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## Senate

### IRAQ PRE-WAR INTELLIGENCE

Mr. KENNEDY. Mr. President, yesterday Vice President CHENEY said elected officials had access to the intelligence and were free to draw their own conclusions. They arrived at the same judgment about Iraq's capabilities and intentions made by this administration and by the previous administration. What world is the Vice President living in? No one seriously believes what the Vice President is saying. Once again, he is deliberately deceiving the American people. It is a calculated, partisan, political ploy.

President Bush and the Vice President have begun a new campaign of distortion and manipulation because the polls show that Americans have lost trust in the President and believe he manipulated intelligence before the war. The President and Vice President have abandoned any pretense of leading this country and have gone back on to the campaign trail.

But the country won't have it this time. Not only can the President and Vice President not find weapons of mass destruction, they cannot find the truth either. The administration broke the essential bond of trust that has to exist between the White House and the American people. They have to be able to trust that we will be told the truth, especially on the important issues of war and peace.

The Congress did not have access to the intelligence the President and the Vice President had. It is plain wrong. The administration's drumbeat for war began in the summer of 2002, but it did not provide an intelligence estimate—the collective wisdom of the intelligence community—to back up its claims about al-Qaida and nuclear weapons and the immediate threats until Democrats on the Intelligence Committee demanded it.

Even then, the administration did not provide the intelligence estimate until October 1, 2002—2 days before the debate began on the resolution author-

izing war. The vote on the resolution occurred 1 week later, on October 11.

Beyond the NIE, the suggestion that the Members of Congress have access to the same classified material as the President is preposterous. The President receives a Presidential daily brief and a briefing every morning with top intelligence officials. The White House has access to memos with intelligence information that the Congress never sees. Even when we ask for this information, they do not provide it.

It is abundantly clear that the administration is engaged in nothing more than a devious attempt to obscure the facts and take the focus off the real reason we went to war in Iraq. No matter what the Vice President says, 150,000 American troops are bogged down in a quagmire in Iraq because the Bush administration misrepresented and distorted the intelligence to justify a war America never should have fought. They misled us on al-Qaida. They misled us on aluminum tubes, materials from Africa, and nuclear weapons.

What was said before by the administration does matter. The President's words matter, and so do the Vice President's, and so do the Secretary of State's, and so do the Secretary of Defense's, and the other high officials in the administration, and they did not square with the facts.

The Intelligence Committee agreed to investigate the clear discrepancies, and it is important they get to the bottom of this and find out how and why this President took America to war in Iraq. Americans are dying. Already more than 2,000 have been killed, and more than 15,000 have been wounded.

The American people deserve the truth. It is time for the President to stop passing the buck and for him to be held accountable. It is time for a change in this country. Something has to give. A tarnished White House and damaged Presidency is pulling America backwards.

Mr. President, I yield the floor.

Mr. GRASSLEY. Mr. President, I spend most of my time with the work of the Judiciary Committee and the work of the Finance Committee. I do not get into intelligence and Armed Services issues very often. But I listened to Senator KENNEDY's criticism of President Bush and Vice President CHENEY that they deceived the American people.

I saw some things on television last night of which Senator KENNEDY ought to be reminded. If he watched television last night, he might have a little different view.

I heard him say that President Bush maybe had more information than Congress had, and so it was wrong for the President today to say that Congress is rewriting history in any way because he maybe had more information than we had. I believe that is what Senator KENNEDY said.

I do not know for sure if the President has more information than we have because when I go upstairs to S-407, to our secure briefing room, I am assuming I am getting the same information as the President is getting. Perhaps not as often, but getting the same information. So I think it is ludicrous to say that Members of the Senate cannot be up to speed on what the threats are to our Nation. But, for sure, if he had watched television last night, he would have heard a speech by President Clinton in 1998. The speech was on the threat of Saddam Hussein to our country at that time. Surely, Senator KENNEDY cannot deny that President Clinton had exactly the same information President Bush would have had from our intelligence community.

I very clearly heard President Clinton, when he was President, speak of the terrible threat that Saddam Hussein was to the world and to America, and that he was going down a road to do something about it.

Now, obviously, that did not happen. But we did pass a resolution called the

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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Iraqi Liberation Act, where Congress, in a unanimous vote took a position at that period of time that we considered Saddam Hussein a threat and that he ought to be removed from office, from the leadership of his country.

If President Clinton, while he was in office, using that intelligence, saw Saddam Hussein as a threat, the same way President Bush did, I do not see how any Democrat can be on the floor of the Senate and say the President of the United States is deceiving the American people.

Also, last night I happened to hear a 2- or 3-minute speech by Senator CLINTON, made in 2002, how horrible Saddam Hussein was and how he was somebody to fear and a threat and the inclination of doing something about it.

It is intellectually dishonest for any Democrat to come to the floor and accuse our President of misleading the American people. They ought to be ashamed of themselves. Have they no shame?

I have something I want to refer to because we have had people outside the Congress, outside the administration, look at some of these very issues. We had the Robb-Silberman commission report. Senator Robb is a former Democratic Member of this body. Judge Silberman is a Republican, served on the DC Circuit. They gave a report about Presidential daily briefings versus what is in the National Intelligence Estimate. There is no significant difference between the two reports, the Presidential daily briefing and the National Intelligence Estimate. Quoting from the report:

It was not that the intelligence was markedly different. Rather, it was that the PDBs and the SEIBs, with their attention-grabbing headlines and drumbeat of repetition, left an impression of many corroborating reports where in fact there were very few sources. And in other instances, intelligence suggesting the existence of weapons programs was conveyed to senior policymakers, but later information casting doubt upon the validity of that intelligence was not.

