

Bill has distinguished himself time and again with the legal acumen that he brings to issues of national or regional concern as well as with his commitment to furthering the prospects of good and responsive government. Close quotation.

Across State lines and across party lines comes this endorsement of Bill Pryor. Again, you will hear the same, lame excuse: "He's out of the mainstream."

I mentioned earlier Judge Charles Pickering, who is nominated to the U.S. Circuit Court of Appeals for the Fifth Circuit. A few weeks ago, in our last Judiciary Committee hearing on Judge Pickering's nomination, Senator KENNEDY spoke of the important role the Fifth Circuit has played during the civil rights struggle, and he is absolutely correct in that. As a lawyer from Georgia who once was a proud member of the old Fifth Circuit bar, before that circuit was split in half in 1980 to create the Eleventh Circuit, I am well aware of the tremendous role the Fifth Circuit played in the civil rights struggle.

It is with a deep and abiding respect for the tradition of the Fifth Circuit that I support Judge Charles Pickering's nomination to that bench as one who deserves the honor of this service.

While Judge Pickering's critics have and will continue to unfairly label him as a racist and segregationist and, again, "out of the mainstream," nothing could be further from the truth. Charles Pickering has worked to eliminate racial disparities in Mississippi. Judge Pickering has not just talked about improving race relations, he has backed up his words with a lifetime of action. For example, in Mississippi during the 1960s, he testified and helped prosecute Sam Bowers, the imperial wizard of the Klu Klux Klan, for the murder of a civil rights activist, Vernon Dahmer. He served as a leader in his community to integrate the public schools. In 1976, he hired James King as the first African-American political staffer for the Mississippi Republican Party. He represented an African-American man falsely accused of robbing a 16-year-old girl in 1981. He chaired the Race Relations Committee for Jones County, MS, in 1988. He helped establish a group to work with at-risk African-American youths in Laurel, MS, and he serves on the board of the Institute of Racial Reconciliation at the University of Mississippi.

Now, I grew up in the South, and for those who did not grow up in the South, to criticize this man, during a very difficult time in the history of our country, is not only unfair and unjust, it is almost un-American. This man made a commitment to ensure that race relations in Mississippi would improve every single day of his life, and unless one has walked in the shoes of somebody like Judge Pickering and looked race in the eye as he did, they cannot understand the principle, the integrity, and the character of this man.

What he did says a lot about Charles Pickering in and of itself, outside of the decisions he has made on the bench as a district court judge.

Judge Charles Pickering has tremendous bipartisan support from the people back home who know him best, including the top Democratic elected officials of Mississippi. This shows that he is well within the mainstream of legal thinking in Mississippi today and in the Fifth Circuit, just as Priscilla Owen's reelection by the people of Texas, with 84 percent of the vote, shows that she is in the mainstream in Texas and in the Fifth Circuit.

In September, Miguel Estrada withdrew his nomination after a minority of Senators prevented him from getting a vote for 28 months. This is a man who came to the United States from Honduras as a teenager, graduated from Columbia undergrad and then Harvard Law School, worked in the Justice Department for two administrations, including the Clinton administration, and was rated "Well Qualified" by the American Bar Association. So I guess we should not forget Miguel Estrada when we tally these filibusters. It is really not four, it is five. I suspect it is about to be six because we have another nomination that will likely come out of the Judiciary Committee on Thursday of this week, and that is the nomination of California Supreme Court Justice Janice Rogers Brown.

The American people will not continue to stand for this inaction, and they will not forget this obstructionist game playing. While we can still try to maintain the dignity and tradition of the Senate, I ask my colleagues to vote to give each of these qualified nominees an up-or-down vote. I ask my colleagues to make up their minds. Their constituents deserve it. Let us move forward on the merits.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BOND. On behalf of the Senator from Texas, I claim 9 minutes of the time that has been reserved for her and ask that the Chair notify me after 8 minutes.

The PRESIDING OFFICER. The Chair will do so.

#### SUPPORT OF AMERICAN TROOPS

Mr. BOND. Madam President, I rise this morning in support of the U.S. forces in Iraq and all our forces engaged in the war on terrorism. I am delighted and very pleased that the vast majority of this body voted overwhelmingly in support of the supplemental and our ongoing efforts to protect our troops to finish the job so we can bring our troops home.

Last week, I had the honor of going out to Walter Reed to visit a number of our wounded soldiers recently returned from Iraq. The spirit and enthusiasm of our service men and women serving in the war on terror is inspiring. It should remind all of us that our warfighters

have the will to win as long as the American people have the will to win.

