building missiles with 1,000 km range.	MAYBE. Iraq had a program to develop "longer range, prohibited missiles" of unspecified range.	NOT EXACTLY. Iraq was developing longer range ballistic missile "capabilities" including a "test stand" for more powerful missile engines.	MAYBE, BUT . . . The Al Samoud 2 exceeded the 150-km missile limit by 30 km, but UNMOVIC supervised the destruction of rockets and propellant chambers that could help build longer-range missiles.	YES. President Bush: "Iraq is building more long-range missiles [so] that it can inflict mass death throughout the region."	NO. No evidence of production of such missiles. Kay: Saddam intended to develop a program for long-range missiles.

On July 18, 2003, the White House released declassified sections of the NIE that for the first time included dissenting opinions of several agencies. The director of Air Force intelligence had disagreed with most of the administration's prewar UAV statements. The Air Force—the government agency with the most experience in UAV programs and development—concluded that Iraq's efforts to convert aircraft were unfeasible, that Iraq's latest drones were too small to carry WMD agents, and that the

primary function of Iraq's UAVs was reconnaissance missions.

To date, recovered UAVs in Iraq confirm the Air Force's predictions that the drones were intended for reconnaissance missions. The small size of the reported 25 to 30 recovered UAVs in Iraq in July 2003 would most likely not allow them to disperse significant amounts of chemical or biological agents.¹⁰¹ (For a summary of Iraq's missile and delivery system programs, see table 6.)

■ IRAQ AND TERRORISM

Administration Statements

Administration officials said that Iraq had operational ties to Al Qaeda and would give terrorists weapons of mass destruction to use against the United States, and the administration implied that Saddam Hussein was linked to the September 11 attacks.

- ▶ “[T]here clearly are contacts between Al Qaeda and Iraq . . . there clearly is testimony that some of the contacts have been important contacts and that there’s a relationship here.” (National Security Advisor Condoleezza Rice, PBS “NewsHour with Jim Lehrer,” September 25, 2002)
- ▶ “Evidence from intelligence sources, secret communications, and statements by people now in custody reveal that Saddam Hussein aids and protects terrorists, including members of Al Qaeda. Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help them develop their own. 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 plans—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 Bush, State of the Union, January 28, 2003)
- ▶ “Saddam Hussein has longstanding, direct and continuing ties to terrorist networks. Senior members of Iraqi intelligence and Al Qaeda have met at least eight times since the early 1990s. Iraq has sent bomb-making and document forgery experts to work with Al Qaeda. Iraq has also provided Al Qaeda with chemical and biological weapons training. And an Al Qaeda operative was sent to Iraq several times in the late 1990s for help in acquiring poisons and gases. We also know that Iraq is harboring a terrorist network

headed by a senior Al Qaeda terrorist planner. This network runs a poison and explosive training camp in northeast Iraq, and many of its leaders are known to be in Baghdad.” (President Bush, Radio Address, February 8, 2003)

- ▶ “Iraq is harboring senior members of a terrorist network led by Abu Musab al-Zarqawi, a close associate of Osama bin Laden. We know Zarqawi’s network was behind the poison plots in Europe as well as the assassination of a U.S. State Department employee in Jordan. Iraq has in the past provided training in document forgery and bomb-making to Al Qaeda. It also provided training in poisons and gases to two Al Qaeda associates; one of these associates characterized the relationship he forged with Iraqi officials as successful.” (Director of Central Intelligence George Tenet, Senate Testimony, February 11, 2003)

Intelligence Assessment

The NIE concluded that it was unlikely that Saddam would cooperate with, or give WMD to, terrorists. Previous assessments did not mention this possibility.

The NIE said “Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or CBW against the United States,” because Saddam feared U.S. retaliation. However, “Iraq probably would attempt clandestine attacks against the US Homeland if Baghdad feared an attack that threatened the survival of the regime were imminent or unavoidable, or possibly for revenge.” Even then, he was more likely to carry out the attacks with his own “special forces or intelligence operatives” rather than contracting with or engaging independent terrorist groups. The NIE judged that an Iraqi–Al Qaeda alliance was most likely if Saddam was “sufficiently desperate.” Then, he might decide that the “extreme step of assisting the Islamist terrorists in conducting a CBW attack against the United States would be his last chance to exact vengeance by taking a large number of victims with him.”¹⁰²

Evidence Since March 2003

There is no new evidence that Iraq actively aided Al Qaeda. There is some new evidence that there were no operational links.

U.S. troops have captured dozens of alleged Al Qaeda members, but these arrests have so far failed to bring new evidence of Iraqi–Al Qaeda cooperation.

The *New York Times* reported in June that two of the highest-ranking leaders of Al Qaeda in custody, Abu Zubaydah and Khalid Sheikh Mohammed, both told interrogators that Iraq and Al Qaeda did not carry out operations together.¹⁰³ In July, it was reported that U.S. authorities captured Ahmed Khalil Ibrahim Samir al-Ani, the Iraqi intelligence officer alleged to have met with Al Qaeda mastermind Mohamed Atta in April 2001 in Prague, but the results of his interrogation were not reported.¹⁰⁴

The UN Monitoring Group on Al Qaeda released a draft report in June that found no link between Iraq and the terrorist group. The committee's chief investigator said, "Nothing has come to our notice that would indicate links. . . hat doesn't mean to say it doesn't exist. But from what we've seen the answer is no."¹⁰⁵

Since September, some administration officials reiterated that they never directly linked Iraq with the 9/11 attacks. President Bush said on September 17, "No, we've had no evidence that Saddam Hussein was involved with September the 11th. Now, what the vice president said was that he has been involved with Al Qaeda. And al-Zarqawi, an Al Qaeda operative, was in Baghdad. He's the guy that ordered the killing of a U.S. diplomat. . . There's no question that Saddam Hussein had Al Qaeda ties."¹⁰⁶ The administration continued to insist that the potential combination of Iraq, WMD, and terrorism posed an unacceptable threat. National Security Advisor

Condoleezza Rice said on October 8, "We have no evidence that Saddam Hussein was involved in the September 11th attacks. Yet the possibility remained that he might use his weapons of mass destruction or that terrorists might acquire such weapons from his regime, to mount a future attack far beyond the scale of 9/11. This terrible prospect could not be ignored or wished away."¹⁰⁷

The president and the vice president, however, continue to assert the links by implication. Vice President Dick Cheney said in October: "Saddam Hussein had a lengthy history of reckless and sudden aggression. He cultivated ties to terror—hosting the Abu Nidal organization, supporting terrorists, and making payments to the families of suicide bombers in Israel. He also had an established relationship with Al Qaeda, providing training to Al Qaeda members in the areas of poisons, gases, making conventional bombs."¹⁰⁸

In November, the *Weekly Standard* published excerpts from a classified annex to a memo dated October 27, 2003 by Undersecretary of Defense for Policy Douglas J. Feith to Senators Pat Roberts and Jay Rockefeller, the chairman and vice chairman of the Senate Intelligence Committee.¹⁰⁹ The article claimed that Feith's list of fifty incidents of alleged Iraqi–Al Qaeda contacts proved "an operational relationship from the early 1990s," and that "there can no longer be any serious argument about whether Saddam Hussein's Iraq worked with Osama bin Laden and Al Qaeda to plot against Americans."¹¹⁰

The Department of Defense issued a statement saying the memo had been misinterpreted, saying that the items were raw intelligence previously considered and did not represent new information. "The classified annex was not an analysis of the substantive issue of the relationship between Iraq and Al Qaeda, and it drew no conclusions."¹¹¹

CHARACTERIZATION OF UN INSPECTIONS

In September 2002, in a speech before the UN General Assembly, President Bush gave a relatively positive view of UN inspections. His speech concentrated on UN inspection accomplishments, for example, citing their success in uncovering Iraq's extensive chemical weapon program in the face of Iraqi subterfuge.¹¹²

Soon, however, the administration began to voice doubt that inspections were at all useful, charging that UN inspectors were easily deceived by Iraq's

Administration officials believed UN inspectors were easily deceived.

trickery and therefore unlikely to uncover Saddam's WMD. Executive Chairman of UNMOVIC Hans Blix later said that he felt the administration "gave up on inspections" in early 2003.¹¹³ However, some in the administration, such as Vice President Cheney and Secretary of Defense Donald Rumsfeld, never appeared to believe UN inspections were effective.

- ▶ "[T]here were inspectors in that country for a long time, and they did a lot of looking around and they found some things. But for the most part, anything they found was a result of having been cued to something as a result of a defector giving them a heads up that they ought to do this, that or the other thing." (Secretary of Defense Rumsfeld, DOD News Briefing, April 15, 2002)
- ▶ "So many of us I think are skeptical that simply returning the inspectors will solve the problem. A great deal depends upon what conditions they would operate under; would they be able to go anywhere, any time, without notice on extensive searches? You've got to remember he's had about four years now to hide everything that he's been doing and he's gotten to be very good at that, worked at it very aggressively. So even if you had the return of inspectors, I'm not sure they would be able to do enough to be able to guarantee us and our friends in the region that he had, in fact, complied. He's gotten very good at denial and deception." (Vice

President Cheney, Remarks on the President's Economic Security Agenda, August 7, 2002)

- ▶ "Saddam has perfected the game of cheat and retreat, and is very skilled in the art of denial and deception. A return of inspectors would provide no assurance whatsoever of his compliance with UN resolutions. On the contrary, there is a great danger that it would provide false comfort that Saddam was somehow 'back in his box.'" (Vice President Cheney, Remarks to the Veterans of Foreign Wars 103rd National Convention, August 26, 2002)
- ▶ "When it comes to the UN weapons inspection in Iraq, looking for a smoking gun is a fool's mission. . . Even the best inspectors have almost no chance of discovering hidden weapons sites such as these in a country the size of Iraq." (David Kay, "It Was Never about a Smoking Gun," *Washington Post*, January 19, 2003—Kay was not then a U.S. official.)
- ▶ "We have sources who tell us that the Iraqis, through their intelligence efforts, are working very hard to frustrate the inspectors." (National Security Advisor Condoleezza Rice, NBC "Meet the Press," February 16, 2003)
- ▶ "The inspections have turned out to be a trap. They have become a false measure of disarmament in the eyes of people. We're not counting on Blix to do much of anything for us." (Senior administration official, *New York Times*, March 2, 2003)
- ▶ The 12,000-page declaration issued by Iraq in December 2002 in response to UN demands, "repeated the biggest lie of all, the claim that Iraq has no weapons of mass destruction, thereby setting the stage for further deception of the inspectors as they went about their business . . . the inspection effort isn't working. Why? Because it was never intended to work under these kinds of hostile circumstances. It was intended to help the Iraqis comply. They were not intended to be detectives that went around seeking out things in the absence of genuine Iraqi cooperation. Inspections cannot work effectively as long as the Iraqi regime remains

bound and determined to hold on to its weapons of mass destruction instead of divesting itself of these terrible items. . . Inspections will amount to little more than casting at shadows unless Iraq lifts the fog of denial and deception that prevents inspectors from seeing the true magnitude of what they're up against." (Secretary of State Powell, Speech to Center for Strategic and International Studies, March 5, 2003)

Much of Secretary of State Powell's address to the UN Security Council on February 5, 2003, in particular illustrated how the administration believed the Iraqis were fooling the inspectors:

- ▶ "The truck you also see is a signature item. It's a decontamination vehicle in case something goes wrong. This is characteristic of those four bunkers. . . You are now looking at two of those sanitized bunkers. The signature vehicles are gone, the tents are gone, it's been cleaned up, and it was done on the 22nd of December, as the UN inspection team is arriving, and you can see the inspection vehicles arriving in the lower portion of the picture on the right. The bunkers are clean when the inspectors get there. They found nothing."
- ▶ "The issue before us is not how much time we are willing to give the inspectors to be frustrated by Iraqi obstruction. But how much longer are we willing to put up with Iraq's noncompliance before we, as a council, we, as the United Nations, say 'Enough. Enough.'"
- ▶ "It took the inspectors four years to find out that Iraq was making biological agents. How long do you think it will take the inspectors to find even one of these 18 [modified] trucks without Iraq coming forward, as they are supposed to, with the information about these kinds of capabilities?"

- ▶ "To fully appreciate the challenge that we face today, remember that in 1991 the inspectors searched Iraq's primary nuclear weapons facilities for the first time, and they found nothing to conclude that Iraq had a nuclear weapons program."

The administration also conveyed a deep-seated distrust of the inspectors' findings and conclusions. For example, the administration dismissed the IAEA's conclusion that Iraq's aluminum tubes were not destined for Iraq's nuclear enrichment program. Vice President Cheney said on March 16, "if you look at the track record of the International Atomic Energy Agency and this kind of issue, especially where Iraq is concerned, they have consistently underestimated or missed what it was Saddam Hussein was doing. I don't have any reason to believe they're any more valid this time than they've been in the past."

Administration officials are confident that U.S. inspection teams, with sufficient time, will turn up evidence that the UN teams could not. Undersecretary of Defense for Policy Douglas Feith said on May 15, 2003, "I am confident that we will eventually be able to piece together a fairly complete account of Iraq's WMD programs—but the process will take months and perhaps years . . . It bears stressing: The task of accounting for and eliminating all nuclear, chemical and biological stockpiles, facilities and infrastructure will take time."¹¹⁴

Iraq Survey Group chief David Kay remarked in late July 2003, "I think we are making solid progress. It is preliminary. We're not at the final stage of understanding fully Iraq's WMD program, nor have we found WMD weapons. It's going to take time. The Iraqis had over two decades to develop these weapons, and hiding them was an essential part of their program."¹¹⁵ In October 2003, Kay again asked for patience, saying, "It is far too early to reach any definitive conclusions, and, in some areas, we may never reach that goal."¹¹⁶

III

FINDINGS AND RECOMMENDATIONS

The material assembled in Part II is a straightforward summary of the unclassified and declassified factual record. It stands on its own and can be mined for many purposes. Here we offer our view of the findings that emerge from this material, in the form of answers to the questions posed in Part I, followed by bulleted recommendations.

1. Did a WMD threat to U.S. and/or to global security exist in Iraq, and if so, precisely what was it?

Iraq's WMD programs represented a long-term security threat to the United States and to the region. Tables 3-6 summarize the key elements of what has been determined and what remains unknown at the close of 2003. They reveal that the threat as the war began lay not in stockpiles or active production of unconventional weapons, but in Iraq's long-standing determination to acquire such weapons, its scientific and technical resources (including facilities and human resources) to make them, and its demonstrated willingness to use chemical weapons. These constituted a long-term danger that could not be ignored or allowed to fester unaddressed. They did not, however, pose an immediate threat to the United States, the region, or global security.

With respect to nuclear and chemical weapons, the extent of the threat was largely knowable at the time. Although there was good reason to believe that Iraq maintained an interest in restarting a nuclear program, there was no evidence that it had actually done so. Iraq's nuclear program had been dismantled by inspectors after the 1991 war, and these facilities—unlike chemical or biological ones—tend to be large, expensive, dependant on extensive imports, and very difficult to hide “in plain sight” under the cover of commercial (that is, dual-use) facilities. The Bureau of Intelligence and Research of the Department of State concluded in its dissent to the October NIE that the evidence was “inadequate to support . . . a judgment” that the nuclear program had been restarted. Regarding how close Iraq might be to having a nuclear weapon, INR noted that it was impossible to “project a timeline for the completion of activities it does not now see happening.”

Regarding chemical weapons, Rolf Ekeus, Executive Chairman of UNSCOM from 1991 to 1997, has pointed out that UNSCOM found that “the large quantities of nerve agents discovered in storage in Iraq had lost most of their lethal property and were not suitable for warfare” *as early as 1991*. Because the regime found that it could not make chemical weapons with an acceptable shelf life,

Ekeus asserts, its policy was “to halt all production of warfare agents and to focus on design and engineering, with the purpose of activating production and shipping of warfare agents and munitions directly to the battlefield in the event of war.”¹¹⁷ Although the short shelf life of Iraq’s chemical agent was well known to UNSCOM chemists, it remains a question whether U.S. intelligence was aware of this fact.

The uncertainties were much greater with regard to biological weapons and missiles, particularly because biological agents are so easy to hide. The threat included dual-use or otherwise hidden production facilities, unaccounted-for growth media, unfilled munitions suitable for biological agent, and individuals with the requisite know-how to carry forward or restart the programs. Again, however, the real threat lay in what could be achieved in the future rather than in what had been produced in the past or existed in the present. The missile program appears to have been the one program in active development in 2002, including plans to produce prohibited ballistic missiles that could threaten the region, though not the U.S. homeland.

Against whom were these programs directed? Americans have assumed that since the United States and Iraq under Saddam Hussein were bitter enemies, the United States was the likely target. However, based on years of conversations with high-level Iraqi officials, Ekeus states flatly that “all four components of Iraq’s prohibited and secret WMD program were motivated and inspired by its structural enmity and rivalry with Iran” and were intended for use against that country or to suppress internal opposition. The recognition that its chemical weapons would be of no use against an opponent whose troops were equipped with protective gear, together with U.S. warnings of retaliation should they be used, was the reason, according to Iraq’s former foreign minister Tariq Aziz, that the regime did not use the chemical weapons it had abundantly available in the 1991 war.¹¹⁸ That Iran was the principal target does not mean, of course, that Iraq’s WMD might not someday have been used against the United States, its allies, or its interests. However, the question of

the regime’s own intent, as opposed to U.S. fears, remains highly pertinent. Although capabilities are easier for intelligence to assess, it is imperative to put as much rigor as can be brought to bear on judging an adversary’s intent.

2. Was there reason to believe that Saddam Hussein would turn over unconventional weapons or WMD capability to Al Qaeda or other terrorists?

The president presented this possibility as the ultimate danger and the centerpiece of his case for war. The most strongly worded of many such warnings came in the 2003 State of the Union speech: “Imagine those 19 hijackers with other weapons and other plans—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.” In fact, however, there was no positive evidence to support the claim that Iraq would have transferred WMD or agents to terrorist groups and much evidence to counter it.

Bin Laden and Saddam were known to detest and fear each other, the one for his radical religious beliefs and the other for his aggressively secular rule and persecution of Islamists. Bin Laden labeled the Iraqi ruler an infidel and an apostate, had offered to go to battle against him after the invasion of Kuwait in 1990, and had frequently called for his overthrow.¹¹⁹ The fact that they were strategic adversaries does not rule out a tactical alliance based on a common antagonism to the United States. However, although there have been periodic meetings between Iraqi and Al Qaeda agents, and visits by Al Qaeda agents to Baghdad, the most intensive searching over the last two years has produced no solid evidence of a cooperative relationship between Saddam’s government and Al Qaeda.

There were more than words for guidance. Terrorism expert Rohan Gunaratna has pointed out that the Iraqi regime had a long history of sponsoring terrorism against Israel, Kuwait, and Iran, providing money and weapons to these groups. Yet over many years Saddam did not transfer chemical, biological,

or radiological materials or weapons to any of them “probably because he knew that they could one day be used against his secular regime.”¹²⁰

In the judgment of U.S. intelligence, a transfer of WMD by Saddam to terrorists was likely only if he were “sufficiently desperate” in the face of an impending invasion. Even then, the NIE concluded, he would likely use his own operatives before terrorists.¹²¹

Even without the particular relationship between Saddam and bin Laden, the notion that any government would turn over its principal security assets to people it could not control is highly dubious. States have multiple interests and land, people, and resources to protect. They have a future. Governments that made such a transfer would put themselves at the mercy of groups that have none of these. Terrorists would not even have to use the weapons but merely allow the transfer to become known to U.S. intelligence to call down the full wrath of the United States on the donor state, thereby opening opportunities for themselves. Moreover, governments with the wherewithal to have acquired such weapons and the ambition to want them used are likely to have their own means of delivering them—through people who take orders. In the 1993 assassination attempt on former president George H. W. Bush, for example, Saddam relied on his own intelligence operatives. All in all, governments would have little to gain and perhaps everything to lose by giving their WMD to terrorists.