That is shortcomings of our intelligence community, the same shortcomings that President Clinton probably experienced during his time in office, when he was making estimates of the threat of Saddam Hussein, the same way that President Bush was making those estimates.

The Robb-Silberman commission found Presidential daily briefings to contain similar intelligence in “more alarmist” and “less nuanced” language. Continuing to quote:

As problematic as the October 2002 [National Intelligence Estimate] was, it was not the Community’s biggest analytic failure on Iraq. Even more misleading was the river of intelligence that flowed from the CIA to top policymakers over long periods of time—in the President’s Daily Brief and in its more widely distributed companion, the Senior Executive Intelligence Brief. These daily reports were, if anything, more alarmist and less nuanced than the [National Intelligence Estimate].

That is what one former Democratic Senator and a Republican judge, ap-

pointed to a commission to look into this, have reported. When you take all of these things into consideration, plus the quotes of Senator CLINTON that I referred to in the year 2002 that I saw on television last night, or the statements by President Clinton in 1998 when he was President that I saw on television last night, it seems to me it is absolutely wrong and misleading to come up here and say the President of the United States and the Vice President were deceiving the American people, particularly when Senators can have briefings if they want them.

#### FREEDOM IN ASIA AND BURMA

Mr. McCONNELL. Mr. President, I want to take a moment to commend President Bush for his superb remarks regarding freedom and democracy in Asia. It is fitting that these comments were made in Japan, a key strategic ally of the United States.

I will not recount the entire speech—which I encourage all my colleagues to read—but will highlight two paragraphs. The President said:

Unlike China, some Asian nations still have not taken even the first steps toward freedom. These regimes understand that economic liberty and political liberty go hand in hand, and they refuse to open up at all. The ruling parties in these countries have managed to hold onto power. The price of their refusal to open up is isolation, backwardness, and brutality. By closing the door to freedom, they create misery at home and sow instability abroad. These nations resent Asia’s past, not its future.

We see that lack of freedom in Burma—a nation that should be one of the most prosperous and successful in Asia but is instead one of the region’s poorest. Fifteen years ago, the Burmese people cast their ballots—and they chose democracy. The government responded by jailing the leader of the pro-democracy majority. The result is that a country rich in human talent and natural resources is a place where millions struggle simply to stay alive. The abuses by the Burmese military are widespread, and include rape, and torture, and execution, and forced relocation. Forced labor, trafficking in persons, and use of child soldiers, and religious discrimination are all too common. The people of Burma live in the darkness of tyranny—but the light of freedom shines in their hearts. They want their liberty—and one day, they will have it.

These words should ring loudly and clearly throughout the region. I commend President Bush for these comments and for the solid leadership he provides in supporting freedom in Burma. Moreover, I applaud the efforts made by President Bush and Secretary Rice to put Burma on the U.N. Security Council’s agenda.

#### SUPPORT FOR JAILED JOURNALISTS DAY

Mr. LUGAR. Mr. President, today is “action day” to support jailed journalists around the world, as declared by the independent organization, Reporters Without Borders. I rise today to express my support for this cause and to emphasize that our country has long

believed that a free press is a cornerstone of democracy, both here and abroad. Last year, at my urging, Congress created a free press institute at the National Endowment for Democracy to promote, as part of our democracy-building efforts, free, independent and sustainable news media organizations overseas. This year, I introduced the Free Flow of Information Act to allow journalists in this country to protect the identity of their confidential sources. After I introduced the legislation, a reporter for one of America’s most respected media organizations, Judith Miller of the New York Times, was jailed for 85 days for failing to disclose a confidential source, while another, Matt Cooper of Time magazine, was also threatened with jail for the same reason. I believe that in order for the United States to foster the spread of freedom and democracy globally, we must support an open and free press at home.

According to Reporters Without Borders, 112 journalists are currently jailed in 23 countries, including places like China, Cuba, Eritrea, and Burma. This is not good company for the United States to keep. I urge the administration and our diplomats overseas to do everything they can to gain the release of these jailed journalists, who were doing nothing more than trying to keep their fellow citizens informed. I ask unanimous consent that the following information from Reporters Without Borders be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

#### 16TH JAILED JOURNALISTS’ SUPPORT DAY, THURSDAY, NOVEMBER 17, 2005.

Reporters Without Borders calls on the media to demonstrate their solidarity with imprisoned journalists. We were exceptionally active when journalists were being held hostage in Iraq, and our challenges may seem less urgent now. But that is not the case. A total of 186 media people (112 journalists, 3 assistants and 71 cyber-dissidents) are imprisoned in 23 countries. What crimes have they committed? They have revealed sensitive issue, called for democracy and greater respect for individual freedoms, refused to give in to censorship or to an enforced line of thought. In short, they simply tried to do their jobs.

In an appeal for solidarity with imprisoned journalists, Reporters Without Borders is organizing the 16th consecutive annual day of action. We are urging the worldwide news media throughout the world—to acknowledge the fate of those who have to struggle every day for the right to report the news.

To break the silence concerning their plight and to bring it to the public attention of the public, Reporters Without Borders calls on the news media to highlight the case of an imprisoned journalist on this year’s “action day”. Thursday, November 17.

The jails of three countries alone are holding more than half of the world’s imprisoned journalists. The three countries that constitute the world’s biggest prisons traps for the press are China (with 31 journalists behind bars), Cuba (23), and Eritrea (13).

Mobilization is needed to ease the harsh reality of prison conditions. Denied contact with their families and even proper nourishment, most of these journalists live within