We cannot be defeated by Saddam Hussein or Osama bin Laden militarily. They are engaged in a psychological war to break our will. This past weekend brought news of the tragic loss of 16 soldiers in a Chinook helicopter mishap. No one in this body takes that current conflict lightly. Any loss of life is difficult to bear, particularly this tragic situation. Yet we must not forget the losses incurred in the United States on 9/11, and the loss of innocent lives in other terrorist attacks, from the marine barracks in Lebanon to the disco bombing in Bali.

The message we must send, if we are to avoid future catastrophic attacks, is that no price is too great for the freedoms we and other freedom-loving peoples now hold dear. The message we need to send our enemies is that we will not cut and run.

There are critics of U.S. foreign policy who now want us to pull out. They are just dead wrong. Do they think Saddam Hussein was not really evil, was not really a threat?

Last week, I talked a little bit about the unclassified report released by Dr. David Kay, the head of the Iraqi Survey Group, who has been over there looking. He has found a tremendous record of denial, deception, and destruction, which among other things is likely the reason we have not found the storehouses of weapons of mass destruction.

Dr. Kay believes that people have been distorting his record. I will submit for the record a copy of his November 1, 2003, piece in the Washington Post. It begins:

The October 26 front-page article "Search in Iraq Fails to Find Nuclear Threat," is wildly off the mark.

I ask unanimous consent that this be printed in the RECORD after my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. BOND. I am going to quote from just pieces of his report, because apparently a lot of my colleagues who are saying it confirms that there were no weapons of mass destruction have not read the report.

Here is what Dr. Kay said:

With regard to biological warfare activities, which has been one of our two initial areas of focus, ISG teams are uncovering significant information, including research and development of BW-applicable organisms, the involvement of Iraqi intelligence service in possible BW activities, and deliberate concealment activities. All of this 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. Debriefings of IIS officials and site visits have begun to unravel a clandestine network of laboratories and facilities within the security service apparatus. This network was never declared to the U.N. and was previously unknown.

Again, he said two key former BW scientists confirmed that Iraq, under

the guise of legitimate activity, developed refinements of processes and products relevant to BW agents. Iraq concealed equipment and materials from U.N. inspectors when they returned in 2002. One noteworthy example is a collection of referenced strains that ought to have been declared to the U.N. Among them was a vial of live *C. botulinum* Okra B from which a biological agent can be produced.

ISG teams have developed multiple sources that indicate that Iraq explored the possibility of CW production in recent years, possibly as late as 2003.

Information obtained since OIF has identified several key areas in which Iraq may have engaged in proscribed or undeclared activities 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.

Officials assert Saddam would have resumed nuclear weapons development at some future point. Iraq did take steps to preserve some capability from the pre-1991 nuclear weapons program.

Detainees and cooperative sources indicate that beginning in 2000, Saddam ordered the development of ballistic missiles with ranges of at least 400 kilometers and up to 1,000 kilometers, and that measures to conceal these projects from UNMOVIC were initiated in late 2002, ahead of the arrival of inspectors.

Madam President, I ask unanimous consent that the Kay report be printed in the RECORD. It talks about several revelations of his efforts to obtain ballistic missiles and unmanned air vehicles.

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

What have we found and what have we not found in the first 3 months of our work?

We have discovered dozens of WMD-related program activities and significant amounts of equipment that Iraq concealed from the United Nations during the inspections that began in late 2002. The discovery of these deliberate concealment efforts have come about both through the admissions of Iraqi scientists and officials concerning information they deliberately withheld and through physical evidence of equipment and activities that ISG has discovered that should have been declared to the UN. Let me just give you a few examples of these concealment efforts, some of which I will elaborate on later:

A clandestine network of laboratories and safehouses within the Iraqi Intelligence Service that contained equipment subject to UN monitoring and suitable for continuing CBW research.

A prison laboratory complex, possibly used in human testing of BW agents, that Iraqi officials working to prepare for UN inspections were explicitly ordered not to declare to the UN.

Reference strains of biological organisms concealed in a scientist's home, one of which can be used to produce biological weapons.

New research on BW-applicable agents, *Brucella* and Congo Crimean Hemorrhagic Fever (CCHF), and continuing work on ricin and aflatoxin were not declared to the UN.

Documents and equipment, hidden in scientists' homes, that would have been useful

in resuming uranium enrichment by centrifuge and electromagnetic isotope separation (EMIS).