RECOMMENDATIONS

- ▶ **The questionable assumption that “evil” or “rogue” states are likely to turn over WMD, their most precious security assets, to terrorists was largely unexamined at the time of the war and remains so. Because of its enormous implications for U.S. policy in the coming decades (see question 4), it urgently needs thorough analysis. The first-order analysis presented here needs to be extended**

and tested theoretically, against the historical record and in specific national settings. The issue should be examined and debated in both classified and open settings.

The October 2002 NIE did examine the question of how likely Iraq was to give WMD to Al Qaeda and like-minded groups and concluded that this was unlikely except under imminent threat of a U.S. attack. Its conclusions were revealed in a letter to Senate Intelligence Committee Chairman Bob Graham. Nonetheless, public officials outside the administration did not muster a public debate on this assumption, which formed the core of the case for war.

- ▶ **Deter any nation contemplating using WMD terrorism against the United States by communicating clearly and continuously the national resolve to use overwhelming force against any state that transfers nuclear, chemical, or biological weapons to a terrorist group.**
- ▶ **Adopt a Security Council resolution making the transfer of chemical, biological, or nuclear weapons by any government to any other entity or territory a violation of international law and a threat to international peace and security, whether or not these states are parties to the relevant nonproliferation treaties.**

In light of the newly recognized danger from terrorists, such a resolution would be the logical next step to UN Security Council President’s Statement of 1992 (S/23500), which declared the proliferation of weapons of mass destruction a threat to international peace and security. This would help implement President Bush’s call for all members of the United Nations to criminalize proliferation and to enact strict export controls consistent with international standards and provide a strong international legal basis for the interdiction of such shipments.

- ▶ **Make the security of poorly protected nuclear weapons, and stockpiles of plutonium and highly enriched uranium a much higher priority of national security policy.**

A threat from a nuclear-armed terrorist group would in fact be the gravest danger the United States could face. Today, the most likely source of that threat would be from theft or purchase through an individual or criminal group seeking profit (rather than state action) of fissile material from poorly guarded stockpiles in Russia and other former Soviet states, including Uzbekistan, Kazakhstan, and Ukraine. It is also possible that a group or an individual could steal a complete nuclear weapon most likely a tactical weapon from the large stockpiles in Russia. While all nuclear stockpiles pose some risk, Pakistan and North Korea pose a greater than average danger that government instability, corruption, or a desperate need for cash could allow terrorist groups to gain access to nuclear weapons or materials.

Whatever the source, the current U.S. effort to reduce the number of nuclear weapons and the size of fissile stockpiles and to greatly improve the security of those that remain is nowhere near as great as the threat they pose to us. As former senator Sam Nunn has pointed out,

The most effective and least expensive way to prevent nuclear terrorism is to secure nuclear weapons and materials at their source. *Acquiring weapons and materials is the hardest step for the terrorists to take, and the easiest for us to stop.* By contrast, every subsequent step in the process is easier for terrorists to take, and much more difficult for us to stop.¹²² (emphasis added)

3. *Were there errors in intelligence regarding the existence and extent of Iraqi WMD? If so, when did they arise and were they based on faulty collection or analysis, undue politicization, or other factors? What steps could be taken to prevent a repetition?*

This question can only be answered after a detailed review of the complete classified record. From the currently available material, it appears that two distinct periods will emerge—before 2002, and from then until the outbreak of the war.

In the earlier period, the intelligence community appears to have had a generally accurate picture of the nuclear and missile programs but to have overestimated the chemical and biological weapons in Iraq. Access to and within Iraq was, of course, limited. Other possible sources of error suggest a failure to track the degradation of what was known to have been in Iraq after the 1991 war, including quantities of weapons and agent and their lethality. These errors may have been due to an incorrect extrapolation that production and capabilities would continue to grow regardless of inspections and sanctions, and/or to the assumption that anything for which there was not absolute proof of destruction remained and remained active. It is also possible that views of Saddam Hussein's character were allowed to drive technical assessments.

In the second period, the shift, described in Part II, between prior intelligence assessments and the October 2002 NIE suggests, but does not prove, that the intelligence community began to be unduly influenced by policymakers' views sometime in 2002. Although such situations are not unusual, in this case, the pressure appears to have been unusually intense. This is indicated by the Vice President's repeated visits to CIA headquarters¹²³ and demands by officials for access to the raw intelligence from which analysts were working.¹²⁴ Also notable is the unusual speed with which the NIE was written and the high number of dissents in what is designed to be a consensus document.¹²⁵ Finally, there is the fact that political appointees in the Department of Defense set up their own intelligence operation reportedly out

of dissatisfaction with the caveated judgments being reached by intelligence professionals.¹²⁶ Although some of those who were involved have claimed that analysts did not feel pressured, it strains credulity to believe that together these five aspects of the process did not create an environment in which individuals and agencies felt pressured to reach more threatening judgments of Saddam Hussein's weapon programs than many analysts felt were warranted.¹²⁷

RECOMMENDATIONS

- ▶ **Create a nonpartisan independent commission to establish a clear picture of what the intelligence community knew and believed it knew about Iraq's weapon program throughout 1991–2002, which can be compared to what actually happened in Iraq when that becomes known. The commission should consider the role of foreign intelligence as well as the question of political pressure on analysts and the adequacy of agencies' responses to it. No suggestions for changes in structure or practice are worth acting on until this record is established.**

One such review is currently being carried out for the Director of Central Intelligence.¹²⁸ Congressional investigations, unavoidably hampered by politics during an election year, are also under way. Both are valuable, but insufficient. A more independent study will be needed to fully restore public trust. It would best be carried out by a scrupulously nonpartisan commission with no individual or agency reputations to protect. The study must not limit itself to U.S. holdings but make full use of the immense UNSCOM, IAEA, and UNMOVIC archive of more than 30 million pages. The commission should

therefore include a senior individual with deep, first-hand knowledge of that body of work.

The study should also address the role of non-U.S. intelligence findings. Two British conclusions repeatedly used by the president—that Iraq was shopping for uranium in Africa and that it had chemical and biological weapons “deployable within 45 minutes of an order to use them”—were among the most starkly threatening claims made. Both were wrong.¹²⁹ What were U.S. intelligence's views on them? Did it ignore, dispute, or support these claims?

Although the study needs to be carried out under conditions that protect classified information, enough of its findings and final conclusions need to be made public to assure Congress, the executive branch, the public, and the intelligence community itself that a full and fair job has been done.

- ▶ **To best establish what happened on the ground, the Security Council should be asked to send UNMOVIC and IAEA teams back to Iraq to conduct a complete and objective history and inventory of its weapon programs.**

A core group of weapon experts and support staff remains on duty at UN headquarters, processing information from postwar Iraq and digitizing more than 30 million pages of information on Iraqi programs for rapid electronic searching. A roster of 354 experts remains on call to serve as required. The knowledge, prior experience in Iraq, relationships with Iraqi scientists and officials, and credibility of these UNMOVIC experts represent a vital resource that should be fully exploited, as suggested by UN Resolution 1483 (May 22, 2003). Involvement of the UN experts would add tremendous expertise to the weapons search, reduce U.S. costs, and bring far greater credibility to the final outcome than reports from a U.S. inspection team unavoidably torn between finding the facts and supporting the administration's prewar claims.

- ▶ **No changes in the structure or practices of the intelligence community are worth acting on until the record described above is firmly established. If it reveals that the content and clarity of the intelligence product were significantly affected by the desire to serve political masters, Congress should seriously consider professionalizing the post of Director of Central Intelligence (DCI).**

Politicization of intelligence is an old story. If, as appears likely in the Iraq case, intelligence reporting was degraded by the desire to preserve technical accuracy while writing judgments that were at the same time highly misleading, or if highly uncertain material was routinely slanted in one direction, it will not be the first time.

While it is impossible to completely eradicate the pressure to provide policymakers what they want to hear, there is one step that would give the DCI a strong measure of independence and thereby erect a defensive barrier against political influence. The DCI could be given a fixed term, not co-terminus with the president's—for example, for six years. A “professionalized” DCI, nominated by the president and confirmed by the Senate, could be removed for illegal acts and gross dereliction, but not for failure to advance the president's agenda. A model for such a system is the Chairman of the Federal Reserve Board.

- ▶ **Congress and the public must learn to recognize red flags indicating that sound intelligence practices are not being followed.**

Decision makers have been hearing what they want to hear throughout history. It is also true that any community—particularly one that must operate in a secret, closed environment—is vulnerable to “group think” and that policymakers may feel a perfectly valid need for a fresh look at the data. No rules or regulations are likely to be able to solve both ends of this puzzle. Certain outcomes in government must unavoidably rest on the wisdom and judgment of those in office.

However, some practices sound alarm bells that should, when much is at stake, bring Congress and the public to full alert. Chief among them are signs that policymakers are sidestepping sound analytic procedures by using raw intelligence or by setting up their own intelligence operations. Congress has oversight duties it may be appropriate to exercise at such a juncture. The public should learn to recognize that dubious policy choices may be in the offing.

4. Did administration officials misrepresent what was known and not known based on intelligence? If so, what were the sources and reasons for these misrepresentations? Are there precautions that could be taken against similar circumstances in the future?

Administration officials systematically misrepresented the threat from Iraq's nuclear, chemical, and biological weapon programs and ballistic missile programs, beyond the intelligence failures noted above. The most important distortions fall into three categories.

First, nuclear, chemical, and biological weapons were routinely conflated: that is, treated as a single WMD threat. This made it technically accurate to say that Iraq had, or might still, possess weapons of mass destruction. However, such statements were seriously misleading in that they lumped together the high likelihood that Iraq possessed chemical weapons, which themselves constitute only a minor threat, with the complete lack of evidence that it possessed nuclear weapons, which would be a huge threat. Talk of “mushroom clouds” certainly led Americans to believe that the latter were in the picture.¹³⁰

A second source of misunderstanding was the insistence without evidence, yet treated as a given truth, that Saddam Hussein would give whatever WMD he possessed to terrorists. For the reasons discussed under question 2, this was unlikely or at best highly debatable. Yet two major consequences flow from this presumption. First, only through terrorists did Iraq pose a credible threat to the U.S. homeland. Second, the presumption collapses a deterrable threat (that posed by the state of Iraq) and an appar-

ently nondeterrable threat (that posed by terrorists) into one. If this was a valid assumption, it meant that deterrence and containment could not be used as elements of a U.S. response to Saddam's threat. But if the assumption is not true, these proven pillars of U.S. security policy were then, and would in future be, available as alternatives to war.

The third broad category of distortion comprises many types of misuse of the intelligence product. These include the wholesale dropping of caveats, probabilities, and expressions of uncertainty present in intelligence assessments from public statements. Part II records numerous statements by the president, vice president, and the secretaries of state and defense to the effect that "we know" this or that when the accurate formulation was "we suspect" or "we cannot exclude." "My colleagues," said Secretary Powell at the United Nations, "every statement I make today is backed up by sources, solid sources. These are not assertions. What we are giving you are facts and conclusions based on solid evidence." The examples noted in the report are but a few from a very long list.

Sometimes the most apparently insignificant word or two can make a world of difference. In his October 7 speech, the president refers to a finding by UN inspectors that Iraq had failed to account for a quantity of bacterial growth media. If that material had been used, the inspectors had reported, it "*could have* produced about three times as much" anthrax as Iraq had admitted to. The president, however, said this: "The inspectors, however, *concluded* that Iraq had *likely produced* two to four times that amount. This is a massive stockpile of biological weapons that has never been accounted for, and is capable of killing millions" (emphases added). In two sentences, possibility first becomes likelihood, likelihood then subtly becomes fact, and a huge stockpile is created. Finally, biological agent is transformed into weapons, and not just any weapons but extremely sophisticated delivery systems—the only way such weapons could kill "millions." Small changes like these can easily transform a threat from minor to dire.

RECOMMENDATIONS

► **Recognize distinctions in the degree of threat posed by the different forms of "weapons of mass destruction." Sound strategy must relate the costs and dangers of countermeasures—war above all—to the scale and probability of the threat being countered. Otherwise, the security risks of action taken may outweigh the risks of the targeted threat.**

- Chemical weapons, while horrible, do not pose strategic threats, and little tactical threat, against properly equipped opponents. (It is commonly said in American military circles that the principal battlefield utility of these weapons is to force opponents to don cumbersome and debilitating protective gear.) Because they are easy to produce and disseminate, they are amenable to terrorist use.
- Biological weapons are also poor battlefield weapons, generally slow to act, and potentially highly dangerous to those who use them. They are difficult to disperse on a strategic scale but can produce widespread lethality and panic among civilian populations. While more difficult than chemical weapons to handle and disperse, they, too, could be effective terrorist weapons.
- Nuclear weapons are incomparably dangerous in scale of destruction and strategic impact, including, perhaps, deterrent value against superior military forces.

The conflation of these distinct threats, very different in the danger they pose, under the rubric "weapons of mass destruction" distorted the cost/benefit analysis of the war. To the extent that the U.S. Congress and the UN Security Council analyzed and debated whether the "WMD" threat required urgent removal by force, debaters did not

consider where along the WMD spectrum the threat lay. Policymakers did not debate whether immediate regime change was necessary if Iraq was highly unlikely to possess nuclear weapons and that the most likely threat was from chemical weapons. Yet it was precisely this situation most suggested by available intelligence. Nor did they consider that chemical, biological, and nuclear weapons are varyingly susceptible to technology denial activities and defenses. That is, the weapon that poses by far the greatest danger—nuclear—is also the most detectable, the most expensive and difficult to make, and the most susceptible to nonproliferation techniques, whereas the weapons whose acquisition is hardest to prevent are less dangerous and more readily defended against.

► **Examine and debate the assertion that the combined threat of evil states and terrorism calls for acting on the basis of worst-case reasoning.**

The president stated the approach on October 7, 2002: “Understanding the threats of our time, knowing the designs and deceptions of the Iraqi regime, *we have every reason to assume the worst*, and we have an urgent duty to prevent the worst from occurring.” (emphasis added) Other members of the administration made the case that because our intelligence was imperfect, we had to assume that whatever signs of WMD we did detect was a small percentage of what was actually there.¹³¹ These reasonable-sounding statements describe an approach that is neither safe nor wise.

Worst-case *planning* is a valid and vital methodology, if used with a constant awareness of its limitations and if care is taken never to confuse the results with the realistic case. *Acting* on worst-case assumptions is an entirely different matter. To do so is to take the assessment out of threat assessment and largely to negate the billions spent on gathering intelligence. To cite one among many reasons, it leaves one open to one of the most common tactics in the history of warfare: bluff by adversaries seeking to gain an advantage by inflating their own capabilities.

Moreover, there are many threats about which the worst can be assumed. In the run-up to the Iraq war, the United States was engaged in a difficult campaign in Afghanistan, was in a struggle against Al Qaeda and its like around the world, and faced unambiguous nuclear proliferation threats from North Korea and Iran. Pakistan, a troubled, terrorist-ridden state with nuclear weapons—and known to be proliferating nuclear technology—was in a military standoff with nuclear-armed India. Clearly, sound strategy demanded priorities, which can only be based on the best available intelligence—not the worst possible nightmare. To act—and above all to go to war—on the basis of worst-case assumptions is to risk missing the most serious threat and raises the possibility of creating graver risks than the *casus belli*.

5. How effective was the more-than-ten-year-long UN inspection, monitoring, and sanctions effort in Iraq? What lessons can be drawn regarding the applicability of international pressure to prevent proliferation elsewhere?

In their first six years, UNSCOM, which was responsible for inspecting, dismantling, and monitoring Iraq’s chemical, biological, and missile materials and capabilities, and the IAEA Iraq Action Team, which did the same for Iraq’s nuclear program, achieved substantial successes. To the best of present knowledge, they were ultimately able to discover and eliminate most of Iraq’s unconventional weapons and production facilities and to destroy or monitor the destruction of most of its chemical and biological weapon agent. Iraq’s secret biological weapon program was discovered before the defection of Saddam Hussein’s son-in-law, Hussein Kamal, brought further details to light. UNSCOM also uncovered covert transactions between Iraq and more than 500 companies from more than forty countries and put in place a mechanism to track and block banned exports and imports.

All this was accomplished despite unrelenting opposition and obstruction by the Iraqi regime. Iraq

successfully insisted on negotiating every element of access (who should be allowed on inspection teams, delays in visas, when teams might arrive), routinely obstructed inspectors in the field (blocking them from facilities, penning them up in their vehicles, removing material by one door while inspectors were kept waiting at another), and insisted that numerous sites be declared off-limits, including military bases and huge “presidential palaces” consisting of dozens of buildings on thousands of acres. Most important, Iraq played a highly effective game of divide and conquer in the UN Security Council, playing the five permanent member states off against one another until the necessary political unity backing the inspections dissolved, after which the inspection teams were forced out of Iraq in 1998.

In the aftermath of 9/11, greatly increased concern about WMD, Russia’s embrace of the United States, and U.S. determination to take unilateral military action if necessary, reunited members of the Security Council behind UNMOVIC, a much tougher inspection regime. With the temporary exception of U-2 surveillance flights, UNMOVIC imposed conditions, rather than negotiated them. No place in Iraq was off-limits, and inspectors encountered no physical hindrance to their activities. The crucial factors responsible for this dramatically different environment were the presence of U.S. military forces on Iraq’s borders and international political unity.

UNMOVIC and the IAEA team operated in Iraq for just three months and only for a matter of weeks at full strength, that is, with the necessary helicopters, surveillance flights, and shared intelligence from national agencies. During this time they visited over 600 sites, including forty-four that had not been previously inspected. They discovered and destroyed several items that were prohibited under UN resolutions including: 72 Al Samoud missiles that exceeded the allowed 150-kilometer flight-range by some 30 kilometers; missile launchers and engines; casting chambers for missile parts; fuel spray tanks; and 122-millimeter rocket warheads that could have been used to deliver chemical or biological warfare agents.

Although Iraq did not obstruct UNMOVIC, it did not actively cooperate in disarming itself by providing the necessary documents and other evidence to answer lingering questions.¹³² The status of quantities of VX nerve agent and complex biological growth media that Iraq claimed to have destroyed but for which there was no proof remained of particular concern.

When UN inspectors found no evidence of key charges made by Secretary of State Powell before the United Nations in February (unmanned aerial vehicles, Scud missiles, Scud warheads filled with biological and chemical agent, mobile labs, and 100–500 tons of stockpiled chemical agent), the work of the inspection teams was heavily criticized and even mocked by administration officials and others convinced of the necessity of war. (See Part II on the characterization of UN inspections.) Vice President Cheney had already concluded that “a return of inspectors would provide no assurance whatsoever of his compliance with UN resolutions,”¹³³ and Secretary of Defense Rumsfeld had said the return of inspectors to Iraq would be a “sham.”¹³⁴ The absence of evidence that WMD programs had been reconstituted during the four years inspectors had been gone from the country seemed to many to be proof only that Iraq was better at concealment than the teams were at discovery.

