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XI. THE RAPID PRODUCTION OF THE OCTOBER 2002 NATIONAL INTELLIGENCE ESTIMATE ON *IRAQ'S CONTINUING PROGRAMS FOR WEAPONS OF MASS DESTRUCTION*

(U) In September 2002, in the midst of a debate about taking military action against Iraq, Congress, specifically several Members of the Senate Select Committee on Intelligence (SSCI), requested that the Intelligence Community (IC) produce an National Intelligence Estimate (NIE) on Iraq's weapons of mass destruction (WMD) programs. The IC had not produced an in-depth, comprehensive, coordinated IC assessment of Iraq's WMD programs since the production of the December 2000 Intelligence Community (IC) Assessment, *Iraq: Steadily Pursuing WMD Capabilities* and had never produced an NIE devoted to Iraq's WMD programs.

(U) In an unclassified letter dated September 9, 2002, Senator Richard Durbin wrote to Director of Central Intelligence (DCI) Tenet, expressing concern that the IC had not drafted an NIE on the status of Iraq's WMD program, and requested that the DCI "direct the production" of such an NIE – expressing the belief that "policymakers in both the executive branch and the Congress will benefit from the production of a coordinated, consensus document produced by all relevant components of the Intelligence Community" on this topic. Senator Durbin also requested that the DCI "produce an unclassified summary of this NIE" so "the American public can better understand this important issue."

(U) On September 10, 2002, then Committee Chairman Bob Graham sent a second letter to DCI Tenet requesting the production of an NIE, "on the status of Iraq's programs to develop weapons of mass destruction and delivery systems; the status of the Iraqi military forces, including their readiness and willingness to fight; the effects a U.S.-led attack on Iraq would have on its neighbors; and Saddam Hussein's likely response to a U.S. military campaign designed to effect regime change in Iraq."

(U) On September 13, 2002, Senator Diane Feinstein wrote to President Bush to request his assistance in ensuring that the DCI prepare, on an immediate basis, an NIE "assessing the nature, magnitude and immediacy of the threat posed to the United States by Iraq." Senator Feinstein added that "there has not been a formal rigorous Intelligence Community assessment, such as a National Intelligence Estimate, addressing the issues relating to Iraq, and I deeply believe that such an estimate is vital to Congressional decision making, and most specifically, any resolution which may come before the Senate."

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(U) On September 17, 2002, Senator Carl Levin, SSCI Member and Chairman of the Senate Armed Services Committee, wrote to DCI Tenet stating that it was "imperative" for the IC to prepare an NIE on Iraq, "including the central question of the current state of Iraq's weapons of mass destruction programs." Senator Levin asked that the NIE address a number of issues including Iraq's WMD holdings, development facilities, acquisition activities, denial and deception activities, deployment, doctrine for employment, means of delivery; the likelihood that Saddam Hussein would use WMD against the U.S., our allies, or our interests; the likelihood that Iraq would comply with UN resolutions; and Iraq's terrorist activities.

(U) During a September 17, 2002 SSCI Committee hearing, Senator Richard Lugar noted that an NIE had not been produced on Iraq and said that the President, therefore, did not have the benefit of such an Estimate. The DCI responded that the IC had written several NIEs on the world wide missile threat which each included discussions of Iraq's WMD programs and said, "I see the President every morning, six days a week. He gets the intelligence I provide . . ."

(U) Nevertheless, the National Intelligence Officer (NIO) for Strategic and Nuclear Programs, testified at an October 2, 2002 SSCI hearing that the DCI did direct him to prepare an NIE and he had begun to work on it as soon as he became aware of Senator Graham's request. The NIO testified that the NIE had been completed in just three weeks, noting, "normally, Estimates take months to put together. To put one together in a matter of weeks, especially one with the depth this has, is fast-paced." The Vice Chairman of the National Intelligence Council (NIC) told Committee staff that a due date of October 1, 2002 had been worked out between the Central Intelligence Agency's (CIA) Office of Congressional Affairs and the Committee. Neither CIA's Office of Congressional Affairs nor the Committee have documentation to show that such a deadline was established.

(U) During the course of the Committee's review of the intelligence assessments on Iraq's WMD programs, several analysts involved with the production of the October 2002 NIE, including analysts from the Central Intelligence Agency, Department of Energy (DOE), Defense Intelligence Agency (DIA) and the Department of State's Bureau of Intelligence and Research (INR), commented on the unusually rapid time frame for completion of this document. Many of these analysts believed that the rapid time period in which the NIE was produced negatively impacted the quality of the final document. Several indicated that, if they had more time, they would have been able to more carefully consider how the language in the document portrayed their analysis, but many also said that they believed their "bottom line" judgments would have remained the same. The analysts' comments about the fast pace of the NIE's production follow below.

