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OPINION

HERALD NEWS

Create an independent commission on Iraq

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Sunday, February 8, 2004

By **Sen. Jon S. Corzine****SPECIAL TO THE HERALD NEWS**

Recent testimony from David Kay apparently caught President Bush's attention. Kay, the man who told us last fall that Iraq's nuclear weapons program was only at the "very most rudimentary level," has now stated that there is no evidence that Iraq had stockpiles of chemical or biological weapons and that it is time for an independent inquiry to examine how pre-war assessments of the intelligence could be so wrong.

The president's subsequent announcement that he will name a panel to examine America's intelligence capabilities is long overdue. However, all indications are that this panel would neither address the mistakes that led us to war nor restore the credibility of our intelligence.

I first offered legislation to establish an independent commission to investigate intelligence issues related to Iraq last summer, when it became clear that the president's claim that Iraq had sought to purchase uranium in Africa was not substantiated by the intelligence available at the time. This revelation was one of the first indications that the Bush administration may have misused intelligence, and it was understandably alarming.

Members of Congress from both parties, including many who had supported the war, expressed concern that our nation's credibility was at stake and insisted that someone be held accountable.

However, those who voted against the establishment of an independent commission with a broad, unfettered mandate said at the time that such an investigation was the role of the intelligence committees of the Congress. Yet this argument became moot last November, when the

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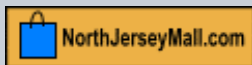
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chairman of the Senate Intelligence Committee announced that he had decided to limit the scope of the committee's investigation so as to exclude any examination of the use of intelligence by policy makers.

Restricting an investigation to the performance of our intelligence community ignores the process that led us to war. It was not the intelligence community that presented to the American people the image of a mushroom cloud, or announced on the eve of war that Saddam Hussein had "reconstituted" nuclear weapons. It was not the intelligence community that presented the case to the rest of the world that Saddam Hussein was such an immediate threat that we could not afford the U.N. inspectors another few weeks or months to do their job. And it was not the intelligence community that decided to set up a special office in the Department of Defense to reinterpret the available intelligence. These decisions, and many more, were made by policy makers in the administration.

Unfortunately, the president's panel appears intended to shield administration officials from any accountability. First, by establishing the commission and appointing the panel's members himself, the president has created the perception that the inquiry will not be independent.


Second, the president's panel will apparently not be directed to examine any questions related to the use of intelligence by the administration. That includes whether the administration's public statements and reports to Congress were not supported by the available intelligence, whether there was pressure placed on the intelligence community to produce analyses that conformed to the administration's policies and whether administration officials sought to bypass the normal analysis process by cherry-picking bits of intelligence that suited their agenda.

These are matters that can only be investigated by a nonpartisan commission, established by law, whose members would be selected by both parties and whose budget would be independent of the administration. The commission would follow the facts, wherever they might lead, and the chips would fall where they would fall.

America's national security demands that we begin to learn the lessons of Iraq. If we are to confront other current and potential threats, we must have sound, objective intelligence. If we are to enlist our friends and allies in these efforts, our intelligence must be credible. And if we are to send Americans to war, we must ensure that the cause is worthy of their sacrifice.

Democrat Jon Corzine is the senior senator from New Jersey and a member of the Senate Foreign Relations Committee.

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