Nine months of exhaustive searches by U.S. and coalition forces and experts suggest that the UN inspection teams were actually in the process of finding what was there. It is unlikely that Iraq could have destroyed, hidden, or sent out of the country the hundreds of tons of chemical and biological weapons, dozens of Scud missiles, and facilities engaged in the ongoing production of chemical and biological weapons that officials claimed were present without the U.S. detecting some sign of this activity before, during, or after the major combat period of the war.¹³⁵ Moreover, sending weapons out of the country may not have seemed attractive after Iraq’s experience in the 1991 war, when it had evacuated fighter aircraft to Iran but was never able to get them back. Though

U.S. postwar searches have been on a vastly larger scale than the international inspections—using all the technology the United States can muster and at an anticipated cost of \$900 million over fifteen months¹³⁶ compared to UNSCOM’s \$25–30 million per year cost¹³⁷—little new has been found.

At the close of 2003, it appears that Iraq’s nuclear program was at least suspended, excepting possible ongoing research, and had been for many years. On the chemical front, the interim report of the U.S. search team headed by David Kay concluded that “Iraq’s large-scale capability to develop, produce, and fill new CW munitions was reduced—if not entirely destroyed—during Operations Desert Storm and Desert Fox, 13 years of UN sanctions and UN inspections.” The biological weapon program may have been converted to using dual-use facilities designed to convert quickly to weapon production at the time of war, rather than making and storing these weapons in advance. The extent of this obviously threatening capability and the level of research and development on biological weapons remain unknown. By contrast, Iraq was actively expanding its capability to build missiles of longer range than allowed under UN requirements.

As David Kay noted after the release of his report, “We have been struck in probably 300 interviews with Iraqi scientists, engineers and senior officials how often they refer to the impact of sanctions and the perceived impact of sanctions in terms of regime behavior. So it may well be necessary to reassess what a lot of us thought was the impact—and quite frankly thought was the eroding impact—of sanctions over the years.”¹³⁸

RECOMMENDATIONS

- ▶ **The United States and the United Nations should collaborate to produce a complete history and inventory of Iraq’s WMD and missile programs. As recommended under question 3, UNMOVIC, the IAEA Iraq Action Team, and the enor-**

mous UNSCOM technical archive should all be brought into the present effort by the U.S. Iraq Survey Group. Both the United States and the United Nations should be seriously faulted for the failure to do so to date. The right fifty people working with the U.S. search team in Iraq would make a huge difference.

As noted above, UNMOVIC inspectors would be of great value to ongoing site visits in Iraq. At this stage, however, analysis will be increasingly more important than physical searches. Iraq’s policies from the beginning of its WMD programs until the present must be traced and exactly what happened in each of them from 1998 to 2003 painstakingly re-created. For this task, the data from the seven years of UNSCOM/IAEA inspections are absolutely essential, and the involvement of the inspectors, analysts, and scientists who compiled the more-than-30-million page record is needed to effectively mine it. The most feasible and effective course would be to deploy a carefully selected group of the key individuals to work with the U.S. team in Baghdad.

The failure to fully integrate the present effort with the enormous past one appears to stem from an ideologically based resistance on the part of the U.S. government to involving the UN teams and perhaps thereby tacitly recognizing their contribution and effectiveness. On the UN side, lingering resentment of U.S. policies on Iraq has built a resistance to cooperation. Neither posture is worthy of the challenge at hand.

- ▶ **In the joint effort described above, particular attention should be paid to discovering which of the several international constraints on Iraq were effective and to what degree.**

ISG chief David Kay has highlighted the apparent effect of the UN sanctions. Others have pointed to the role of ongoing monitoring, procurement investigations, and the export/import control mechanism in addition to the discovery and destruction phases of the inspections.¹³⁹ The role and impact of each of the

several constraints imposed on Iraq need to be isolated and clarified so that useful lessons may be drawn.

- ▶ **The UN Secretary General should charter a related effort to understand the inspections process itself—an after-action report. The relative value of site visits and analysis needs to be clarified. Also, the various strengths and weaknesses of this pioneering international effort need to be fully understood, including its human resources, access to technology, access to nationally held intelligence, vulnerability to penetration, and contributions to national intelligence agencies.**

6. Was Iraq deterrable, or had deterrence been superseded by a terrorist threat only fully appreciated after 9/11?

Before 9/11, National Security Advisor Condoleezza Rice had no doubts that Iraq was fully deterred. If Iraq were to acquire WMD, she wrote in an article laying out then-candidate Bush's foreign policy views, "The first line of defense should be a clear and classical statement of deterrence—if they do acquire WMD, their weapons will be unusable because any attempt to use them will bring national obliteration."¹⁴⁰

The transforming effect of 9/11 was revealingly spotlighted by Defense Secretary Donald Rumsfeld (also casting doubt on the entire WMD debate) when he remarked: "The coalition did not act in Iraq because we had discovered dramatic new evidence of Iraq's pursuit of weapons of mass murder. We acted because we saw the existing evidence in a new light, through the prism of our experience on September 11th."¹⁴¹ The Bush National Security Strategy reflected this transformed world view in a posture toward deterrence poles apart from Rice's earlier treatment: "Given the goals of rogue states and terrorists, the United States can no longer rely on a reactive posture as we have in the past." This is a profoundly incorrect portrayal of the Cold War strategies of deterrence and containment. They were anything but "reactive" policies, because there could have been no

acceptable reaction to a Soviet first strike. Deterrence and containment were active strategies to *prevent* an attack, not *respond* to it.

The 2002 strategy continues: "The inability to deter a potential attacker, the immediacy of today's threats, and the magnitude of potential harm that could be caused by our adversaries' choice of weapons, do not permit that option." In regard to states—as opposed to terrorists—in order to conclude that the United States can no longer "deter a potential attacker," one would have to assume that leaders of "rogue states" are either mad or so crazed by hatred as to have no remaining sense of national—or personal—interest. The "immediacy" of threats today and the "magnitude of potential harm" that any state or terrorist group on the planet can inflict does not even compare to a 3,000-megaton Soviet nuclear attack (the equivalent of 200,000 Hiroshimas) that could have been launched within a few minutes and reached the United States in less than one-half hour.

In sum, the assertion that the threat that became visible on 9/11 erased deterrence against states can rest only on the belief that rogue states will give WMD to terrorists (see question 2) and/or that they are led by madmen. Neither can be considered to be automatically true or very likely. For example, Saddam Hussein had shown beginning with the 1991 war when he did not use his chemical weapons against the United States and for years afterward in his modulated responses to international pressure and international weakness that while unpredictable and sometimes hard to understand even in retrospect, he was not undeterrable. The assertion may, instead, reflect excessive fear due to the shock of an unprecedented attack on the U.S. homeland.

RECOMMENDATION

- ▶ **The National Security Strategy's dismissal of the use of deterrence against "rogue" and other potential enemy states merits a focused national debate that has not taken place.**

7. Were alternate courses of action with an equal or more favorable risk-benefit profile available at the time war was decided upon?

The president portrayed the choice open to the country as between a war to force regime change on the one hand, and “trusting in the sanity and restraint of Saddam Hussein” on the other.¹⁴² This view presumed that the inspections then under way (together with sanctions, the export/import mechanism, and other UN programs) were of no value either in discovering Iraq’s WMD programs or in constraining them. Rather, the president said, the threat “only grows worse with time.”¹⁴³

In fact, as discussed at question 4, it appears that the UNMOVIC/IAEA inspectors were in the process of finding most of what was there and that they had been unexpectedly effective in constraining Iraq’s WMD programs during most of the 1990s. Thus, the choice was never between war and doing nothing.

The question then becomes how the alternatives for dealing with the WMD threat compared in likely cost and benefit. While recognizing that there were other issues at play, we consider here only the WMD threat and what the administration saw as the associated terrorist threat. Other goals, such as removing a brutal dictator, creating a democratic Iraq, and reshaping the politics of the Middle East, are beyond the scope of this discussion and have been addressed extensively elsewhere.¹⁴⁴

Based on what has been discovered in Iraq, it is plain that the dimensions and urgency of the WMD threat were far less than portrayed. Logic and the evidence available to date suggest that the likelihood that Saddam Hussein would give whatever WMD he possessed to terrorists was also far less than the administration believed. And, the belief that deterrence could not be used against Iraq appears unfounded. Thus, the threat that would be removed by war—the benefit in a cost-benefit framework—was far less than it was asserted to be.

Deputy Secretary of Defense Paul Wolfowitz also argued that the overthrow of Saddam would reduce the terrorist threat by allowing the removal of U.S.

troops from Saudi Arabia, a prime recruiting cry of Osama bin Laden.¹⁴⁵ It is not clear however whether or why replacing the U.S. military presence in Saudi Arabia with one in Iraq would be significantly less provocative.

On the other hand, success in a war against Saddam Hussein posed unavoidable costs to the war on terror. It was almost inevitable that a U.S. victory would add to the sense of cultural, ethnic, and religious humiliation that is known to be a prime motivator of Al Qaeda-type terrorists.¹⁴⁶ It was widely predicted by experts beforehand that the war would boost recruitment to this network¹⁴⁷ and deepen anti-Americanism in a region already deeply antagonistic to the United States and suspicious of its motives. Although this may not be the ultimate outcome, the latter has so far been a clear cost of the war.¹⁴⁸ And while a successful war would definitely eliminate a “rogue” state, it might—and may—also create a new “failed” state: one that cannot control its borders, provide internal security, or deliver basic services to its people. Arguably, such failed states—like Afghanistan, Sudan, and others—pose the greatest risk in the long struggle against terror.

Moreover, although it was widely assumed that a successful war would at least remove any WMD threat, this was not necessarily so. A wily and determined leader would be removed, but at least three significant WMD risks would remain: losing control of WMD materials after the collapse of the central government; “loose” scientists and engineers who, from anger or economic need, might go to work for other masters; and the risk of sending a message to future Iraqi, and other, governments that only nuclear weapons could keep a state safe from foreign invasion. The former appears to have come to pass. Amounts of uranium, cesium, and other radioactive isotopes are known to have been present in nuclear facilities that were thoroughly looted in the postwar chaos.¹⁴⁹ There is some indication that what took place at these facilities was not due to random looting.¹⁵⁰ The amounts that have apparently been lost are enough to pose a threat from radiological weapons (“dirty bombs”). Biological agents may have been lost as well. Whether

any lost material has fallen into malevolent hands and whether it can be recovered before it is used remains unknown, which could dramatically affect eventual judgments on the success of the war. The war's eventual impact on the impetus for nuclear proliferation will depend on future U.S. policies and on whether a broad international consensus can be reached on strengthening, and to a degree reinventing, the global nonproliferation regime.

On the political front, the one great risk that was fully discussed in advance was the cost of going to war without broad international support and formal legitimization conferred through the United Nations. It is too soon to judge what that cost will ultimately prove to be, beyond the lives and money spent in reconstructing Iraq largely alone. If Iraq's future turns out very well, there may be a benefit of greater willingness to join the U.S. in tougher policies against proliferators. If not, the longer-term costs may be measured in direct opposition, an inability to enlist supporters at crucial moments (as in the Security Council vote on Iraq) or other efforts motivated by a mistrust of U.S. intentions and fear of misdirected U.S. power.

Considering all of these pros and cons, there were at least two alternatives clearly preferable to a war undertaken without international support. One option would have been to allow the UNMOVIC/IAEA inspections, backed by the presence of a smaller U.S. force in the region, to continue either until there was general confidence (from physical searches and analysis) that Iraq's programs had been fully explored and dismantled, or until inspections were obstructed. A second option would have been a tougher program of "coercive inspections" entailing a specially designed international force of roughly 50,000 and the imposition of no-fly and no-drive zones.¹⁵¹ Several countries offered recommendations for more intrusive inspections along these lines in the last weeks before the war.¹⁵²

Both approaches would probably have required a year or perhaps two and, given Iraq's past record, would have required the explicit threat of use of force to succeed. At the time it was argued that U.S. forces could not stay deployed in the desert for that

long, but a much larger number of U.S. troops have already been deployed in Iraq for a year under much worse conditions and will be there for much longer. Moreover, larger numbers of U.S. forces were deployed in war-ready condition in Europe for decades, as U.S. troops are, still, in Korea.

The real question is whether the vital political unity backing inspections could have been sustained through both the discovery and dismantlement stage and a tough monitoring and verification regime that would have had to stay in place at least until the end of Saddam's reign. It is impossible to rewind history, but this question is worth considering in the United States and abroad, especially in Europe. We believe that with sufficient U.S. leadership—steadily focused on WMD and not regime change—the necessary international political will could have been sustained. But, it would have required a determined diplomatic effort, a clear recognition by all key states of the serious, long-term WMD threat posed by Iraq, and a very different post-9/11 posture than the United States has adopted.

Finally, it must be noted that it is doubtful whether some members of the administration, who had apparently convinced themselves that Iraq had active programs and large WMD stockpiles, could ever have been convinced by inspections—no matter how thorough—of the reverse.

RECOMMENDATIONS

- ▶ **Pursue initiatives suggested by Presidents Bush and Chirac to strengthen the UN Security Council's resolve and capacity to prevent proliferation and ensure compliance with nonproliferation norms and rules.**

President Bush urged that the Security Council act "to criminalize the proliferation of weapons of mass destruction; to enact strict export controls consistent with international standards; and to secure any and all sensitive materials within their own borders."¹⁵³

In his speech to the General Assembly, President Chirac called on the Security Council “to develop our means of action...to ensure compliance”¹⁵⁴ with nonproliferation regimes. Both presidents’ initiatives to strengthen nonproliferation enforcement should be fleshed out and vigorously pursued with a target date for Security Council consideration.

- ▶ **Based on the findings in Iraq and the results of the studies recommended in this report (see question 5), the UN Security Council should consider creating a permanent, international, nonproliferation inspection capability.**

Such a capability could only be effective if it has access to the best human resources, technology, and intelligence and if it can be backed by a credible threat of force. Some Americans will scoff at the notion that other countries would share seriously the burdens of stopping proliferation in this way. However, political will is not fixed—it can be built. The United States—together with its allies—can and should attempt to build it, not because the United States would not bear the leadership role alone, but because alone neither the United States nor even the nuclear weapon states together can succeed. That will take a global effort. The only place such an effort can be mobilized—if it can be—would be the United Nations.

8. Does the war in Iraq shed any light on the wisdom of the Bush National Security Strategy of preemptive/preventive war?

The National Security Strategy issued in September 2002 proffered a new doctrine of preemptive military action. “The legitimacy of preemption,” it acknowledged, is traditionally conditioned “on the existence of an imminent threat.” But in an age of terrorism, we can not expect to see the usual measures of imminence, “a visible mobilization of armies, navies, and air forces preparing to attack.” That is true. However, the strategy did not go on to offer an alternative standard. It argued simply that “We must adapt the

concept of imminent threat to the capabilities and objectives of today’s adversaries. . . We cannot let our enemies strike first.”¹⁵⁵

What this amounts to is not preemption, but a loose standard for preventive war under the cloak of legitimate preemption. Hence, we use here the awkward, but accurately confusing formulation, “preemptive/preventive war”—*preemption* for what it has been called, *prevention* for what it actually is.

Neither in the strategy itself nor in other settings does the administration use the term *preventive war*. Presumably, this is for two reasons. First, it would undermine the search for international support because preventive wars have no legitimacy under international law as does preemption. Second, as historian Arthur Schlesinger Jr. has recently pointed out, the concept of preventive war enjoys a poor standing in American thought and practice. It has been rejected by recent presidents including Eisenhower, Truman, and Kennedy.¹⁵⁶ President Lincoln, writing on the same point during the 1848 war with Mexico, was eerily prescient:

Allow the President to invade a neighboring nation whenever he shall deem it necessary to repel an invasion . . . and you allow him to make war at pleasure . . . If today he should choose to say he thinks it necessary to invade Canada to prevent the British from invading us, how could you stop him? You may say to him, “I see no probability of the British invading us”; but he will say to you, “Be silent: I see it, if you don’t.”¹⁵⁷

Recognizing that, even having discarded the usual standard of imminence, it would be very difficult to credibly argue that Iraq presented an “imminent threat” to the United States, the administration also did not use this term in the run-up to the war. Alternatives, such as “grave and gathering danger” and “peril draws closer and closer” conveyed the same sense of urgency.

The Strategy recognizes that going to war absent an imminent threat opens twin risks: that the underlying intelligence must be very certain of the nonimminent threat that is being attacked and that international support and legitimacy may be hard to come by. Accordingly, it promised to “build better,

more integrated intelligence capabilities to provide timely, accurate information on threats,...[and to] coordinate closely with allies to form a common assessment of the most dangerous threats.” In the Iraqi case, arguably the three best intelligence services in the world—those of the United States, Great Britain, and Israel—proved tragically unequal to the task.¹⁵⁸ Nor was any common threat assessment reached. Indeed, it was dramatically different views of the degree of threat (together with the belief that inspections were being ended before they had been given a chance to work) that underlay Washington’s inability to bring the world with it in this venture.

Two other pending crises—Iran and North Korea—underline that Iraq was by no means a uniquely difficult intelligence target. Publicly available intelligence indicates that the United States does not know the total number and locations of all dangerous facilities and materials in either Iran or North Korea.

Just when the aftermath of the Iraq war has highlighted the costs of acting without a robust international coalition, the ability of the United States to build such a coalition has been weakened by the revelations of mistaken intelligence and dubious public assessments of it in this case. At the same time, however, recent revelations about Iran’s nuclear activities have affirmed and even surpassed U.S. assessments of the danger they pose. The evidence uncovered by Iranian opposition figures and the IAEA should chasten those who would extrapolate from Iraq that the United States always exaggerates the dangers.

The Iraq experience, paired with different and important developments in North Korea and Iran, demonstrates dramatically the imperative of closer and more determined international cooperation to enforce norms and rules to prevent proliferation and compel states that do not comply to do so.

Issued in September 2002, the National Security Strategy received a week or two of intense attention that was then quickly subsumed in the debate over Iraq. Many believed that the strategy was not so much a strategy as a one-case rationale for the Iraq

war and therefore did not merit a larger debate. However, the strategy still stands as national policy, and the implications of its contents loom even larger in the aftermath of the Iraq war.

RECOMMENDATIONS

- ▶ **Revise the National Security Strategy to eliminate a U.S. doctrine of unilateral preemptive war in the absence of imminent threat (that is, preventative war).**

A true preemptive attack remains, as it has always been, a legitimate tactic to be used when necessary. However, for the reasons cited here, as well as others, a doctrine of unilaterally asserted and executed preventive war does not serve U.S. national security interests.¹⁵⁹

- ▶ **Convene international negotiations to define agreed principles to guide preemptive and/or preventive action to remove acute proliferation threats.**

“America’s special responsibility, as the most powerful nation in the world,” argued Henry Kissinger in August 2002, “is to work toward an international system that rests on more than military power—indeed, that strives to translate power into cooperation. Any other attitude will gradually isolate and exhaust us.”¹⁶⁰ He specifically rejects the notion that “one nation can alone define the nature of the threat and the content of preemption.” Instead, Kissinger argues, an international dialogue should be established to develop criteria that would render such action legitimate and advisable.¹⁶¹ Such criteria could include standards of imminence of threat, scale of threat, and means of preemption. Long-term international security, including for the United States, will be strengthened more by agreed standards rather than by unilaterally asserted ones.

APPENDIX 1

Key Judgments from the National Intelligence Estimate on Iraq's Continuing Programs for Weapons of Mass Destruction¹

October 2002

We judge that Iraq has continued its weapons of mass destruction (WMD) programs in defiance of UN resolutions and restrictions. Baghdad has chemical and biological weapons as well as missiles with ranges in excess of UN restrictions; if left unchecked, it probably will have a nuclear weapon during this decade. (See INR [Department of State's Bureau of Intelligence and Research] alternative view at the end of these Key Judgments.)²

We judge that we are seeing only a portion of Iraq's WMD efforts, owing to Baghdad's vigorous denial and deception efforts. Revelations after the Gulf war starkly demonstrate the extensive efforts undertaken by Iraq to deny information. We lack specific information on many key aspects of Iraq's WMD programs.