A line of UAVs not fully declared at an undeclared production facility and an admission that they had tested one of their declared UAVs out to a range of 500 km, 350 km beyond the permissible limit.

Continuing covert capability to manufacture fuel propellant useful only for prohibited SCUD variant missiles, a capability that was maintained at least until the end of 2001 and that cooperating Iraqi scientists have said they were told to conceal from the UN.

Plans and advanced design work for new long-range missiles with ranges up to at least 1000 km—well beyond the 150 km range limit imposed by the UN. Missiles of a 1000 km range would have allowed Iraq to threaten targets throughout the Middle East, including Ankara, Cairo, and Abu Dhabi.

Clandestine attempts between late 1999 and 2002 to obtain from North Korea technology related to 1,300 km range ballistic missiles—probably the No Dong—300 km range anti-ship cruise missiles, and other prohibited military equipment.

In addition to the discovery of extensive concealment efforts, we have been faced with a systematic sanitization of documentary and computer evidence in a wide range of offices, laboratories, and companies suspected of WMD work. The pattern of these efforts to erase evidence—hard drives destroyed, specific files burned, equipment cleaned of all traces of use—are ones of deliberate, rather than random, acts. For example,

On 10 July 2003 an ISG team exploited the Revolutionary Command Council (RCC) Headquarters in Baghdad. The basement of the main building contained an archive of documents situated on well-organized rows of metal shelving. The basement suffered no fire damage despite the total destruction of the upper floors from coalition air strikes. Upon arrival the exploitation team encountered small piles of ash where individual documents or binders of documents were intentionally destroyed. Computer hard drives had been deliberately destroyed. Computers would have had financial value to a random looter; their destruction, rather than removal for resale or reuse, indicates a targeted effort to prevent Coalition forces from gaining access to their contents.

All IIS laboratories visited by IIS exploitation teams have been clearly sanitized, including removal of much equipment, shredding and burning of documents, and even the removal of nameplates from office doors.

Although much of the deliberate destruction and sanitization of documents and records probably occurred during the height of OIF combat operations, indications of significant continuing destruction efforts have been found after the end of major combat operations, including entry in May 2003 of the locked gated vaults of the Ba'ath party intelligence building in Baghdad and highly selective destruction of computer hard drives and data storage equipment along with the burning of a small number of specific binders that appear to have contained financial and intelligence records, and in July 2003 a site exploitation team at the Abu Ghurayb Prison found one pile of the smoldering ashes from documents that was still warm to the touch.

I would now like to review our efforts in each of the major lines of enquiry that ISG has pursued during this initial phase of its work.

With regard to biological warfare activities, which has been one of our two initial areas of focus, ISG teams are uncovering significant information—including research and development of BW applicable organisms, the involvement of Iraqi Intelligence Service

(IIS) in possible BW activities, and deliberate concealment activities. All of this 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.

Debriefings of IIS officials and site visits have begun to unravel a clandestine network of laboratories and facilities within the security service apparatus. This network was never declared to the UN and was previously unknown. We are still working on determining the extent to which this network was tied to large-scale military efforts or BW terror weapons, but this clandestine capability was suitable for preserving BW expertise, BW capable facilities and continuing R&D—all key elements for maintaining a capability for resuming BW production. The IIS also played a prominent role in sponsoring students for overseas graduate studies in the biological sciences, according to Iraqi scientists and IIS sources, providing an important avenue for furthering BW-applicable research. This was the only area of graduate work that the IIS appeared to sponsor.

Discussions with Iraqi scientists uncovered agent R&D work that paired overt work with nonpathogenic organisms serving as surrogates for prohibited investigation with pathogenic agents. Examples include: *B. Thurengiensis* (Bt) with *B. anthracis* (anthrax), and medicinal plants with ricin. In a similar vein, two key former BW scientists, confirmed that Iraq under the guise of legitimate activity developed refinements of processes and products relevant to BW agents. The scientists discussed the development of improved, simplified fermentation and spray drying capabilities for the simulant Bt that would have been directly applicable to anthrax, and one scientist confirmed that the production line for Bt could be switched to produce anthrax in one week if the seed stock were available.

A very large body of information has been developed through debriefings, site visits, and exploitation of captured Iraqi documents that confirms that Iraq concealed equipment and materials from UN inspectors when they returned in 2002. One noteworthy example is a collection of reference strains that ought to have been declared to the UN. Among them was a vial of live *C. botulinum* Okra B. from which a biological agent can be produced. This discovery—hidden in the home of a BW scientist—illustrates the point I made earlier about the difficulty of locating small stocks of material that can be used to covertly surge production of deadly weapons. The scientist who concealed the vials containing this agent has identified a large cache of agents that he was asked, but refused, to conceal. ISG is actively searching for this second cache.