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- An INR chemical and biological weapons (CBW) analyst told Committee staff, “there’s no question in my mind that the process was rushed and I’ve never participated in an NIE that was coordinated in the manner in which this was.” The analysts said that more time would have allowed, “the key judgments to better reflect what was in the back of the book . . . we failed in adequately coordinating the key judgments.” He noted that this is a particular concern because many readers do not read more than the key judgments.
- A DOE analyst told Committee staff that “if we would have been allowed more time . . . possibly some of the issues that are being sifted through during these discussions here would have been hashed out more at the working level throughout the Intelligence Community. Some of the pieces of evidence that we have found that contradict others’ assertions may have been able to be laid out better on the table and we would have had a better understanding, maybe, of others’ views through written product.”
- A CIA nuclear analyst said that “the comments in regards to vigorously pursuing uranium from Africa without caveat are ones that I would look back and say that I wish that we had bothered to caveat that statement. Just from a trade craft perspective, we usually don’t say things with absolute certainty unless we have absolute proof.” He said that the fast pace of the NIE “contributed to, I think, to what should have been a caveated statement and not catching that at the time.”
- A DOE analyst said, “people were coming to the table in the process that normally takes four to six months to work its way through, with several meetings and a little bit of blood on the floor, and lots of good scientific debate did not occur.”
- A CIA chemical weapons (CW) analyst stated that the amount of time given the analysts to complete the NIE was “extremely unusual,” and that while she would have liked to have seen some “word smithing” changes to the document, she noted that “none of the bottom lines we would have changed.” She added that “mainly we would have liked to have had time to look over the draft again after we provided all of our changes and the other agencies had provided their changes.”
- A CIA biological weapons (BW) analyst told Committee staff, “we had enough time to comment, and analytically I didn’t have any problems with it, but we made some errors.” She noted that the statement in the key judgments of the NIE that Baghdad had chemical and biological weapons, “does not as accurately reflect the body of the text as it could.”

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She said, "you can extrapolate that we assessed Baghdad did have biological and chemical weapons, but it would have been more accurate if one of the caveats which you see in the text had been included in that sentence." She said it would have been more accurate to say "we assess that Baghdad has chemical and biological weapons."

- A CIA CW analyst also told Committee staff that "we would have felt more comfortable with 'we judge that' Iraq has chemical and biological weapons," rather than "Iraq had chemical and biological weapons" as stated in the key judgments of the NIE. She also pointed out that the key judgments said, "Iraq's chemical industry was rebuilt primarily to support the CW program," but said, "we don't think it was 'primarily.' We think that the program was benefitting from it, but we don't think that's why they were rebuilding the industry."
- An INR analyst told Committee staff that although he did not agree with the NIE's key judgments statement that Iraq was developing a "UAV (unmanned aerial vehicle) probably intended to deliver biological warfare agents." When asked why he did not join the Air Force's footnote he said, "it's probably an example of the speed of the process."
- A senior INR analyst said, ". . . you don't really have much time, even in a two-day meeting that covers one country's entire WMD and delivery system capabilities as well as a section on doctrine and a terrorism section, to really get down in the weeds and make sure you feel comfortable in understanding all of the analytic processes and thoughts that went into how the drafting agency put their words together. It just doesn't happen."

(U) Most analysts believed that the errors or inconsistencies that would have been caught were not problems that would have changed their fundamental judgments about Iraq's weapons of mass destruction programs. Some also pointed out that much of the text for the NIE had been pulled from previously written and coordinated IC products, meaning that analysts had previously had the opportunity to comment on the language.

- A CIA delivery system analyst noted that ". . . this was pulled together from pieces of stuff we'd already written, so it wasn't as well polished as we would like. It didn't flow very well. It was pieces pulled together. But we couldn't argue with what was said because this is what we had written in previous publications."

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- A DOE analyst said, "I don't really think [the NIE] suffered, because . . . we got our position in there about the [aluminum] tubes and what we thought. . . . So I did think it turned out fair in the end, in my opinion."

A. Rapid Production of the National Intelligence Estimate Conclusions

(U) Conclusion 88. The Intelligence Community should have been more aggressive in identifying Iraq as an issue that warranted the production of a National Intelligence Estimate (NIE) and should have initiated the production of such an Estimate prior to the request from Members of the Senate Select Committee on Intelligence.

(U) [REDACTED]

(U) Conclusion 89. While more time may have afforded analysts the opportunity to correct some minor inaccuracies in the National Intelligence Estimate (NIE), the Committee does not believe that any of the fundamental analytical flaws contained in the NIE were the result of the limited time available to the Intelligence Community to complete the Estimate.

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