Since inspections ended in 1998, Iraq has maintained its chemical weapons effort, energized its missile program, and invested more heavily in biological weapons; in the view of most agencies, Baghdad is reconstituting its nuclear weapons program.

- ▶ Iraq's growing ability to sell oil illicitly increases Baghdad's capabilities to finance WMD programs; annual earnings in cash and goods have more than quadrupled, from \$580 million in 1998 to about \$3 billion this year.
- ▶ Iraq has largely rebuilt missile and biological weapons facilities damaged during Operation Desert Fox and has expanded its chemical and biological infrastructure under the cover of civilian production.
- ▶ Baghdad has exceeded UN range limits of 150 km with its ballistic missiles and is working with unmanned aerial vehicles (UAVs), which allow for a more lethal means to deliver biological and, less likely, chemical warfare agents.
- ▶ Although we assess that Saddam does not yet have nuclear weapons or sufficient material to make any, he remains intent on acquiring them. Most agencies assess that Baghdad started reconstituting its nuclear program about the time that UNSCOM [United Nations Special Commission on Iraq] inspectors departed—December 1998.

How quickly Iraq will obtain its first nuclear weapon depends on when it acquires sufficient weapons-grade fissile material.

- ▶ If Baghdad acquires sufficient fissile material from abroad it could make a nuclear weapon within several months to a year.
- ▶ Without such material from abroad, Iraq probably would not be able to make a weapon until 2007 to 2009, owing to inexperience in building and operating centrifuge facilities to produce highly enriched uranium and challenges in procuring the necessary equipment and expertise.
- ▶ Most agencies believe that Saddam's personal interest in and Iraq's aggressive attempts to obtain high-strength aluminum tubes for centrifuge rotors—as well as Iraq's attempts to acquire magnets, high-speed balancing machines, and machine tools—provide compelling evidence that Saddam is reconstituting a uranium enrichment effort for

Baghdad's nuclear weapons program. (DOE [U.S. Department of Energy] agrees that reconstitution of the nuclear program is underway but assesses that the tubes probably are not part of the program.)

- ▶ Iraq's efforts to re-establish and enhance its cadre of weapons personnel as well as activities at several suspect nuclear sites further indicate that reconstitution is underway.
- ▶ All agencies agree that about 25,000 centrifuges based on tubes of the size Iraq is trying to acquire would be capable of producing approximately two weapons' worth of highly enriched uranium per year.
- ▶ In a much less likely scenario, Baghdad could make enough fissile material for a nuclear weapon by 2005 to 2007 if it obtains suitable centrifuge tubes this year and has all the other materials and technological expertise necessary to build production-scale uranium enrichment facilities.

We assess that Baghdad has begun renewed production of mustard, sarin, GF (cyclosarin), and VX; its capability probably is more limited now than it was at the time of the Gulf war, although VX production and agent storage life probably have been improved.

- ▶ An array of clandestine reporting reveals that Baghdad has procured covertly the types and quantities of chemicals and equipment sufficient to allow limited CW [chemical weapons] agent production hidden within Iraq's legitimate chemical industry.
- ▶ Although we have little specific information on Iraq's CW stockpile, Saddam probably has stocked at least 100 metric tons (MT) and possibly as much as 500 MT of CW agents—much of it added in the last year.
- ▶ The Iraqis have experience in manufacturing CW bombs, artillery rockets, and projectiles. We assess that they possess CW bulk fills for SRBM [short-range ballistic missile] warheads, including for a limited number of covertly stored Scuds, possibly a few with extended ranges.

We judge that all key aspects—R&D, production, and weaponization—of Iraq's offensive BW [biological weapons] program are active and that most elements are larger and more advanced than they were before the Gulf war.

- ▶ We judge Iraq has some lethal and incapacitating BW agents and is capable of quickly producing and weaponizing a variety of such agents, including anthrax, for delivery by bombs, missiles, aerial sprayers, and covert operatives.
 - ▶ Chances are even that smallpox is part of Iraq's offensive BW program.
 - ▶ Baghdad probably has developed genetically engineered BW agents.
- ▶ Baghdad has established a large-scale, redundant, and concealed BW agent production capability.
 - ▶ Baghdad has mobile facilities for producing bacterial and toxin BW agents; these facilities can evade detection and are highly survivable. Within three to six months [corrected per errata sheet issued in October 2002] these units probably could produce an amount of agent equal to the total that Iraq produced in the years prior to the Gulf war.

Iraq maintains a small missile force and several development programs, including for a UAV [unmanned aerial vehicle] probably intended to deliver biological warfare agent.

- ▶ Gaps in Iraqi accounting to UNSCOM suggest that Saddam retains a covert force of up to a few dozen Scud-variant SRBMs with ranges of 650 to 900 km.
- ▶ Iraq is deploying its new al-Samoud and Ababil-100 SRBMs, which are capable of flying beyond the UN-authorized 150-km range limit; Iraq has tested an al-Samoud variant beyond 150 km—perhaps as far as 300 km.
- ▶ Baghdad's UAVs could threaten Iraq's neighbors, U.S. forces in the Persian Gulf, and if brought close to, or into, the United States, the U.S. Homeland.

- ▶ An Iraqi UAV procurement network attempted to procure commercially available route planning software and an associated topographic database that would be able to support targeting of the United States, according to analysis of special intelligence.
- ▶ The Director, Intelligence, Surveillance, and Reconnaissance, U.S. Air Force, does not agree that Iraq is developing UAVs primarily intended to be delivery platforms for chemical and biological warfare (CBW) agents. The small size of Iraq's new UAV strongly suggests a primary role of reconnaissance, although CBW delivery is an inherent capability.
- ▶ Iraq is developing medium-range ballistic missile capabilities, largely through foreign assistance in building specialized facilities, including a test stand for engines more powerful than those in its current missile force.

We have low confidence in our ability to assess when Saddam would use WMD.

- ▶ Saddam could decide to use chemical and biological warfare (CBW) preemptively against U.S. forces, friends, and allies in the region in an attempt to disrupt U.S. war preparations and undermine the political will of the Coalition.
- ▶ Saddam might use CBW after an initial advance into Iraqi territory, but early use of WMD could foreclose diplomatic options for stalling the US advance.
- ▶ He probably would use CBW when he perceived he irretrievably had lost control of the military and security situation, but we are unlikely to know when Saddam reaches that point.
- ▶ We judge that Saddam would be more likely to use chemical weapons than biological weapons on the battlefield.
- ▶ Saddam historically has maintained tight control over the use of WMD; however, he probably has provided contingency instructions to his commanders to use CBW in specific circumstances.

Baghdad for now appears to be drawing a line short of conducting terrorist attacks with conventional or CBW against the United States, fearing that exposure of Iraqi involvement would provide Washington a stronger cause for making war.

Iraq probably would attempt clandestine attacks against the U.S. Homeland if Baghdad feared an attack that threatened the survival of the regime were imminent or unavoidable, or possibly for revenge. Such attacks—more likely with biological than chemical agents—probably would be carried out by special forces or intelligence operatives.

- ▶ The Iraqi Intelligence Service (IIS) probably has been directed to conduct clandestine attacks against US and Allied interests in the Middle East in the event the United States takes action against Iraq. The US probably would be the primary means by which Iraq would attempt to conduct any CBW attacks on the US Homeland, although we have no specific intelligence information that Saddam's regime has directed attacks against US territory.

Saddam, if sufficiently desperate, might decide that only an organization such as al-Qa'ida—with worldwide reach and extensive terrorist infrastructure, and already engaged in a life-or-death struggle against the United States—could perpetrate the type of terrorist attack that he would hope to conduct.

- ▶ In such circumstances, he might decide that the extreme step of assisting the Islamist terrorists in conducting a CBW attack against the United States would be his last chance to exact vengeance by taking a large number of victims with him.

State/INR Alternative View of Iraq's Nuclear Program

The Assistant Secretary of State for Intelligence and Research (INR) believes that Saddam continues to want nuclear weapons and that available evidence indicates that Baghdad is pursuing at least a limited effort to maintain and acquire nuclear weapons–related capabilities. The activities we have detected do not, however, add up to a compelling case that Iraq is currently pursuing what INR would consider to be an integrated and comprehensive approach to acquire nuclear weapons. Iraq may be doing so, but INR considers the available evidence inadequate to support such a judgment. Lacking persuasive evidence that Baghdad has launched a coherent effort to reconstitute its nuclear weapons program, INR is unwilling to speculate that such an effort began soon after the departure of UN inspectors or to project a timeline for the completion of activities it does not now see happening. As a result, INR is unable to predict when Iraq could acquire a nuclear device or weapon.

In INR's view Iraq's efforts to acquire aluminum tubes is central to the argument that Baghdad is reconstituting its nuclear weapons program, but INR is not persuaded that the tubes in question are intended for use as centrifuge rotors. INR accepts the judgment of technical experts at the U.S. Department of Energy (DOE) who have concluded that the tubes Iraq seeks to acquire are poorly suited for use in gas centrifuges to be used for uranium enrichment and finds unpersuasive the arguments advanced by others to make the case that they are intended for that purpose. INR considers it far more likely that the tubes are intended for another purpose, most likely the production of artillery rockets. The very large quantities being sought, the way the tubes were tested by the Iraqis, and the atypical lack of attention to operational security in the procurement efforts are among the factors, in addition to the DOE assessment, that lead INR to conclude that the tubes are not intended for use in Iraq's nuclear weapon program.

Confidence Levels for Selected Key Judgments in This Estimate

HIGH CONFIDENCE:

- ▶ Iraq is continuing, and in some areas expanding, its chemical, biological, nuclear and missile programs contrary to UN resolutions.
- ▶ We are not detecting portions of these weapons programs.
- ▶ Iraq possesses proscribed chemical and biological weapons and missiles.
- ▶ Iraq could make a nuclear weapon in months to a year once it acquires sufficient weapons-grade fissile material.

MODERATE CONFIDENCE:

- ▶ Iraq does not yet have a nuclear weapon or sufficient material to make one but is likely to have a weapon by 2007 to 2009. (See INR alternative view, above.)

LOW CONFIDENCE:

- ▶ When Saddam would use weapons of mass destruction.
- ▶ Whether Saddam would engage in clandestine attacks against the US Homeland.
- ▶ Whether in desperation Saddam would share chemical or biological weapons with al-Qa'ida.

[NIE page 24]

[...]

Uranium Acquisition. Iraq retains approximately two-and-a-half tons of 2.5 percent enriched uranium oxide, which the IAEA [International Atomic Energy Agency] permits. This low-enriched material could be used as feed material to produce enough HEU for about two nuclear weapons. The use of enriched feed material also would reduce the initial number of centrifuges that Baghdad would need by about half. Iraq could divert this material—the IAEA inspects it only once a year—and enrich it to weapons grade before a subsequent inspection discovered it was missing. The IAEA last inspected this material in late January 2002.

Iraq has about 500 metric tons of yellowcake³ and low enriched uranium at Tuwaitha, which is inspected annually by the IAEA. Iraq also began vigorously trying to procure uranium ore and yellowcake; acquiring either would shorten the time Baghdad needs to produce nuclear weapons.

- ▶ A foreign government service reported that as of early 2001, Niger planned to send several tons of “pure uranium” (probably yellowcake) to Iraq. As of early 2001, Niger and Iraq reportedly were still working out arrangements for this deal, which could be for up to 500 tons of yellowcake. We do not know the status of this arrangement.
- ▶ Reports indicate Iraq also has sought uranium ore from Somalia and possibly the Democratic Republic of the Congo.

We cannot confirm whether Iraq succeeded in acquiring uranium ore and/or yellowcake from these sources. Reports suggest Iraq is shifting from domestic mining and milling of uranium to foreign acquisition. Iraq possesses significant phosphate deposits, from which uranium had been chemically extracted before Operation Desert Storm. Intelligence information on whether nuclear-related phosphate mining and/or processing has been reestablished is inconclusive, however.

[...]

[NIE page 84]

ANNEX A

Iraq’s Attempts to Acquire Aluminum Tubes

(This excerpt from a longer view includes INR’s position on the African uranium issue.)

INR’s Alternative View: Iraq’s Attempts to Acquire Aluminum Tubes

Some of the specialized but dual-use items being sought are, by all indications, bound for Iraq’s missile program. Other cases are ambiguous, such as that of a planned magnet-production line whose suitability for centrifuge operations remains unknown. Some efforts involve non-controlled industrial material and equipment—including a variety of machine tools—and are troubling because they would help establish the infrastructure for a renewed nuclear program. But such efforts (which began well before the inspectors departed) are not clearly linked to a nuclear end-use. Finally, the claims of Iraqi pursuit of natural uranium in Africa are, in INR’s assessment, highly dubious.

¹ Director of Central Intelligence, Key Judgments from the National Intelligence Estimate on Iraq’s Continuing Programs for Weapons of Mass Destruction, October 2002, available at: <http://www.ceip.org/files/projects/npp/pdf/Iraq/declassifiedintellreport.pdf> (accessed October 22, 2003).

² Emphasis in original throughout National Intelligence Estimate.

³ A refined form of natural uranium.

APPENDIX 2

President Bush's Address on Iraq¹

Cincinnati, Ohio

October 7, 2002

Tonight I want to take a few minutes to discuss a grave threat to peace, and America's determination to lead the world in confronting that threat.

The threat comes from Iraq. It arises directly from the Iraqi regime's own actions—its history of aggression, and its drive toward an arsenal of terror. Eleven years ago, as a condition for ending the Persian Gulf War, the Iraqi regime was required to destroy its weapons of mass destruction, to cease all development of such weapons, and to stop all support for terrorist groups. The Iraqi regime has violated all of those obligations. It possesses and produces chemical and biological weapons. It is seeking nuclear weapons. It has given shelter and support to terrorism, and practices terror against its own people. The entire world has witnessed Iraq's eleven-year history of defiance, deception and bad faith.

We also must never forget the most vivid events of recent history. On September the 11th, 2001, America felt its vulnerability—even to threats that gather on the other side of the earth. We resolved then, and we are resolved today, to confront every threat, from any source, that could bring sudden terror and suffering to America.

Members of the Congress of both political parties, and members of the United Nations Security Council, agree that Saddam Hussein is a threat to peace and must disarm. We agree that the Iraqi dictator must not be permitted to threaten America and the world with horrible poisons and diseases and gases and atomic weapons. Since we all agree on this goal, the issue is: how can we best achieve it?

Many Americans have raised legitimate questions: about the nature of the threat; about the urgency of action—why be concerned now; about the link between Iraq developing weapons of terror, and the wider war on terror. These are all issues we've discussed broadly and fully within my administration. And tonight, I want to share those discussions with you.

First, some ask why Iraq is different from other countries or regimes that also have terrible weapons. While there are many dangers in the world, the threat from Iraq stands alone—because it gathers the most serious dangers of our age in one place. Iraq's weapons of mass destruction are controlled by a murderous tyrant who has already used chemical weapons to kill thousands of people. This same tyrant has tried to dominate the Middle East, has invaded and brutally occupied a small neighbor, has struck other nations without warning, and holds an unrelenting hostility toward the United States.

By its past and present actions, by its technological capabilities, by the merciless nature of its regime, Iraq is unique. As a former chief weapons inspector of the U.N. has said, "The fundamental problem with Iraq remains the nature of the regime, itself. Saddam Hussein is a homicidal dictator who is addicted to weapons of mass destruction."

Some ask how urgent this danger is to America and the world. The danger is already significant, and it only grows worse with time. If we know Saddam Hussein has dangerous weapons today—and we do—does it make any sense for the world to wait to confront him as he grows even stronger and develops even more dangerous weapons?

In 1995, after several years of deceit by the Iraqi regime, the head of Iraq's military industries defected. It was then that the regime was forced to admit that it had produced more than 30,000 liters of anthrax and other deadly biological agents.

The inspectors, however, concluded that Iraq had likely produced two to four times that amount. This is a massive stockpile of biological weapons that has never been accounted for, and capable of killing millions.

We know that the regime has produced thousands of tons of chemical agents, including mustard gas, sarin nerve gas, VX nerve gas. Saddam Hussein also has experience in using chemical weapons. He has ordered chemical attacks on Iran, and on more than forty villages in his own country. These actions killed or injured at least 20,000 people, more than six times the number of people who died in the attacks of September the 11th.

And surveillance photos reveal that the regime is rebuilding facilities that it had used to produce chemical and biological weapons. Every chemical and biological weapon that Iraq has or makes is a direct violation of the truce that ended the Persian Gulf War in 1991. Yet, Saddam Hussein has chosen to build and keep these weapons despite international sanctions, U.N. demands, and isolation from the civilized world.

Iraq possesses ballistic missiles with a likely range of hundreds of miles—far enough to strike Saudi Arabia, Israel, Turkey, and other nations—in a region where more than 135,000 American civilians and service members live and work. We've also discovered through intelligence that Iraq has a growing fleet of manned and unmanned aerial vehicles that could be used to disperse chemical or biological weapons across broad areas. We're concerned that Iraq is exploring ways of using these UAVs for missions targeting the United States. And, of course, sophisticated delivery systems aren't required for a chemical or biological attack; all that might be required are a small container and one terrorist or Iraqi intelligence operative to deliver it.

And that is the source of our urgent concern about Saddam Hussein's links to international terrorist groups. Over the years, Iraq has provided safe haven to terrorists such as Abu Nidal, whose terror organization carried out more than 90 terrorist attacks in 20 countries that killed or injured nearly 900 people, including 12 Americans. Iraq has also provided safe haven to Abu Abbas, who was responsible for seizing the Achille Lauro and killing an American passenger. And we know that Iraq is continuing to finance terror and gives assistance to groups that use terrorism to undermine Middle East peace.

We know that Iraq and the al Qaeda terrorist network share a common enemy—the United States of America. We know that Iraq and al Qaeda have had high-level contacts that go back a decade. Some al Qaeda leaders who fled Afghanistan went to Iraq. These include one very senior al Qaeda leader who received medical treatment in Baghdad this year, and who has been associated with planning for chemical and biological attacks. We've learned that Iraq has trained al Qaeda members in bomb-making and poisons and deadly gases. And we know that after September the 11th, Saddam Hussein's regime gleefully celebrated the terrorist attacks on America.

Iraq could decide on any given day to provide a biological or chemical weapon to a terrorist group or individual terrorists. Alliance with terrorists could allow the Iraqi regime to attack America without leaving any fingerprints.

Some have argued that confronting the threat from Iraq could detract from the war against terror. To the contrary; confronting the threat posed by Iraq is crucial to winning the war on terror. When I spoke to Congress more than a year ago, I said that those who harbor terrorists are as guilty as the terrorists themselves. Saddam Hussein is harboring terrorists and the instruments of terror, the instruments of mass death and destruction. And he cannot be trusted. The risk is simply too great that he will use them, or provide them to a terror network.

Terror cells and outlaw regimes building weapons of mass destruction are different faces of the same evil. Our security requires that we confront both. And the United States military is capable of confronting both.

Many people have asked how close Saddam Hussein is to developing a nuclear weapon. Well, we don't know exactly, and that's the problem. Before the Gulf War, the best intelligence indicated that Iraq was eight to ten years away from developing a nuclear weapon. After the war, international inspectors learned that the regime has been much closer—the regime in Iraq would likely have possessed a nuclear weapon no later than 1993. The inspectors discovered that Iraq had an advanced nuclear weapons development program, had a design for a workable nuclear weapon, and was pursuing several different methods of enriching uranium for a bomb.