Additional information is beginning to corroborate reporting since 1996 about human testing activities using chemical and biological substances, but progress in this area is slow given the concern of knowledgeable Iraqi personnel about their being prosecuted for crimes against humanity.

We have not yet been able to corroborate the existence of a mobile BW production effort. Investigation into the origin of and intended use for the two trailers found in northern Iraq in April has yielded a number of explanations, including hydrogen, missile propellant, and BW production, but technical limitations would prevent any of these processes from being ideally suited to these trailers. That said, nothing we have discovered rules out their potential use in BW production.

We have made significant progress in identifying and locating individuals who were reportedly involved in a mobile program, and

we are confident that we will be able to get an answer to the questions as to whether there was a mobile program and whether the trailers that have been discovered so far were part of such a program.

Let me turn now to chemical weapons (CW). In searching for retained stocks of chemical munitions, ISG has had to contend with the almost unbelievable scale of Iraq's conventional weapons armory, which dwarfs by orders of magnitude the physical size of any conceivable stock of chemical weapons. For example, there are approximately 130 known Iraqi Ammunition Storage Points (ASP), many of which exceed 50 square miles in size and hold an estimated 600,000 tons of artillery shells, rockets, aviation bombs and other ordnance. Of these 130 ASPs, approximately 120 still remain unexamined. As Iraqi practice was not to mark much of their chemical ordnance and to store it at the same ASPs that held conventional rounds, the size of the required search effort is enormous.

While searching for retained weapons, ISG teams have developed multiple sources that indicate that Iraq explored the possibility of CW production in recent years, possibly as late as 2003. When Saddam had asked a senior military official in either 2001 or 2002 how long it would take to produce new chemical agent and weapons, he told ISG that after he consulted with CW experts in OMI he responded it would take six months for mustard. Another senior Iraqi chemical weapons expert in responding to a request in mid 2002 from Uday Husayn for CW for the Fedayeen Saddam estimated that it would take two months to produce mustard and two years for Sarin.

We are starting to survey parts of Iraq's chemical industry to determine if suitable equipment and bulk chemicals were available for chemical weapons production. We have been struck that two senior Iraqi officials volunteered that if they had been ordered to resume CW production Iraq would have been willing to use stainless steel systems that would be disposed of after a few production runs, in place of corrosive-resistant equipment which they did not have.

We continue to follow leads on Iraq's acquisition of equipment and bulk precursors suitable for a CW program. Several possibilities have emerged and are now being exploited. One example involves a foreign company with offices in Baghdad, that imported in the past into Iraq dual-use equipment and maintained active contracts through 2002. Its Baghdad office was found looted in August 2003, but we are pursuing other locations and associates of the company.

Information obtained since OIF has identified several 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.

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. We are carefully examining dual-use, commercial chemical facilities to determine whether these were used or planned as alternative production sites.

We have also acquired information related to Iraq's CW doctrine and Iraq's war plans for OIF, but we have not yet found evidence to confirm pre-war reporting that Iraqi military units were prepared to use CW against

Coalition forces. 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, although we continue to receive and follow leads related to such stocks. We have multiple reports that Iraq retained CW munitions made prior to 1991, possibly including mustard—a long-lasting chemical agent—but we have to date been unable to locate any such munitions.

With regard to Iraq's nuclear program, the testimony we have obtained from Iraqi scientists and senior government officials should clear up any doubts about whether Saddam still wanted to obtain nuclear weapons. They have told ISG that Saddam Husayn remained firmly committed to acquiring nuclear weapons. These officials assert that Saddam would have resumed nuclear weapons development at some future point. Some indicated a resumption after Iraq was free of sanctions. 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. The Iraqi Atomic Energy Commission (IAEC) beginning around 1999 expanded its laboratories and research activities and increased its overall funding levels. This expansion may have been in initial preparation for renewed nuclear weapons research, although documentary evidence of this has not been found, and this is the subject of continuing investigation by ISG.

Starting around 2000, the senior Iraqi Atomic Energy Commission (IAEC) and high-level Ba'ath Party official Dr. Khalid Ibrahim Sa'id began several small and relatively unsophisticated research initiatives that could be applied to nuclear weapons development. These initiatives did not in-and-of themselves constitute a resumption of the nuclear weapons program, but could have been useful in developing a weapons-relevant science base for the long-term. We do not yet have information indicating whether a higher government authority directed Sa'id to initiate this research and, regrettably, Dr. Sa'id was killed on April 8th during the fall of Baghdad when the car he was riding in attempted to run a Coalition roadblock.