Before being barred from Iraq in 1998, the International Atomic Energy Agency dismantled extensive nuclear weapons-related facilities, including three uranium enrichment sites. That same year, information from a high-ranking Iraqi nuclear engineer who had defected revealed that despite his public promises, Saddam Hussein had ordered his nuclear program to continue.

The evidence indicates that Iraq is reconstituting its nuclear weapons program. Saddam Hussein has held numerous meetings with Iraqi nuclear scientists, a group he calls his “nuclear mujahideen”—his nuclear holy warriors. Satellite photographs reveal that Iraq is rebuilding facilities at sites that have been part of its nuclear program in the past. Iraq has attempted to purchase high-strength aluminum tubes and other equipment needed for gas centrifuges, which are used to enrich uranium for nuclear weapons.

If the Iraqi regime is able to produce, buy, or steal an amount of highly enriched uranium a little larger than a single softball, it could have a nuclear weapon in less than a year. And if we allow that to happen, a terrible line would be crossed. Saddam Hussein would be in a position to blackmail anyone who opposes his aggression. He would be in a position to dominate the Middle East. He would be in a position to threaten America. And Saddam Hussein would be in a position to pass nuclear technology to terrorists.

Some citizens wonder, after 11 years of living with this problem, why do we need to confront it now? And there’s a reason. We’ve experienced the horror of September the 11th. We have seen that those who hate America are willing to crash airplanes into buildings full of innocent people. Our enemies would be no less willing, in fact, they would be eager, to use biological or chemical, or a nuclear weapon.

Knowing these realities, America must not ignore the threat gathering against us. 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. As President Kennedy said in October of 1962, “Neither the United States of America, nor the world community of nations can tolerate deliberate deception and offensive threats on the part of any nation, large or small. We no longer live in a world,” he said, “where only the actual firing of weapons represents a sufficient challenge to a [nation’s] security to constitute maximum peril.”

Understanding the threats of our time, knowing the designs and deceptions of the Iraqi regime, we have every reason to assume the worst, and we have an urgent duty to prevent the worst from occurring.

Some believe we can address this danger by simply resuming the old approach to inspections, and applying diplomatic and economic pressure. Yet this is precisely what the world has tried to do since 1991. The U.N. inspections program was met with systematic deception. The Iraqi regime bugged hotel rooms and offices of inspectors to find where they were going next; they forged documents, destroyed evidence, and developed mobile weapons facilities to keep a step ahead of inspectors. Eight so-called presidential palaces were declared off-limits to unfettered inspections. These sites actually encompass twelve square miles, with hundreds of structures, both above and below the ground, where sensitive materials could be hidden.

The world has also tried economic sanctions—and watched Iraq use billions of dollars in illegal oil revenues to fund more weapons purchases, rather than providing for the needs of the Iraqi people.

The world has tried limited military strikes to destroy Iraq’s weapons of mass destruction capabilities—only to see them openly rebuilt, while the regime again denies they even exist.

The world has tried no-fly zones to keep Saddam from terrorizing his own people—and in the last year alone, the Iraqi military has fired upon American and British pilots more than 750 times.

After eleven years during which we have tried containment, sanctions, inspections, even selected military action, the end result is that Saddam Hussein still has chemical and biological weapons and is increasing his capabilities to make more. And he is moving ever closer to developing a nuclear weapon.

Clearly, to actually work, any new inspections, sanctions or enforcement mechanisms will have to be very different. America wants the U.N. to be an effective organization that helps keep the peace. And that is why we are urging the Security Council to adopt a new resolution setting out tough, immediate requirements. Among those requirements: the Iraqi regime must reveal and destroy, under U.N. supervision, all existing weapons of mass destruction. To ensure that we learn the truth, the regime must allow witnesses to its illegal activities to be interviewed outside the country—and these witnesses must be free to bring their families with them so they all [are] beyond the reach of Saddam Hussein’s terror and murder. And inspectors must have access to any site, at any time, without pre-clearance, without delay, without exceptions.

The time for denying, deceiving, and delaying has come to an end. Saddam Hussein must disarm himself—or, for the sake of peace, we will lead a coalition to disarm him.

Many nations are joining us in insisting that Saddam Hussein's regime be held accountable. They are committed to defending the international security that protects the lives of both our citizens and theirs. And that's why America is challenging all nations to take the resolutions of the U.N. Security Council seriously.

And these resolutions are clear. In addition to declaring and destroying all of its weapons of mass destruction, Iraq must end its support for terrorism. It must cease the persecution of its civilian population. It must stop all illicit trade outside the Oil For Food program. It must release or account for all Gulf War personnel, including an American pilot, whose fate is still unknown.

By taking these steps, and by only taking these steps, the Iraqi regime has an opportunity to avoid conflict. Taking these steps would also change the nature of the Iraqi regime itself. America hopes the regime will make that choice. Unfortunately, at least so far, we have little reason to expect it. And that's why two administrations—mine and President Clinton's—have stated that regime change in Iraq is the only certain means of removing a great danger to our nation.

I hope this will not require military action, but it may. And military conflict could be difficult. An Iraqi regime faced with its own demise may attempt cruel and desperate measures. If Saddam Hussein orders such measures, his generals would be well advised to refuse those orders. If they do not refuse, they must understand that all war criminals will be pursued and punished. If we have to act, we will take every precaution that is possible. We will plan carefully; we will act with the full power of the United States military; we will act with allies at our side, and we will prevail.

There is no easy or risk-free course of action. Some have argued we should wait—and that's an option. In my view, it's the riskiest of all options, because the longer we wait, the stronger and bolder Saddam Hussein will become. We could wait and hope that Saddam does not give weapons to terrorists, or develop a nuclear weapon to blackmail the world. But I'm convinced that is a hope against all evidence. As Americans, we want peace—we work and sacrifice for peace. But there can be no peace if our security depends on the will and whims of a ruthless and aggressive dictator. I'm not willing to stake one American life on trusting Saddam Hussein.

Failure to act would embolden other tyrants, allow terrorists access to new weapons and new resources, and make blackmail a permanent feature of world events. The United Nations would betray the purpose of its founding, and prove irrelevant to the problems of our time. And through its inaction, the United States would resign itself to a future of fear.

That is not the America I know. That is not the America I serve. We refuse to live in fear. This nation, in world war and in Cold War, has never permitted the brutal and lawless to set history's course. Now, as before, we will secure our nation, protect our freedom, and help others to find freedom of their own.

Some worry that a change of leadership in Iraq could create instability and make the situation worse. The situation could hardly get worse, for world security and for the people of Iraq. The lives of Iraqi citizens would improve dramatically if Saddam Hussein were no longer in power, just as the lives of Afghanistan's citizens improved after the Taliban. The dictator of Iraq is a student of Stalin, using murder as a tool of terror and control, within his own cabinet, within his own army, and even within his own family.

On Saddam Hussein's orders, opponents have been decapitated, wives and mothers of political opponents have been systematically raped as a method of intimidation, and political prisoners have been forced to watch their own children being tortured.

America believes that all people are entitled to hope and human rights, to the non-negotiable demands of human dignity. People everywhere prefer freedom to slavery; prosperity to squalor; self-government to the rule of terror and torture. America is a friend to the people of Iraq. Our demands are directed only at the regime that enslaves them and threatens us. When these demands are met, the first and greatest benefit will come to Iraqi men, women and children. The oppression of Kurds, Assyrians, Turkomans, Shi'a, Sunnis and others will be lifted. The long captivity of Iraq will end, and an era of new hope will begin.

Iraq is a land rich in culture, resources, and talent. Freed from the weight of oppression, Iraq's people will be able to share in the progress and prosperity of our time. If military action is necessary, the United States and our allies will help the Iraqi people rebuild their economy, and create the institutions of liberty in a unified Iraq at peace with its neighbors.

Later this week, the United States Congress will vote on this matter. I have asked Congress to authorize the use of America's military, if it proves necessary, to enforce U.N. Security Council demands. Approving this resolution does not mean that military action is imminent or unavoidable. The resolution will tell the United Nations, and all nations, that America speaks with one voice and is determined to make the demands of the civilized world mean something. Congress will also be sending a message to the dictator in Iraq: that his only chance—his only choice is full compliance, and the time remaining for that choice is limited.

Members of Congress are nearing an historic vote. I'm confident they will fully consider the facts, and their duties.

The attacks of September the 11th showed our country that vast oceans no longer protect us from danger. Before that tragic date, we had only hints of al Qaeda's plans and designs. Today in Iraq, we see a threat whose outlines are far more clearly defined, and whose consequences could be far more deadly. Saddam Hussein's actions have put us on notice, and there is no refuge from our responsibilities.

We did not ask for this present challenge, but we accept it. Like other generations of Americans, we will meet the responsibility of defending human liberty against violence and aggression. By our resolve, we will give strength to others. By our courage, we will give hope to others. And by our actions, we will secure the peace, and lead the world to a better day.

May God bless America.

¹ George W. Bush, "Address on Iraq," Remarks in Cincinnati, Ohio, October, 7, 2002, available at www.whitehouse.gov/news/releases/2002/10/20021007-8.html (accessed December 1, 2003).

APPENDIX 3

Excerpts on Iraq from the President's State of the Union¹

January 28, 2003

Today, the gravest danger in the war on terror, the gravest danger facing America and the world, is outlaw regimes that seek and possess nuclear, chemical, and biological weapons. These regimes could use such weapons for blackmail, terror, and mass murder. They could also give or sell those weapons to terrorist allies, who would use them without the least hesitation.

This threat is new; America's duty is familiar. Throughout the 20th century, small groups of men seized control of great nations, built armies and arsenals, and set out to dominate the weak and intimidate the world. In each case, their ambitions of cruelty and murder had no limit. In each case, the ambitions of Hitlerism, militarism, and communism were defeated by the will of free peoples, by the strength of great alliances, and by the might of the United States of America.

Now, in this century, the ideology of power and domination has appeared again, and seeks to gain the ultimate weapons of terror. Once again, this nation and all our friends are all that stand between a world at peace, and a world of chaos and constant alarm. Once again, we are called to defend the safety of our people, and the hopes of all mankind. And we accept this responsibility.

America is making a broad and determined effort to confront these dangers. We have called on the United Nations to fulfill its charter and stand by its demand that Iraq disarm. We're strongly supporting the International Atomic Energy Agency in its mission to track and control nuclear materials around the world. We're working with other governments to secure nuclear materials in the former Soviet Union, and to strengthen global treaties banning the production and shipment of missile technologies and weapons of mass destruction.

In all these efforts, however, America's purpose is more than to follow a process—it is to achieve a result: the end of terrible threats to the civilized world. All free nations have a stake in preventing sudden and catastrophic attacks. And we're asking them to join us, and many are doing so. Yet the course of this nation does not depend on the decisions of others. Whatever action is required, whenever action is necessary, I will defend the freedom and security of the American people.

Different threats require different strategies. In Iran, we continue to see a government that represses its people, pursues weapons of mass destruction, and supports terror. We also see Iranian citizens risking intimidation and death as they speak out for liberty and human rights and democracy. Iranians, like all people, have a right to choose their own government and determine their own destiny—and the United States supports their aspirations to live in freedom.

On the Korean Peninsula, an oppressive regime rules a people living in fear and starvation. Throughout the 1990s, the United States relied on a negotiated framework to keep North Korea from gaining nuclear weapons. We now know that that regime was deceiving the world, and developing those weapons all along. And today the North Korean regime is using its nuclear program to incite fear and seek concessions. America and the world will not be blackmailed.

America is working with the countries of the region—South Korea, Japan, China, and Russia—to find a peaceful solution, and to show the North Korean government that nuclear weapons will bring only isolation, economic stagnation, and

continued hardship. The North Korean regime will find respect in the world and revival for its people only when it turns away from its nuclear ambitions.

Our nation and the world must learn the lessons of the Korean Peninsula and not allow an even greater threat to rise up in Iraq. A brutal dictator, with a history of reckless aggression, with ties to terrorism, with great potential wealth, will not be permitted to dominate a vital region and threaten the United States.

Twelve years ago, Saddam Hussein faced the prospect of being the last casualty in a war he had started and lost. To spare himself, he agreed to disarm of all weapons of mass destruction. For the next 12 years, he systematically violated that agreement. He pursued chemical, biological, and nuclear weapons, even while inspectors were in his country. Nothing to date has restrained him from his pursuit of these weapons—not economic sanctions, not isolation from the civilized world, not even cruise missile strikes on his military facilities.

Almost three months ago, the United Nations Security Council gave Saddam Hussein his final chance to disarm. He has shown instead utter contempt for the United Nations, and for the opinion of the world. The 108 U.N. inspectors were sent to conduct—were not sent to conduct a scavenger hunt for hidden materials across a country the size of California. The job of the inspectors is to verify that Iraq's regime is disarming. It is up to Iraq to show exactly where it is hiding its banned weapons, lay those weapons out for the world to see, and destroy them as directed. Nothing like this has happened.

The United Nations concluded in 1999 that Saddam Hussein had biological weapons sufficient to produce over 25,000 liters of anthrax—enough doses to kill several million people. He hasn't accounted for that material. He's given no evidence that he has destroyed it.

The United Nations concluded that Saddam Hussein had materials sufficient to produce more than 38,000 liters of botulinum toxin—enough to subject millions of people to death by respiratory failure. He hasn't accounted for that material. He's given no evidence that he has destroyed it.

Our intelligence officials estimate that Saddam Hussein had the materials to produce as much as 500 tons of sarin, mustard and VX nerve agent. In such quantities, these chemical agents could also kill untold thousands. He's not accounted for these materials. He has given no evidence that he has destroyed them.

U.S. intelligence indicates that Saddam Hussein had upwards of 30,000 munitions capable of delivering chemical agents. Inspectors recently turned up 16 of them—despite Iraq's recent declaration denying their existence. Saddam Hussein has not accounted for the remaining 29,984 of these prohibited munitions. He's given no evidence that he has destroyed them.

From three Iraqi defectors we know that Iraq, in the late 1990s, had several mobile biological weapons labs. These are designed to produce germ warfare agents, and can be moved from place to place to evade inspectors. Saddam Hussein has not disclosed these facilities. He's given no evidence that he has destroyed them.

The International Atomic Energy Agency confirmed in the 1990s that Saddam Hussein had an advanced nuclear weapons development program, had a design for a nuclear weapon and was working on five different methods of enriching uranium for a bomb. The British government has learned that Saddam Hussein recently sought significant quantities of uranium from Africa. Our intelligence sources tell us that he has attempted to purchase high-strength aluminum tubes suitable for nuclear weapons production. Saddam Hussein has not credibly explained these activities. He clearly has much to hide.

The dictator of Iraq is not disarming. To the contrary; he is deceiving. From intelligence sources we know, for instance, that thousands of Iraqi security personnel are at work hiding documents and materials from the U.N. inspectors, sanitizing inspection sites and monitoring the inspectors themselves. Iraqi officials accompany the inspectors in order to intimidate witnesses.

Iraq is blocking U-2 surveillance flights requested by the United Nations. Iraqi intelligence officers are posing as the scientists inspectors are supposed to interview. Real scientists have been coached by Iraqi officials on what to say. Intelligence sources indicate that Saddam Hussein has ordered that scientists who cooperate with U.N. inspectors in disarming Iraq will be killed, along with their families.

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 those weapons, is to dominate, intimidate, or attack.

With nuclear arms or a full arsenal of chemical and biological weapons, Saddam Hussein could resume his ambitions of conquest in the Middle East and create deadly havoc in that region. And this Congress and the American people must recognize another threat. Evidence from intelligence sources, secret communications, and statements by people now in custody reveal that Saddam Hussein aids and protects terrorists, including members of al Qaeda. Secretly, and without fingerprints, he could provide one of his hidden weapons to terrorists, or help them develop their own.

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 plans—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. We will do everything in our power to make sure that that day never comes.

Some have said we must not act until the threat is imminent. Since when have terrorists and tyrants announced their intentions, politely putting us on notice before they strike? If this threat is permitted to fully and suddenly emerge, all actions, all words, and all recriminations would come too late. Trusting in the sanity and restraint of Saddam Hussein is not a strategy, and it is not an option.

The dictator who is assembling the world's most dangerous weapons has already used them on whole villages—leaving thousands of his own citizens dead, blind, or disfigured. Iraqi refugees tell us how forced confessions are obtained—by torturing children while their parents are made to watch. International human rights groups have catalogued other methods used in the torture chambers of Iraq: electric shock, burning with hot irons, dripping acid on the skin, mutilation with electric drills, cutting out tongues, and rape. If this is not evil, then evil has no meaning.

And tonight I have a message for the brave and oppressed people of Iraq: Your enemy is not surrounding your country—your enemy is ruling your country. And the day he and his regime are removed from power will be the day of your liberation.

The world has waited 12 years for Iraq to disarm. America will not accept a serious and mounting threat to our country, and our friends and our allies. The United States will ask the U.N. Security Council to convene on February the 5th to consider the facts of Iraq's ongoing defiance of the world. Secretary of State Powell will present information and intelligence about Iraq's legal—Iraq's illegal weapons programs, its attempt to hide those weapons from inspectors, and its links to terrorist groups.

We will consult. But let there be no misunderstanding: If Saddam Hussein does not fully disarm, for the safety of our people and for the peace of the world, we will lead a coalition to disarm him.

Tonight I have a message for the men and women who will keep the peace, members of the American Armed Forces: Many of you are assembling in or near the Middle East, and some crucial hours may lay ahead. In those hours, the success of our cause will depend on you. Your training has prepared you. Your honor will guide you. You believe in America, and America believes in you.

Sending Americans into battle is the most profound decision a President can make. The technologies of war have changed; the risks and suffering of war have not. For the brave Americans who bear the risk, no victory is free from sorrow. This nation fights reluctantly, because we know the cost and we dread the days of mourning that always come.

We seek peace. We strive for peace. And sometimes peace must be defended. A future lived at the mercy of terrible threats is no peace at all. If war is forced upon us, we will fight in a just cause and by just means—sparing, in every way we can, the innocent. And if war is forced upon us, we will fight with the full force and might of the United States military—and we will prevail.

And as we and our coalition partners are doing in Afghanistan, we will bring to the Iraqi people food and medicines and supplies—and freedom.

Many challenges, abroad and at home, have arrived in a single season. In two years, America has gone from a sense of invulnerability to an awareness of peril; from bitter division in small matters to calm unity in great causes. And we go forward with confidence, because this call of history has come to the right country.

Americans are a resolute people who have risen to every test of our time. Adversity has revealed the character of our country, to the world and to ourselves. America is a strong nation, and honorable in the use of our strength. We exercise power without conquest, and we sacrifice for the liberty of strangers.

Americans are a free people, who know that freedom is the right of every person and the future of every nation. The liberty we prize is not America's gift to the world, it is God's gift to humanity.

We Americans have faith in ourselves, but not in ourselves alone. We do not know—we do not claim to know all the ways of Providence, yet we can trust in them, placing our confidence in the loving God behind all of life, and all of history.

May He guide us now. And may God continue to bless the United States of America.

¹ George W. Bush, "State of the Union," Address to Joint Session of Congress, January 28, 2003, available at www.whitehouse.gov/news/releases/2003/01/20030128-19.html (accessed December 5, 2003).

APPENDIX 4

U.S. Secretary of State Colin Powell's Address to the UN Security Council¹

February 5, 2003

Mr. President, Mr. Secretary General, distinguished colleagues, I would like to begin by expressing my thanks for the special effort that each of you made to be here today. This is an important day for us all as we review the situation with respect to Iraq and its disarmament obligations under U.N. Security Council Resolution 1441.