Despite evidence of Saddam's continued ambition to acquire nuclear weapons, 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.

According to documents and testimony of Iraqi scientists, some of the key technical groups from the pre-1991 nuclear weapons program remained largely intact, performing work on nuclear-relevant dual-use technologies within the Military Industrial Commission (MIC). Some scientists from the pre-1991 nuclear weapons program have told ISG that they believed that these working groups were preserved in order to allow a reconstitution of the nuclear weapons program, but none of the scientists could produce official orders or plans to support their belief.

In some cases, these groups performed work which could help preserve the science base and core skills that would be needed for any future fissile material production or nuclear weapons development.

Several scientists—at the direction of senior Iraqi government officials—preserved documents and equipment from their pre-1991 nuclear weapon-related research and did not reveal this to the UN/IAEA. One Iraqi scientist recently stated in an interview with ISG that it was a "common understanding" among the scientists that material was being preserved for reconstitution of nuclear weapons-related work.

The ISG nuclear team has found indications that there was interest, beginning in 2002, in reconstituting a centrifuge enrichment program. Most of this activity centered on activities of Dr. Sa'id that caused some of his former colleagues in the pre-1991 nuclear program to suspect that Dr. Sa'id, at least, was considering a restart of the centrifuge program. We do not yet fully understand Iraqi intentions, and the evidence does not tie any activity directly to centrifuge research or development.

Exploitation of additional documents may shed light on the projects and program plans of Dr. Khalid Ibrahim Sa'id. There may be more projects to be discovered in research placed at universities and private companies. Iraqi interest in reconstitution of a uranium enrichment program needs to be better understood through the analysis of procurement records and additional interviews.

With regard to delivery systems, the ISG team has discovered sufficient evidence to date to conclude that the Iraqi regime was committed to delivery system improvements that would have, if OIF had not occurred, dramatically breached UN restrictions placed on Iraq after the 1991 Gulf War.

Detainees and co-operative sources indicate that beginning in 2000 Saddam ordered the development of ballistic missiles with ranges of at least 400km and up to 1000km and that measures to conceal these projects from UNMOVIC were initiated in late 2002, ahead of the arrival of inspectors. Work was also underway for a clustered engine liquid propellant missile, and it appears the work had progressed to a point to support initial prototype production of some parts and assemblies. According to a cooperating senior detainee, Saddam concluded that the proposals from both the liquid-propellant and solid-propellant missile design centers would take too long. For instance, the liquid-propellant missile project team forecast first delivery in six years. Saddam countered in 2000 that he wanted the missile designed and built inside of six months. On the other hand several sources contend that Saddam's range requirements for the missiles grew from 400-500km in 2000 to 600-1000km in 2002. ISG has gathered testimony from missile designers at Al Kindi State Company that Iraq has re-initiated work on converting SA-2 Surface-to-Air Missiles into ballistic missiles with a range goal of about 250km. Engineering work was reportedly underway in early 2003, despite the presence of UNMOVIC. This program was not declared to the UN. ISG is presently seeking additional confirmation and details on this project. A second cooperative source has stated that the program actually began in 2001, but that it received added impetus in the run-up to OIF, and that missiles from this project were transferred to a facility north of Baghdad. This source also provided documentary evidence of instructions to convert SA-2s into surface-to-surface missiles.

ISG has obtained testimony from both detainees and cooperative sources that indicate that proscribed-range solid-propellant missile design studies were initiated, or already underway, at the time when work on the clustered liquid-propellant missile designs began. The motor diameter was to be 800 to 1000mm, i.e. much greater than the 500-mm Ababil-100. The range goals cited for this system vary from over 400km up to 1000km, depending on the source and the payload mass.

A cooperative source, involved in the 2001-2002 deliberations on the long-range solid propellant project, provided ISG with a set of concept designs for a launcher designed to accommodate a 1m diameter by 9m length

missile. The limited detail in the drawings suggest there was some way to go before launcher fabrication. The source believes that these drawings would not have been requested until the missile progress was relatively advanced, normally beyond the design state. The drawings are in CAD format, with files dated 09/01/02.

While we have obtained enough information to make us confident that this design effort was underway, we are not yet confident which accounts of the timeline and project progress are accurate and are now seeking to better understand this program and its actual progress at the time of OIF.