Last November 8, this council passed Resolution 1441 by a unanimous vote. The purpose of that resolution was to disarm Iraq of its weapons of mass destruction. Iraq had already been found guilty of material breach of its obligations, stretching back over 16 previous resolutions and 12 years.

Resolution 1441 was not dealing with an innocent party, but a regime this council has repeatedly convicted over the years. Resolution 1441 gave Iraq one last chance, one last chance to come into compliance or to face serious consequences. No council member present and voting on that day had any illusions about the nature and intent of the resolution or what serious consequences meant if Iraq did not comply.

And to assist in its disarmament, we called on Iraq to cooperate with returning inspectors from UNMOVIC [United Nations Monitoring, Verification, and Inspection Commission] and IAEA [International Atomic Energy Agency]. We laid down tough standards for Iraq to meet to allow the inspectors to do their job.

This council placed the burden on Iraq to comply and disarm, and not on the inspectors to find that which Iraq has gone out of its way to conceal for so long. Inspectors are inspectors; they are not detectives.

I asked for this session today for two purposes: First, to support the core assessments made by Dr. Blix and Dr. ElBaradei. As Dr. Blix reported to this council on January 27, "Iraq appears not to have come to a genuine acceptance, not even today, of the disarmament which was demanded of it."

And as Dr. ElBaradei reported, Iraq's declaration of December 7, "did not provide any new information relevant to certain questions that have been outstanding since 1998."

My second purpose today is to provide you with additional information, to share with you what the United States knows about Iraq's weapons of mass destruction as well as Iraq's involvement in terrorism, which is also the subject of Resolution 1441 and other earlier resolutions.

I might add at this point that we are providing all relevant information we can to the inspection teams for them to do their work.

The material I will present to you comes from a variety of sources. Some are U.S. sources, and some are those of other countries. Some of the sources are technical, such as intercepted telephone conversations and photos taken by satellites. Other sources are people who have risked their lives to let the world know what Saddam Hussein is really up to.

I cannot tell you everything that we know. But what I can share with you, when combined with what all of us have learned over the years, is deeply troubling. What you will see is an accumulation of facts and disturbing patterns of

behavior. The facts and Iraqis' behavior, Iraq's behavior, demonstrate that Saddam Hussein and his regime have made no effort—no effort—to disarm as required by the international community.

Indeed, the facts and Iraq's behavior show that Saddam Hussein and his regime are concealing their efforts to produce more weapons of mass destruction.

Let me begin by playing a tape for you. What you're about to hear is a conversation that my government monitored. It takes place on November 26 of last year, on the day before United Nations teams resumed inspections in Iraq. The conversation involves two senior officers, a colonel and a brigadier general from Iraq's elite military unit, the Republican Guard.

(POWELL PLAYS AUDIO TAPE)

Let me pause and review some of the key elements of this conversation that you just heard between these two officers.

First, they acknowledge that our colleague, Mohamed ElBaradei, is coming, and they know what he's coming for, and they know he's coming the next day. He's coming to look for things that are prohibited. He is expecting these gentlemen to cooperate with him and not hide things.

But they're worried. "We have this modified vehicle. What do we say if one of them sees it?"

What is their concern? Their concern is that it's something they should not have, something that should not be seen.

The general is incredulous: "You didn't get it modified. You don't have one of those, do you?"

"I have one."

"Which? From where?"

"From the workshop, from the Al-Kindi Company?"

"What?"

"From Al-Kindi."

"I'll come to see you in the morning. I'm worried you all have something left."

"We evacuated everything. We don't have anything left."

Note what he says: "We evacuated everything."

We didn't destroy it. We didn't line it up for inspection. We didn't turn it into the inspectors. We evacuated it to make sure it was not around when the inspectors showed up.

"I will come to you tomorrow."

The Al-Kindi Company: This is a company that is well known to have been involved in prohibited weapons systems activity.

Let me play another tape for you. As you will recall, the inspectors found 12 empty chemical warheads on January 16. On January 20, four days later, Iraq promised the inspectors it would search for more. You will now hear an officer from Republican Guard headquarters issuing an instruction to an officer in the field. Their conversation took place just last week on January 30.

(POWELL PLAYS AUDIO TAPE)

POWELL: Let me pause again and review the elements of this message.

"They are inspecting the ammunition you have, yes?"

"Yes. For the possibility there are forbidden ammo."

"For the possibility there is, by chance, forbidden ammo?"

"Yes."

"And we sent you a message yesterday to clean out all of the areas, the scrap areas, the abandoned areas. Make sure there is nothing there. Remember the first message, evacuated."

This is all part of a system of hiding things and moving things out of the way and making sure they have left nothing behind.

If you go a little further into this message, and you see the specific instructions from headquarters: “After you have carried out what is contained in this message, destroy the message because I don’t want anyone to see this message.”

“Okay.”

“Okay.”

Why? Why? This message would have verified to the inspectors that they have been trying to turn over things. They were looking for things, but they don’t want that message seen, because they were trying to clean up the area to leave no evidence behind of the presence of weapons of mass destruction. And they can claim that nothing was there. And the inspectors can look all they want, and they will find nothing.

This effort to hide things from the inspectors is not one or two isolated events, quite the contrary. This is part and parcel of a policy of evasion and deception that goes back 12 years, a policy set at the highest levels of the Iraqi regime.

We know that Saddam Hussein has what is called “a higher committee for monitoring the inspections teams.” Think about that. Iraq has a high-level committee to monitor the inspectors who were sent in to monitor Iraq’s disarmament—not to cooperate with them, not to assist them, but to spy on them and keep them from doing their jobs.

The committee reports directly to Saddam Hussein. It is headed by Iraq’s vice president, Taha Yasin Ramadan. Its members include Saddam Hussein’s son Qusay.

This committee also includes Lieutenant General Amir al-Sa’di, an adviser to Saddam. In case that name isn’t immediately familiar to you, General Sa’di has been the Iraqi regime’s primary point of contact for Dr. Blix and Dr. ElBaradei. It was General Sa’di who last fall publicly pledged that Iraq was prepared to cooperate unconditionally with inspectors. Quite the contrary, Sa’di’s job is not to cooperate, it is to deceive; not to disarm, but to undermine the inspectors; not to support them, but to frustrate them and to make sure they learn nothing.

We have learned a lot about the work of this special committee. We learned that just prior to the return of inspectors last November, the regime had decided to resume what we heard called, “the old game of cat-and-mouse.”

For example, let me focus on the now famous declaration that Iraq submitted to this council on December 7. Iraq never had any intention of complying with this council’s mandate. Instead, Iraq planned to use the declaration, overwhelm us and to overwhelm the inspectors with useless information about Iraq’s permitted weapons so that we would not have time to pursue Iraq’s prohibited weapons. Iraq’s goal was to give us, in this room, to give those of us on this council, the false impression that the inspection process was working.

You saw the result. Dr. Blix pronounced the 12,200-page declaration, “rich in volume” but “poor in information and practically devoid of new evidence.” Could any member of this council honestly rise in defense of this false declaration?

Everything we have seen and heard indicates that instead of cooperating actively with the inspectors to ensure the success of their mission, Saddam Hussein and his regime are busy doing all they possibly can to ensure that inspectors succeed in finding absolutely nothing.

My colleagues, every statement I make today is backed up by sources, solid sources. These are not assertions. What we are giving you are facts and conclusions based on solid intelligence. I will cite some examples, and these are from human sources.

Orders were issued to Iraq’s security organizations, as well as to Saddam Hussein’s own office, to hide all correspondence with the Organization of Military Industrialization.

This is the organization that oversees Iraq’s weapons of mass destruction activities. Make sure there are no documents left which could connect you to the OMI.

We know that Saddam’s son, Qusay, ordered the removal of all prohibited weapons from Saddam’s numerous palace complexes. We know that Iraqi government officials, members of the ruling Ba’ath Party and scientists have hidden prohibited items in their homes. Other key files from military and scientific establishments have been placed in cars that are being driven around the countryside by Iraqi intelligence agents to avoid detection.

Thanks to intelligence they were provided, the inspectors recently found dramatic confirmation of these reports. When they searched the home of an Iraqi nuclear scientist, they uncovered roughly 2,000 pages of documents. You see them here being brought out of the home and placed in U.N. hands. Some of the material is classified and related to Iraq's nuclear program.

Tell me, answer me: Are the inspectors to search the house of every government official, every Ba'ath Party member and every scientist in the country to find the truth, to get the information they need to satisfy the demands of our council?

Our sources tell us that, in some cases, the hard drives of computers at Iraqi weapons facilities were replaced. Who took the hard drives? Where did they go? What is being hidden? Why?

There's only one answer to the why: to deceive, to hide, to keep from the inspectors.

Numerous human sources tell us that the Iraqis are moving, not just documents and hard drives, but weapons of mass destruction to keep them from being found by inspectors. While we were here in this council chamber debating Resolution 1441 last fall, we know, we know from sources that a missile brigade outside Baghdad was dispersing rocket launchers and warheads containing biological warfare agent to various locations, distributing them to various locations in western Iraq.

Most of the launchers and warheads have been hidden in large groves of palm trees and were to be moved every one to four weeks to escape detection.

We also have satellite photos that indicate that banned materials have recently been moved from a number of Iraqi weapons of mass destruction facilities.

Let me say a word about satellite images before I show a couple. The photos that I am about to show you are sometimes hard for the average person to interpret, hard for me. The painstaking work of photo analysis takes experts with years and years of experience, poring for hours and hours over light tables. But as I show you these images, I will try to capture and explain what they mean, what they indicate, to our imagery specialists.

Let's look at one. This one is about a weapons munition facility, a facility that holds ammunition at a place called Taji. This is one of about 65 such facilities in Iraq. We know that this one has housed chemical munitions. In fact, this is where the Iraqis recently came up with the additional four chemical weapon shells.

Here you see 15 munitions bunkers in yellow and red outlines. The four that are in red squares represent active chemical munitions bunkers.

How do I know that? How can I say that? Let me give you a closer look. Look at the image on the left. On the left is a close-up of one of the four chemical bunkers. The two arrows indicate the presence of sure signs that the bunkers are storing chemical munitions. The arrow at the top that says "security" points to a facility that is the signature item for this kind of bunker. Inside that facility are special guards and special equipment to monitor any leakage that might come out of the bunker. The truck you also see is a signature item. It's a decontamination vehicle in case something goes wrong. This is characteristic of those four bunkers. The special security facility and the decontamination vehicle will be in the area, if not at any one of them or one of the other, it is moving around those four, and it moves as it needed to move, as people are working in the different bunkers.

Now look at the picture on the right. You are now looking at two of those sanitized bunkers. The signature vehicles are gone, the tents are gone, it's been cleaned up, and it was done on the 22nd of December, as the U.N. inspection team is arriving, and you can see the inspection vehicles arriving in the lower portion of the picture on the right.

The bunkers are clean when the inspectors get there. They found nothing.

This sequence of events raises the worrisome suspicion that Iraq had been tipped off to the forthcoming inspections at Taji. As it did throughout the 1990s, we know that Iraq today is actively using its considerable intelligence capabilities to hide its illicit activities. From our sources, we know that inspectors are under constant surveillance by an army of Iraqi intelligence operatives. Iraq is relentlessly attempting to tap all of their communications, both voice and electronics. I would call my colleagues attention to the fine paper that United Kingdom distributed yesterday, which describes in exquisite detail Iraqi deception activities.

In this next example, you will see the type of concealment activity Iraq has undertaken in response to the resumption of inspections. Indeed, in November 2002, just when the inspections were about to resume, this type of activity spiked. Here are three examples.

At this ballistic missile site, on November 10, we saw a cargo truck preparing to move ballistic missile components. At this biological weapons–related facility, on November 25, just two days before inspections resumed, this truck caravan appeared—something we almost never see at this facility, and we monitor it carefully and regularly.

At this ballistic missile facility, again, two days before inspections began, five large cargo trucks appeared, along with a truck-mounted crane, to move missiles. We saw this kind of house cleaning at close to 30 sites.

Days after this activity, the vehicles and the equipment that I've just highlighted disappear and the site returns to patterns of normalcy. We don't know precisely what Iraq was moving, but the inspectors already knew about these sites, so Iraq knew that they would be coming.

We must ask ourselves: Why would Iraq suddenly move equipment of this nature before inspections if they were anxious to demonstrate what they had or did not have?

Remember the first intercept in which two Iraqis talked about the need to hide a modified vehicle from the inspectors. Where did Iraq take all of this equipment? Why wasn't it presented to the inspectors?

Iraq also has refused to permit any U-2 reconnaissance flights that would give the inspectors a better sense of what's being moved before, during and after inspections. This refusal to allow this kind of reconnaissance is in direct, specific violation of operative paragraph seven of our Resolution 1441.

Saddam Hussein and his regime are not just trying to conceal weapons; they're also trying to hide people. You know the basic facts. Iraq has not complied with its obligation to allow immediate, unimpeded, unrestricted and private access to all officials and other persons as required by Resolution 1441. The regime only allows interviews with inspectors in the presence of an Iraqi official, a minder. The official Iraqi organization charged with facilitating inspections announced publicly and announced ominously that, "Nobody is ready" to leave Iraq to be interviewed.

Iraqi Vice President Ramadan accused the inspectors of conducting espionage, a veiled threat that anyone cooperating with U.N. inspectors was committing treason.

Iraq did not meet its obligations under 1441 to provide a comprehensive list of scientists associated with its weapons of mass destruction programs. Iraq's list was out of date and contained only about 500 names, despite the fact that UNSCOM [United Nations Special Commission] had earlier put together a list of about 3,500 names.

Let me just tell you what a number of human sources have told us. Saddam Hussein has directly participated in the effort to prevent interviews. In early December, Saddam Hussein had all Iraqi scientists warned of the serious consequences that they and their families would face if they revealed any sensitive information to the inspectors. They were forced to sign documents acknowledging that divulging information is punishable by death.

Saddam Hussein also said that scientists should be told not to agree to leave Iraq; anyone who agreed to be interviewed outside Iraq would be treated as a spy. This violates 1441.

In mid-November, just before the inspectors returned, Iraqi experts were ordered to report to the headquarters of the Special Security Organization to receive counterintelligence training. The training focused on evasion methods, interrogation resistance techniques, and how to mislead inspectors.

Ladies and gentlemen, these are not assertions. These are facts, corroborated by many sources, some of them sources of the intelligence services of other countries.

For example, in mid-December weapons experts at one facility were replaced by Iraqi intelligence agents who were to deceive inspectors about the work that was being done there. On orders from Saddam Hussein, Iraqi officials issued a false death certificate for one scientist, and he was sent into hiding.

In the middle of January, experts at one facility that was related to weapons of mass destruction, those experts had been ordered to stay home from work to avoid the inspectors. Workers from other Iraqi military facilities not engaged in illicit

weapons projects were to replace the workers who'd been sent home. A dozen experts have been placed under house arrest—not in their own houses, but as a group at one of Saddam Hussein's guest houses. It goes on and on and on.

As the examples I have just presented show, the information and intelligence we have gathered point to an active and systematic effort on the part of the Iraqi regime to keep key materials and people from the inspectors in direct violation of Resolution 1441. The pattern is not just one of reluctant cooperation, nor is it merely a lack of cooperation. What we see is a deliberate campaign to prevent any meaningful inspection work.

My colleagues, operative paragraph four of U.N. Resolution 1441, which we lingered over so long last fall, clearly states that false statements and omissions in the declaration and a failure by Iraq at any time to comply with and cooperate fully in the implementation of this resolution shall constitute—the facts speak for themselves—shall constitute a further material breach of its obligation.

We wrote it this way to give Iraq an early test—to give Iraq an early test. Would they give an honest declaration and would they, early on, indicate a willingness to cooperate with the inspectors? It was designed to be an early test.

They failed that test. By this standard, the standard of this operative paragraph, I believe that Iraq is now in further material breach of its obligations. I believe this conclusion is irrefutable and undeniable.

Iraq has now placed itself in danger of the serious consequences called for in U.N. Resolution 1441. And this body places itself in danger of irrelevance if it allows Iraq to continue to defy its will without responding effectively and immediately.

The issue before us is not how much time we are willing to give the inspectors to be frustrated by Iraqi obstruction. But how much longer are we willing to put up with Iraq's noncompliance before we, as a council, we, as the United Nations, say: "Enough. Enough."

The gravity of this moment is matched by the gravity of the threat that Iraq's weapons of mass destruction pose to the world. Let me now turn to those deadly weapons programs and describe why they are real and present dangers to the region and to the world.

First, biological weapons. We have talked frequently here about biological weapons. By way of introduction and history, I think there are just three quick points I need to make.

First, you will recall that it took UNSCOM four long and frustrating years to pry—to pry—an admission out of Iraq that it had biological weapons.

Second, when Iraq finally admitted having these weapons in 1995, the quantities were vast. Less than a teaspoon of dry anthrax, a little bit about this amount—this is just about the amount of a teaspoon—less than a teaspoonful of dry anthrax in an envelope shutdown the United States Senate in the fall of 2001. This forced several hundred people to undergo emergency medical treatment and killed two postal workers just from an amount just about this quantity that was inside of an envelope.

Iraq declared 8,500 liters of anthrax, but UNSCOM estimates that Saddam Hussein could have produced 25,000 liters. If concentrated into this dry form, this amount would be enough to fill tens upon tens upon tens of thousands of teaspoons. And Saddam Hussein has not verifiably accounted for even one teaspoonful of this deadly material.

And that is my third point. And it is key. The Iraqis have never accounted for all of the biological weapons they admitted they had and we know they had. They have never accounted for all the organic material used to make them. And they have not accounted for many of the weapons filled with these agents such as their R-400 bombs. This is evidence, not conjecture. This is true. This is all well documented.

Dr. Blix told this council that Iraq has provided little evidence to verify anthrax production and no convincing evidence of its destruction. It should come as no shock then that since Saddam Hussein forced out the last inspectors in 1998, we have amassed much intelligence indicating that Iraq is continuing to make these weapons.

One of the most worrisome things that emerges from the thick intelligence file we have on Iraq's biological weapons is the existence of mobile production facilities used to make biological agents.

Let me take you inside that intelligence file and share with you what we know from eyewitness accounts. We have first-hand descriptions of biological weapons factories on wheels and on rails.

The trucks and train cars are easily moved and are designed to evade detection by inspectors. In a matter of months, they can produce a quantity of biological poison equal to the entire amount that Iraq claimed to have produced in the years prior to the Gulf War.

Although Iraq's mobile production program began in the mid-1990s, U.N. inspectors at the time only had vague hints of such programs. Confirmation came later, in the year 2000.

The source was an eyewitness, an Iraqi chemical engineer who supervised one of these facilities. He actually was present during biological agent production runs. He was also at the site when an accident occurred in 1998. Twelve technicians died from exposure to biological agents.

He reported that when UNSCOM was in country and inspecting, the biological weapons agent production always began on Thursdays at midnight because Iraq thought UNSCOM would not inspect on the Muslim holy day, Thursday night through Friday. He added that this was important because the units could not be broken down in the middle of a production run, which had to be completed by Friday evening before the inspectors might arrive again.

This defector is currently hiding in another country with the certain knowledge that Saddam Hussein will kill him if he finds him. His eyewitness account of these mobile production facilities has been corroborated by other sources.

A second source, an Iraqi civil engineer in a position to know the details of the program, confirmed the existence of transportable facilities moving on trailers.

A third source, also in a position to know, reported in summer 2002 that Iraq had manufactured mobile production systems mounted on road trailer units and on rail cars.

Finally, a fourth source, an Iraqi major who defected confirmed that Iraq has mobile biological research laboratories, in addition to the production facilities I mentioned earlier.

We have diagrammed what our sources reported about these mobile facilities. Here you see both truck- and rail-car-mounted mobile factories. The description our sources gave us of the technical features required by such facilities [is] highly detailed and extremely accurate. As these drawings based on their description show, we know what the fermenters look like, we know what the tanks, pumps, compressors and other parts look like. We know how they fit together. We know how they work. And we know a great deal about the platforms on which they are mounted.

As shown in this diagram, these factories can be concealed easily—either by moving ordinary-looking trucks and rail-cars along Iraq's thousands of miles of highway or track, or by parking them in a garage or warehouse or somewhere in Iraq's extensive system of underground tunnels and bunkers.

We know that Iraq has at least seven of these mobile biological agent factories. The truck-mounted ones have at least two or three trucks each. That means that the mobile production facilities are very few, perhaps 18 trucks that we know of—there may be more—but perhaps 18 that we know of. Just imagine trying to find 18 trucks among the thousands and thousands of trucks that travel the roads of Iraq every single day.

It took the inspectors four years to find out that Iraq was making biological agents. How long do you think it will take the inspectors to find even one of these 18 trucks without Iraq coming forward, as they are supposed to, with the information about these kinds of capabilities?

Ladies and gentlemen, these are sophisticated facilities. For example, they can produce anthrax and botulinum toxin. In fact, they can produce enough dry biological agent in a single month to kill thousands upon thousands of people. And dry agent of this type is the most lethal form for human beings.

By 1998, U.N. experts agreed that the Iraqis had perfected drying techniques for their biological weapons programs. Now Iraq has incorporated this drying expertise into these mobile production facilities.

We know from Iraq's past admissions that it has successfully weaponized not only anthrax, but also other biological agents including botulinum toxin, aflatoxin and ricin.

But Iraq's research efforts did not stop there. Saddam Hussein has investigated dozens of biological agents causing diseases such as gas gangrene, plague, typhus, tetanus, cholera, camelpox, and hemorrhagic fever, and he also has the wherewithal to develop smallpox.

The Iraqi regime has also developed ways to disburse lethal biological agents, widely and discriminately into the water supply, into the air. For example, Iraq had a program to modify aerial fuel tanks for Mirage jets. This video of an Iraqi test flight obtained by UNSCOM some years ago shows an Iraqi F-1 Mirage jet aircraft. Note the spray coming from beneath the Mirage; that is 2,000 liters of simulated anthrax that a jet is spraying.

In 1995, an Iraqi military officer, Mujahid Saleh Abdul Latif, told inspectors that Iraq intended the spray tanks to be mounted onto a MiG-21 that had been converted into an unmanned aerial vehicle, or a UAV. UAVs outfitted with spray tanks constitute an ideal method for launching a terrorist attack using biological weapons.

Iraq admitted to producing four spray tanks. But to this day, it has provided no credible evidence that they were destroyed, evidence that was required by the international community.

There can be no doubt that Saddam Hussein has biological weapons and the capability to rapidly produce more, many more. And he has the ability to dispense these lethal poisons and diseases in ways that can cause massive death and destruction. If biological weapons seem too terrible to contemplate, chemical weapons are equally chilling.

UNMOVIC already laid out much of this, and it is documented for all of us to read in UNSCOM's 1999 report on the subject. Let me set the stage with three key points that all of us need to keep in mind: First, Saddam Hussein has used these horrific weapons on another country and on his own people. In fact, in the history of chemical warfare, no country has had more battlefield experience with chemical weapons since World War I than Saddam Hussein's Iraq.

Second, as with biological weapons, Saddam Hussein has never accounted for vast amounts of chemical weaponry: 550 artillery shells with mustard, 30,000 empty munitions and enough precursors to increase his stockpile to as much as 500 tons of chemical agents. If we consider just one category of missing weaponry—6,500 bombs from the Iran–Iraq war—UNMOVIC says the amount of chemical agent in them would be in the order of 1,000 tons. These quantities of chemical weapons are now unaccounted for.

Dr. Blix has quipped that “Mustard gas is not marmalade. You are supposed to know what you did with it.” We believe Saddam Hussein knows what he did with it, and he has not come clean with the international community. We have evidence these weapons existed. What we don't have is evidence from Iraq that they have been destroyed or where they are. That is what we are still waiting for.

Third point, Iraq's record on chemical weapons is replete with lies. It took years for Iraq to finally admit that it had produced four tons of the deadly nerve agent, VX. A single drop of VX on the skin will kill in minutes. Four tons. The admission only came out after inspectors collected documentation as a result of the defection of Hussein Kamel, Saddam Hussein's late son-in-law. UNSCOM also gained forensic evidence that Iraq had produced VX and put it into weapons for delivery. Yet, to this day, Iraq denies it had ever weaponized VX. And on January 27, UNMOVIC told this council that it has information that conflicts with the Iraqi account of its VX program.

We know that Iraq has embedded key portions of its illicit chemical weapons infrastructure within its legitimate civilian industry. To all outward appearances, even to experts, the infrastructure looks like an ordinary civilian operation. Illicit and legitimate production can go on simultaneously; or, on a dime, this dual-use infrastructure can turn from clandestine to commercial and then back again.

These inspections would be unlikely, any inspections of such facilities would be unlikely to turn up anything prohibited, especially if there is any warning that the inspections are coming. Call it ingenious or evil genius, but the Iraqis deliberately designed their chemical weapons programs to be inspected. It is infrastructure with a built-in alibi.

Under the guise of dual-use infrastructure, Iraq has undertaken an effort to reconstitute facilities that were closely associated with its past program to develop and produce chemical weapons. For example, Iraq has rebuilt key portions of the Tareq State Establishment. Tareq includes facilities designed specifically for Iraq's chemical weapons program and employs key figures from past programs.

That's the production end of Saddam's chemical weapons business. What about the delivery end? I'm going to show you a small part of a chemical complex called Al Musayyib, a site that Iraq has used for at least three years to transship chemical weapons from production facilities out to the field.

In May 2002, our satellites photographed the unusual activity in this picture. Here we see cargo vehicles are again at this transshipment point, and we can see that they are accompanied by a decontamination vehicle associated with biological or chemical weapons activity. What makes this picture significant is that we have a human source who has corroborated that movement of chemical weapons occurred at this site at that time. So it's not just the photo, and it's not an individual seeing the photo. It's the photo and then the knowledge of an individual being brought together to make the case.

This photograph of the site taken two months later in July shows not only the previous site, which is the figure in the middle at the top with the bulldozer sign near it, it shows that this previous site, as well as all of the other sites around the site, have been fully bulldozed and graded. The topsoil has been removed. The Iraqis literally removed the crust of the earth from large portions of this site in order to conceal chemical weapons evidence that would be there from years of chemical weapons activity.

To support its deadly biological and chemical weapons programs, Iraq procures needed items from around the world using an extensive clandestine network. What we know comes largely from intercepted communications and human sources who are in a position to know the facts.

Iraq's procurement efforts include: equipment that can filter and separate microorganisms and toxins involved in biological weapons; equipment that can be used to concentrate the agent; growth media that can be used to continue producing anthrax and botulinum toxin; sterilization equipment for laboratories, glass-lined reactors and specialty pumps that can handle corrosive chemical weapons agents and precursors; large amounts of thionyl chloride, a precursor for nerve and blister agents; and other chemicals such as sodium sulfide, an important mustard agent precursor.

Now, of course, Iraq will argue that these items can also be used for legitimate purposes. But if that is true, why do we have to learn about them by intercepting communications and risking the lives of human agents?

With Iraq's well documented history on biological and chemical weapons, why should any of us give Iraq the benefit of the doubt? I don't, and I don't think you will either after you hear this next intercept.

Just a few weeks ago, we intercepted communications between two commanders in Iraq's Second Republican Guard Corps. One commander is going to be giving an instruction to the other. You will hear as this unfolds that what he wants to communicate to the other guy, he wants to make sure the other guy hears clearly, to the point of repeating it so that it gets written down and completely understood. Listen.

(POWELL PLAYS AUDIO TAPE)

POWELL: Let's review a few selected items of this conversation. Two officers talking to each other on the radio want to make sure that nothing is misunderstood:

"Remove."

"Remove."

"The expression."

"The expression, I got it."

"Nerve agents."

"Nerve agents."

"Wherever it comes up."

"Got it. Wherever it comes up."

"In the wireless instructions."

"In the instructions."

"Correction. No. In the wireless instructions."

“Wireless. I got it.”

Why does he repeat it that way? Why is he so forceful in making sure this is understood? And why did he focus on wireless instructions? Because the senior officer is concerned that somebody might be listening. Well, somebody was.

“Nerve agents.” “Stop talking about it.” “They are listening to us.” “Don’t give any evidence that we have these horrible agents.” But we know that they do, and this kind of conversation confirms it.

Our conservative estimate is that Iraq today has a stockpile of between 100 and 500 tons of chemical weapons agent. That is enough agent to fill 16,000 battlefield rockets. Even the low end of 100 tons of agent would enable Saddam Hussein to cause mass casualties across more than 100 square miles of territory, an area nearly five times the size of Manhattan.

Let me remind you that—of the 122 millimeter chemical warheads that the U.N. inspectors found recently. This discovery could very well be, as has been noted, the tip of a submerged iceberg.

The question before us all, my friends, is when will we see the rest of the submerged iceberg?

Saddam Hussein has chemical weapons. Saddam Hussein has used such weapons. And Saddam Hussein has no compunction about using them again, against his neighbors and against his own people.

And we have sources who tell us that he recently has authorized his field commanders to use them. He wouldn’t be passing out the orders if he didn’t have the weapons or the intent to use them.

We also have sources who tell us that since the 1980s, Saddam’s regime has been experimenting on human beings to perfect its biological or chemical weapons.

A source said that 1,600 death-row prisoners were transferred in 1995 to a special unit for such experiments. An eye witness saw prisoners tied down to beds, experiments conducted on them, blood oozing around the victim’s mouths and autopsies performed to confirm the effects on the prisoners.

Saddam Hussein’s humanity—inhumanity has no limits.

Let me turn now to nuclear weapons. We have no indication that Saddam Hussein has ever abandoned his nuclear weapons program. On the contrary, we have more than a decade of proof that he remains determined to acquire nuclear weapons.

To fully appreciate the challenge that we face today, remember that in 1991 the inspectors searched Iraq’s primary nuclear weapons facilities for the first time, and they found nothing to conclude that Iraq had a nuclear weapons program. But, based on defector information in May of 1991, Saddam Hussein’s lie was exposed. In truth, Saddam Hussein had a massive clandestine nuclear weapons program that covered several different techniques to enrich uranium, including electromagnetic isotope separation, gas centrifuge, and gas diffusion. We estimate that this illicit program cost the Iraqis several billion dollars.

Nonetheless, Iraq continued to tell the IAEA that it had no nuclear weapons program. If Saddam had not been stopped, Iraq could have produced a nuclear bomb by 1993, years earlier than most worst-case assessments that had been made before the war.

In 1995, as a result of another defector, we find out that, after his invasion of Kuwait, Saddam Hussein had initiated a crash program to build a crude nuclear weapon in violation of Iraq’s U.N. obligations. Saddam Hussein already possesses two out of the three key components needed to build a nuclear bomb. He has a cadre of nuclear scientists with the expertise, and he has a bomb design.

Since 1998, his efforts to reconstitute his nuclear program have been focused on acquiring the third and last component: sufficient fissile material to produce a nuclear explosion. To make the fissile material, he needs to develop an ability to enrich uranium.

Saddam Hussein is determined to get his hands on a nuclear bomb. He is so determined that he has made repeated covert attempts to acquire high-specification aluminum tubes from 11 different countries, even after inspections resumed.

These tubes are controlled by the Nuclear Suppliers Group precisely because they can be used as centrifuges for enriching uranium. By now, just about everyone has heard of these tubes, and we all know that there are differences of opinion.

There is controversy about what these tubes are for. Most U.S. experts think they are intended to serve as rotors in centrifuges used to enrich uranium. Other experts, and the Iraqis themselves, argue that they are really to produce the rocket bodies for a conventional weapon, a multiple rocket launcher.

Let me tell you what is not controversial about these tubes. First, all the experts who have analyzed the tubes in our possession agree that they can be adapted for centrifuge use. Second, Iraq had no business buying them for any purpose. They are banned for Iraq.

I am no expert on centrifuge tubes, but just as an old Army trooper, I can tell you a couple of things: First, it strikes me as quite odd that these tubes are manufactured to a tolerance that far exceeds U.S. requirements for comparable rockets. Maybe Iraqis just manufacture their conventional weapons to a higher standard than we do, but I don't think so.

Second, we actually have examined tubes from several different batches that were seized clandestinely before they reached Baghdad. What we notice in these different batches is a progression to higher and higher levels of specification, including, in the latest batch, an anodized coating on extremely smooth inner and outer surfaces. Why would they continue refining the specifications, go to all that trouble for something that, if it was a rocket, would soon be blown into shrapnel when it went off?

The high-tolerance aluminum tubes are only part of the story. We also have intelligence from multiple sources that Iraq is attempting to acquire magnets and high-speed balancing machines. Both items can be used in a gas centrifuge program to enrich uranium.

In 1999 and 2000, Iraqi officials negotiated with firms in Romania, India, Russia and Slovenia for the purchase of a magnet production plant. Iraq wanted the plant to produce magnets weighing 20 to 30 grams. That's the same weight as the magnets used in Iraq's gas centrifuge program before the Gulf War.

This incident linked with the tubes is another indicator of Iraq's attempt to reconstitute its nuclear weapons program.

Intercepted communications from mid-2000 through last summer show that Iraq front companies sought to buy machines that can be used to balance gas centrifuge rotors. One of these companies also had been involved in a failed effort in 2001 to smuggle aluminum tubes into Iraq.

People will continue to debate this issue, but there is no doubt in my mind. These illicit procurement efforts show that Saddam Hussein is very much focused on putting in place the key missing piece from his nuclear weapons program, the ability to produce fissile material.

He also has been busy trying to maintain the other key parts of his nuclear program, particularly his cadre of key nuclear scientists. It is noteworthy that over the last 18 months Saddam Hussein has paid increasing personal attention to Iraq's top nuclear scientists, a group that the government-controlled press calls openly, his "nuclear mujaheddin." He regularly exhorts them and praises their progress. Progress toward what end?

Long ago, the Security Council, this council, required Iraq to halt all nuclear activities of any kind.

Let me talk now about the systems Iraq is developing to deliver weapons of mass destruction, in particular Iraq's ballistic missiles and unmanned aerial vehicles, UAVs.

First, missiles. We all remember that before the Gulf War Saddam Hussein's goal was missiles that flew not just hundreds, but thousands of kilometers. He wanted to strike not only his neighbors, but also nations far beyond his borders.

While inspectors destroyed most of the prohibited ballistic missiles, numerous intelligence reports over the past decade from sources inside Iraq indicate that Saddam Hussein retains a covert force of up to a few dozen Scud variant ballistic missiles. These are missiles with a range of 650 to 900 kilometers.

We know from intelligence and Iraq's own admissions that Iraq's alleged permitted ballistic missiles, the al-Samoud II and the al-Fatah, violate the 150-kilometer limit established by this council in Resolution 687. These are prohibited systems.

UNMOVIC has also reported that Iraq has illegally imported 380 SA-2 rocket engines. These are likely for use in the al-Samoud II. Their import was illegal on three counts: Resolution 687 prohibited all military shipments into Iraq; UNSCOM specifically prohibited use of these engines in surface-to-surface missiles; and, finally, as we have just noted,

they are for a system that exceeds the 150-kilometer range limit. Worst of all, some of these engines were acquired as late as December, after this council passed Resolution 1441.

What I want you to know today is that Iraq has programs that are intended to produce ballistic missiles that fly 1,000 kilometers. One program is pursuing a liquid fuel missile that would be able to fly more than 1,200 kilometers. And you can see from this map, as well as I can, who will be in danger of these missiles.

As part of this effort, another little piece of evidence, Iraq has built an engine test stand that is larger than anything it has ever had. Notice the dramatic difference in size between the test stand on the left, the old one, and the new one on the right. Note the large exhaust vent. This is where the flame from the engine comes out. The exhaust vent on the right test stand is five times longer than the one on the left. The one on the left was used for short-range missiles. The one on the right is clearly intended for long-range missiles that can fly 1,200 kilometers.

This photograph was taken in April of 2002. Since then, the test stand has been finished and a roof has been put over it so it will be harder for satellites to see what's going on underneath the test stand.

Saddam Hussein's intentions have never changed. He is not developing the missiles for self-defense. These are missiles that Iraq wants in order to project power, to threaten, and to deliver chemical, biological—and, if we let him—nuclear warheads.

Now, unmanned aerial vehicles, UAVs. Iraq has been working on a variety of UAVs for more than a decade. This is just illustrative of what a UAV would look like. This effort has included attempts to modify for unmanned flight the MiG-21 and, with greater success, an aircraft called the L-29. However, Iraq is now concentrating not on these airplanes, but on developing and testing smaller UAVs, such as this.

UAVs are well suited for dispensing chemical and biological weapons. There is ample evidence that Iraq has dedicated much effort to developing and testing spray devices that could be adapted for UAVs.

And of the little that Saddam Hussein told us about UAVs, he has not told the truth. One of these lies is graphically and indisputably demonstrated by intelligence we collected on June 27 last year.

According to Iraq's December 7 declaration, its UAVs have a range of only 80 kilometers. But we detected one of Iraq's newest UAVs in a test flight that went 500 kilometers nonstop on autopilot in the race track pattern depicted here.

Not only is this test well in excess of the 150 kilometers that the United Nations permits, the test was left out of Iraq's December 7th declaration. The UAV was flown around and around and around in a circle. And so, that its 80-kilometer limit really was 500 kilometers, unrefueled and on autopilot—violative of all of its obligations under 1441.

The linkages over the past ten years between Iraq's UAV program and biological and chemical warfare agents are of deep concern to us. Iraq could use these small UAVs which have a wingspan of only a few meters to deliver biological agents to its neighbors or, if transported, to other countries, including the United States.

My friends, the information I have presented to you about these terrible weapons and about Iraq's continued flaunting of its obligations under Security Council Resolution 1441 links to a subject I now want to spend a little bit of time on, and that has to do with terrorism.

Our concern is not just about these illicit weapons. It's the way that these illicit weapons can be connected to terrorists and terrorist organizations that have no compunction about using such devices against innocent people around the world.

Iraq and terrorism go back decades. Baghdad trains Palestine Liberation Front members in small arms and explosives. Saddam uses the Arab Liberation Front to funnel money to the families of Palestinian suicide bombers in order to prolong the Intifada. And it's no secret that Saddam's own intelligence service was involved in dozens of attacks or attempted assassinations in the 1990s.

But what I want to bring to your attention today is the potentially much more sinister nexus between Iraq and the Al Qaida terrorist network, a nexus that combines classic terrorist organizations and modern methods of murder. Iraq today harbors a deadly terrorist network headed by Abu Musab Al-Zarqawi, an associate and collaborator of Osama bin Laden and his Al Qaida lieutenants.

Zarqawi, a Palestinian born in Jordan, fought in the Afghan war more than a decade ago. Returning to Afghanistan in 2000, he oversaw a terrorist training camp. One of his specialities, and one of the specialties of this camp is poisons.

When our coalition ousted the Taliban, the Zarqawi network helped establish another poison and explosive training center camp. And this camp is located in northeastern Iraq. You see a picture of this camp.

The network is teaching its operatives how to produce ricin and other poisons. Let me remind you how ricin works. Less than a pinch—imagine a pinch of salt—less than a pinch of ricin, eating just this amount in your food, would cause shock, followed by circulatory failure. Death comes within 72 hours and there is no antidote, there is no cure. It is fatal.

Those helping to run this camp are Zarqawi lieutenants operating in northern Kurdish areas outside Saddam Hussein's controlled Iraq. But Baghdad has an agent in the most senior levels of the radical organization, Ansar al-Islam, that controls this corner of Iraq. In 2000 this agent offered Al Qaida safe haven in the region. After we swept Al Qaida from Afghanistan, some of its members accepted this safe haven. They remain there today.

Zarqawi's activities are not confined to this small corner of northeast Iraq. He traveled to Baghdad in May 2002 for medical treatment, staying in the capital of Iraq for two months while he recuperated to fight another day.

During this stay, nearly two dozen extremists converged on Baghdad and established a base of operations there. These Al Qaida affiliates based in Baghdad now coordinate the movement of people, money and supplies into and throughout Iraq for his network, and they've now been operating freely in the capital for more than eight months.

Iraqi officials deny accusations of ties with Al Qaida. These denials are simply not credible. Last year an Al Qaida associate bragged that the situation in Iraq was "good," that Baghdad could be transited quickly.

We know these affiliates are connected to Zarqawi because they remain, even today, in regular contact with his direct subordinates, including the poison cell plotters, and they are involved in moving more than money and materiel. Last year, two suspected Al Qaida operatives were arrested crossing from Iraq into Saudi Arabia. They were linked to associates of the Baghdad cell, and one of them received training in Afghanistan on how to use cyanide.

From his terrorist network in Iraq, Zarqawi can direct his network in the Middle East and beyond. We, in the United States, all of us at the State Department and the Agency for International Development, we all lost a dear friend with the cold-blooded murder of Laurence Foley in Amman, Jordan, last October. A despicable act was committed that day, the assassination of an individual whose sole mission was to assist the people of Jordan. The captured assassin says his cell received money and weapons from Zarqawi for that murder. After the attack, an associate of the assassin left Jordan to go to Iraq to obtain weapons and explosives for further operations. Iraqi officials protest that they are not aware of the whereabouts of Zarqawi or of any of his associates. Again, these protests are not credible. We know of Zarqawi's activities in Baghdad. I described them earlier.

And now let me add one other fact. We asked a friendly security service to approach Baghdad about extraditing Zarqawi and providing information about him and his close associates. This service contacted Iraqi officials twice, and we passed details that should have made it easy to find Zarqawi. The network remains in Baghdad. Zarqawi still remains at large, to come and go.

As my colleagues around this table and as the citizens they represent in Europe know, Zarqawi's terrorism is not confined to the Middle East. Zarqawi and his network have plotted terrorist actions against countries, including France, Britain, Spain, Italy, Germany and Russia.

According to detainees, Abu Atiya, who graduated from Zarqawi's terrorist camp in Afghanistan, tasked at least nine North African extremists from 2001 to travel to Europe to conduct poison and explosive attacks.

Since last year, members of this network have been apprehended in France, Britain, Spain and Italy. By our last count, 116 operatives connected to this global web have been arrested. The chart you are seeing shows the network in Europe.

We know about this European network, and we know about its links to Zarqawi, because the detainees who provided the information about the targets also provided the names of members of the network.

Three of those he identified by name were arrested in France last December. In the apartments of the terrorists, authorities found circuits for explosive devices and a list of ingredients to make toxins.

The detainee who helped piece this together says the plot also targeted Britain. Later evidence again proved him right. When the British unearthed a cell there just last month, one British police officer was murdered during the destruction of the cell.

We also know that Zarqawi's colleagues have been active in the Pankisi Gorge, Georgia and in Chechnya, Russia. The plotting to which they are linked is not mere chatter. Members of Zarqawi's network say their goal was to kill Russians with toxins.

We are not surprised that Iraq is harboring Zarqawi and his subordinates. This understanding builds on decades-long experience with respect to ties between Iraq and Al Qaida. Going back to the early and mid-1990s, when bin Laden was based in Sudan, an Al Qaida source tells us that Saddam and bin Laden reached an understanding that Al Qaida would no longer support activities against Baghdad. Early Al Qaida ties were forged by secret, high-level intelligence service contacts with Al Qaida, secret Iraqi intelligence high-level contacts with Al Qaida.

We know members of both organizations met repeatedly and have met at least eight times at very senior levels since the early 1990s. In 1996, a foreign security service tells us that bin Laden met with a senior Iraqi intelligence official in Khartoum and later met the director of the Iraqi intelligence service.

Saddam became more interested as he saw Al Qaida's appalling attacks. A detained Al Qaida member tells us that Saddam was more willing to assist Al Qaida after the 1998 bombings of our embassies in Kenya and Tanzania. Saddam was also impressed by Al Qaida's attacks on the *USS Cole* in Yemen in October 2000.

Iraqis continued to visit bin Laden in his new home in Afghanistan. A senior defector, one of Saddam's former intelligence chiefs in Europe, says Saddam sent his agents to Afghanistan sometime in the mid-1990s to provide training to Al Qaida members on document forgery.

From the late 1990s until 2001, the Iraqi embassy in Pakistan played the role of liaison to the Al Qaida organization.

Some believe, some claim, these contacts do not amount to much. They say Saddam Hussein's secular tyranny and Al Qaida's religious tyranny do not mix. I am not comforted by this thought. Ambition and hatred are enough to bring Iraq and Al Qaida together, enough so Al Qaida could learn how to build more sophisticated bombs and learn how to forge documents, and enough so that Al Qaida could turn to Iraq for help in acquiring expertise on weapons of mass destruction.

And the record of Saddam Hussein's cooperation with other Islamist terrorist organizations is clear. Hamas, for example, opened an office in Baghdad in 1999, and Iraq has hosted conferences attended by Palestine Islamic Jihad. These groups are at the forefront of sponsoring suicide attacks against Israel.

Al Qaida continues to have a deep interest in acquiring weapons of mass destruction. As with the story of Zarqawi and his network, I can trace the story of a senior terrorist operative telling how Iraq provided training in these weapons to Al Qaida. Fortunately, this operative is now detained, and he has told his story. I will relate it to you now as he, himself, described it.

This senior Al Qaida terrorist was responsible for one of Al Qaida's training camps in Afghanistan. His information comes firsthand from his personal involvement at senior levels of Al Qaida. He says bin Laden and his top deputy in Afghanistan, deceased Al Qaida leader Muhammad Atif, did not believe that Al Qaida labs in Afghanistan were capable enough to manufacture these chemical or biological agents. They needed to go somewhere else. They had to look outside of Afghanistan for help. Where did they go? Where did they look? They went to Iraq.

The support that this detainee describes included Iraq offering chemical or biological weapons training for two Al Qaida associates beginning in December 2000. He says that a militant known as Abdallah al-Iraqi had been sent to Iraq several times between 1997 and 2000 for help in acquiring poisons and gases. Abdallah al-Iraqi characterized the relationship he forged with Iraqi officials as successful.

As I said at the outset, none of this should come as a surprise to any of us. Terrorism has been a tool used by Saddam for decades. Saddam was a supporter of terrorism long before these terrorist networks had a name. And this support continues. The nexus of poisons and terror is new. The nexus of Iraq and terror is old. The combination is lethal.

With this track record, Iraqi denials of supporting terrorism take their place alongside the other Iraqi denials of weapons of mass destruction. It is all a web of lies.

When we confront a regime that harbors ambitions for regional domination, hides weapons of mass destruction, and provides haven and active support for terrorists, we are not confronting the past; we are confronting the present. And unless we act, we are confronting an even more frightening future.

And, friends, this has been a long and a detailed presentation. And I thank you for your patience. But there is one more subject that I would like to touch on briefly. And it should be a subject of deep and continuing concern to this council: Saddam Hussein's violations of human rights.

Underlying all that I have said, underlying all the facts and the patterns of behavior that I have identified is Saddam Hussein's contempt for the will of this council, his contempt for the truth, and, most damning of all, his utter contempt for human life. Saddam Hussein's use of mustard and nerve gas against the Kurds in 1988 was one of the 20th century's most horrible atrocities; 5,000 men, women and children died.

His campaign against the Kurds from 1987 to '89 included mass summary executions, disappearances, arbitrary jailing, ethnic cleansing, and the destruction of some 2,000 villages. He has also conducted ethnic cleansing against the Shi'a Iraqis and the Marsh Arabs whose culture has flourished for more than a millennium. Saddam Hussein's police state ruthlessly eliminates anyone who dares to dissent. Iraq has more forced disappearance cases than any other country—tens of thousands of people reported missing in the past decade.

Nothing points more clearly to Saddam Hussein's dangerous intentions and the threat he poses to all of us than his calculated cruelty to his own citizens and to his neighbors. Clearly, Saddam Hussein and his regime will stop at nothing until something stops him.

For more than 20 years, by word and by deed, Saddam Hussein has pursued his ambition to dominate Iraq and the broader Middle East using the only means he knows: intimidation, coercion and annihilation of all those who might stand in his way. For Saddam Hussein, possession of the world's most deadly weapons is the ultimate trump card, the one he must hold to fulfill his ambition.

We know that Saddam Hussein is determined to keep his weapons of mass destruction; he's determined to make more. Given Saddam Hussein's history of aggression, given what we know of his grandiose plans, given what we know of his terrorist associations and given his determination to exact revenge on those who oppose him, should we take the risk that he will not someday use these weapons at a time and a place and in a manner of his choosing, at a time when the world is in a much weaker position to respond?

The United States will not and cannot run that risk to the American people. Leaving Saddam Hussein in possession of weapons of mass destruction for a few more months or years is not an option, not in a post-September 11th world.

My colleagues, over three months ago this council recognized that Iraq continued to pose a threat to international peace and security, and that Iraq had been and remained in material breach of its disarmament obligations. Today Iraq still poses a threat and Iraq still remains in material breach.

Indeed, by its failure to seize on its one last opportunity to come clean and disarm, Iraq has put itself in deeper material breach and closer to the day when it will face serious consequences for its continued defiance of this council.

My colleagues, we have an obligation to our citizens, we have an obligation to this body to see that our resolutions are complied with. We wrote 1441 not in order to go to war. We wrote 1441 to try to preserve the peace. We wrote 1441 to give Iraq one last chance. Iraq is not, so far, taking that one last chance.

We must not shrink from whatever is ahead of us. We must not fail in our duty and our responsibility to the citizens of the countries that are represented by this body.

Thank you, Mr. President.

¹ Secretary of State Colin Powell, "Remarks to the UN Security Council," New York, New York, February 5, 2003, available at www.state.gov/secretary/rm/2003/17300.htm (accessed December 12, 2003).

APPENDIX 5

President Bush's Address to the Nation on War with Iraq¹

March 17, 2003

My fellow citizens, events in Iraq have now reached the final days of decision. For more than a decade, the United States and other nations have pursued patient and honorable efforts to disarm the Iraqi regime without war. That regime pledged to reveal and destroy all its weapons of mass destruction as a condition for ending the Persian Gulf War in 1991.

Since then, the world has engaged in 12 years of diplomacy. We have passed more than a dozen resolutions in the United Nations Security Council. We have sent hundreds of weapons inspectors to oversee the disarmament of Iraq. Our good faith has not been returned.

The Iraqi regime has used diplomacy as a ploy to gain time and advantage. It has uniformly defied Security Council resolutions demanding full disarmament. Over the years, U.N. weapon inspectors have been threatened by Iraqi officials, electronically bugged, and systematically deceived. Peaceful efforts to disarm the Iraqi regime have failed again and again—because we are not dealing with peaceful men.

Intelligence gathered by this and other governments leaves no doubt that the Iraq regime continues to possess and conceal some of the most lethal weapons ever devised. This regime has already used weapons of mass destruction against Iraq's neighbors and against Iraq's people.

The regime has a history of reckless aggression in the Middle East. It has a deep hatred of America and our friends. And it has aided, trained and harbored terrorists, including operatives of al Qaeda.

The danger is clear: using chemical, biological or, one day, nuclear weapons, obtained with the help of Iraq, the terrorists could fulfill their stated ambitions and kill thousands or hundreds of thousands of innocent people in our country, or any other.

The United States and other nations did nothing to deserve or invite this threat. But we will do everything to defeat it. Instead of drifting along toward tragedy, we will set a course toward safety. Before the day of horror can come, before it is too late to act, this danger will be removed.

The United States of America has the sovereign authority to use force in assuring its own national security. That duty falls to me, as Commander-in-Chief, by the oath I have sworn, by the oath I will keep.

Recognizing the threat to our country, the United States Congress voted overwhelmingly last year to support the use of force against Iraq. America tried to work with the United Nations to address this threat because we wanted to resolve the issue peacefully. We believe in the mission of the United Nations. One reason the U.N. was founded after the second world war was to confront aggressive dictators, actively and early, before they can attack the innocent and destroy the peace.

In the case of Iraq, the Security Council did act, in the early 1990s. Under Resolutions 678 and 687—both still in effect—the United States and our allies are authorized to use force in ridding Iraq of weapons of mass destruction. This is not a question of authority, it is a question of will.

Last September, I went to the U.N. General Assembly and urged the nations of the world to unite and bring an end to this danger. On November 8th, the Security Council unanimously passed Resolution 1441, finding Iraq in material breach of its obligations, and vowing serious consequences if Iraq did not fully and immediately disarm.

Today, no nation can possibly claim that Iraq has disarmed. And it will not disarm so long as Saddam Hussein holds power. For the last four-and-a-half months, the United States and our allies have worked within the Security Council to enforce that Council's long-standing demands. Yet, some permanent members of the Security Council have publicly announced they will veto any resolution that compels the disarmament of Iraq. These governments share our assessment of the danger, but not our resolve to meet it. Many nations, however, do have the resolve and fortitude to act against this threat to peace, and a broad coalition is now gathering to enforce the just demands of the world. The United Nations Security Council has not lived up to its responsibilities, so we will rise to ours.

In recent days, some governments in the Middle East have been doing their part. They have delivered public and private messages urging the dictator to leave Iraq, so that disarmament can proceed peacefully. He has thus far refused. All the decades of deceit and cruelty have now reached an end. Saddam Hussein and his sons must leave Iraq within 48 hours. Their refusal to do so will result in military conflict, commenced at a time of our choosing. For their own safety, all foreign nationals—including journalists and inspectors—should leave Iraq immediately.

Many Iraqis can hear me tonight in a translated radio broadcast, and I have a message for them. If we must begin a military campaign, it will be directed against the lawless men who rule your country and not against you. As our coalition takes away their power, we will deliver the food and medicine you need. We will tear down the apparatus of terror and we will help you to build a new Iraq that is prosperous and free. In a free Iraq, there will be no more wars of aggression against your neighbors, no more poison factories, no more executions of dissidents, no more torture chambers and rape rooms. The tyrant will soon be gone. The day of your liberation is near.

It is too late for Saddam Hussein to remain in power. It is not too late for the Iraqi military to act with honor and protect your country by permitting the peaceful entry of coalition forces to eliminate weapons of mass destruction. Our forces will give Iraqi military units clear instructions on actions they can take to avoid being attacked and destroyed. I urge every member of the Iraqi military and intelligence services, if war comes, do not fight for a dying regime that is not worth your own life.

And all Iraqi military and civilian personnel should listen carefully to this warning. In any conflict, your fate will depend on your action. Do not destroy oil wells, a source of wealth that belongs to the Iraqi people. Do not obey any command to use weapons of mass destruction against anyone, including the Iraqi people. War crimes will be prosecuted. War criminals will be punished. And it will be no defense to say, "I was just following orders."

Should Saddam Hussein choose confrontation, the American people can know that every measure has been taken to avoid war, and every measure will be taken to win it. Americans understand the costs of conflict because we have paid them in the past. War has no certainty, except the certainty of sacrifice.

Yet, the only way to reduce the harm and duration of war is to apply the full force and might of our military, and we are prepared to do so. If Saddam Hussein attempts to cling to power, he will remain a deadly foe until the end. In desperation, he and terrorists groups might try to conduct terrorist operations against the American people and our friends. These attacks are not inevitable. They are, however, possible. And this very fact underscores the reason we cannot live under the threat of blackmail. The terrorist threat to America and the world will be diminished the moment that Saddam Hussein is disarmed.

Our government is on heightened watch against these dangers. Just as we are preparing to ensure victory in Iraq, we are taking further actions to protect our homeland. In recent days, American authorities have expelled from the country certain individuals with ties to Iraqi intelligence services. Among other measures, I have directed additional security of our airports, and increased Coast Guard patrols of major seaports. The Department of Homeland Security is working closely with the nation's governors to increase armed security at critical facilities across America.

Should enemies strike our country, they would be attempting to shift our attention with panic and weaken our morale with fear. In this, they would fail. No act of theirs can alter the course or shake the resolve of this country. We are a peaceful

people—yet we're not a fragile people, and we will not be intimidated by thugs and killers. If our enemies dare to strike us, they and all who have aided them, will face fearful consequences.

We are now acting because the risks of inaction would be far greater. In one year, or five years, the power of Iraq to inflict harm on all free nations would be multiplied many times over. With these capabilities, Saddam Hussein and his terrorist allies could choose the moment of deadly conflict when they are strongest. We choose to meet that threat now, where it arises, before it can appear suddenly in our skies and cities.

The cause of peace requires all free nations to recognize new and undeniable realities. In the 20th century, some chose to appease murderous dictators, whose threats were allowed to grow into genocide and global war. In this century, when evil men plot chemical, biological and nuclear terror, a policy of appeasement could bring destruction of a kind never before seen on this earth.

Terrorists and terror states do not reveal these threats with fair notice, in formal declarations—and responding to such enemies only after they have struck first is not self-defense, it is suicide. The security of the world requires disarming Saddam Hussein now.

As we enforce the just demands of the world, we will also honor the deepest commitments of our country. Unlike Saddam Hussein, we believe the Iraqi people are deserving and capable of human liberty. And when the dictator has departed, they can set an example to all the Middle East of a vital and peaceful and self-governing nation.

The United States, with other countries, will work to advance liberty and peace in that region. Our goal will not be achieved overnight, but it can come over time. The power and appeal of human liberty is felt in every life and every land. And the greatest power of freedom is to overcome hatred and violence, and turn the creative gifts of men and women to the pursuits of peace.

That is the future we choose. Free nations have a duty to defend our people by uniting against the violent. And tonight, as we have done before, America and our allies accept that responsibility.

Good night, and may God continue to bless America.

¹ George W. Bush, "Address to the Nation on War with Iraq," Remarks in Washington, D.C., March 17, 2003, available at www.whitehouse.gov/news/releases/2003/03/20030317-7.html (accessed October 21, 2003).

NOTE ON SOURCES

The key references used in the report include statements from senior administration officials, including President George Bush's Address on Iraq in Cincinnati on October 7, 2002, the State of the Union on January 28, 2003, and his Address to the Nation on War with Iraq on March 17, 2003, Secretary Powell's Address to the UN Security Council of March 5, 2003, and Vice President Cheney's remarks at the Veterans of Foreign Wars Convention in August 2003. Other key references include the final quarterly report of UNMOVIC, the intelligence community's biannual Unclassified Report to Congress on the Acquisition of Technology Relating to Weapons of Mass Destruction and Advanced Conventional Munitions from 1997 to 2002, and declassified excerpts from the October 2002 National Intelligence Estimate (NIE). All of these speeches and reports can be found on the Internet via the Carnegie Endowment's special Iraq Intelligence page, www.ceip.org/intel. Several of these speeches are reproduced in the appendixes of this report.

The web site also features an extended version of this report with additional materials, audio and video clips of related events, as well as more comprehensive versions of texts referenced in the report.

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