One cooperative source has said that he suspected that the new large-diameter solid-propellant missile was intended to have a CW-filled warhead, but no detainee has admitted any actual knowledge of plans for unconventional warheads for any current or planned ballistic missile. The suspicion expressed by the one source about a CW warhead was based on his assessment of the unavailability of nuclear warheads and potential survivability problems of biological warfare agent in ballistic missile warheads. This is an area of great interest and we are seeking additional information on warhead designs.

While I have spoken so far of planned missile systems, one high-level detainee has recently claimed that Iraq retained a small quantity of Scud-variant missiles until at least 2001, although he subsequently recanted these claims, work continues to determine the truth. Two other sources contend that Iraq continued to produce until 2001 liquid fuel and oxidizer specific to Scud-type systems. The cooperating source claims that the al Tariq Factory was used to manufacture Scud oxidizer (IRFNA) from 1996 to 2001, and that nitrogen tetroxide, a chief ingredient of IRFNA was collected from a bleed port on the production equipment, was reserved, and then mixed with highly concentrated nitric acid plus an inhibitor to produce Scud oxidizer. Iraq never declared its pre-Gulf War capability to manufacture Scud IRFNA out of fear, multiple sources have stated, that the al Tariq Factory would be destroyed, leaving Baghdad without the ability to produce highly concentrated nitric acid, explosives and munitions. To date we have not discovered documentary or material evidence to corroborate these claims, but continued efforts are underway to clarify and confirm this information with additional Iraqi sources and to locate corroborating physical evidence. If we can confirm that the fuel was produced as late as 2001, and given that Scud fuel can only be used in Scud-variant missiles, we will have strong evidence that the missiles must have been retained until that date. This would, of course, be yet another example of a failure to declare prohibited activities to the UN.

Iraq was continuing to develop a variety of UAV platforms and maintained two UAV programs that were working in parallel, one at Ibn Farnas and one at al-Rashid Air Force Base. Ibn Farnas worked on the development of smaller, more traditional types of UAVs in addition to the conversion of manned aircraft into UAVs. This program was not declared to the UN until the 2002 CAFCD in which Iraq declared the RPV-20, RPV-30 and Pigeon RPV systems to the UN. All these systems had declared ranges of less than 150km. Several Iraqi officials stated that the RPV-20 flew over 500km on autopilot in 2002, contradicting Iraq's declaration on the system's range. The al-Rashid group was developing a competing line of UAVs. This program was never fully declared to the UN and is the subject of on-going work by ISG. Additional work is also focusing on the payloads and intended use for these UAVs. Surveil-

lance and use as decoys are uses mentioned by some of those interviewed. Given Iraq's interest before the Gulf War in attempting to convert a MIG-21 into an unmanned aerial vehicle to carry spray tanks capable of dispensing chemical or biological agents, attention is being paid to whether any of the newer generation of UAVs were intended to have a similar purpose. This remains an open question.

ISG has discovered evidence of two primary cruise missile programs. The first appears to have been successfully implemented, whereas the second had not yet reached maturity at the time of OIF.

The first involved upgrades to the HY-2 coastal-defense cruise missile. ISG has developed multiple sources of testimony, which is corroborated in part by a captured document, that Iraq undertook a program aimed at increasing the HY-2's range and permitting its use as a land-attack missile. These efforts extended the HY-2's range from its original 100km to 150-180km. Ten modified missiles were delivered to the military prior to OIF and two of these were fired from Umm Qasr during OIF—one was shot down and one hit Kuwait. The second program, called the Jenin, was a much more ambitious effort to convert the HY-2 into a 1000km range land-attack cruise missile. The Jenin concept was presented to Saddam on 23 November 2001 and received what cooperative sources called an "unusually quick response" in little more than a week. The essence of the concept was to take an HY-2, strip it of its liquid rocket engine, and put in its place a turbine engine from a Russian helicopter—the TV-2-117 or TV3-117 from a Mi-8 or Mi-17 helicopter. To prevent discovery by the UN, Iraq halted engine development and testing and disassembled the test stand in late 2002 before the design criteria had been met.

In addition to the activities detailed here on Iraq's attempts to develop delivery systems beyond the permitted UN 150km, ISG has also developed information on Iraqi attempts to purchase proscribed missiles and missile technology. Documents found by ISG describe a high level dialogue between Iraq and North Korea that began in December 1999 and included an October 2000 meeting in Baghdad. These documents indicate Iraqi interest in the transfer of technology for surface-to-surface missiles with a range of 1300km (probably No Dong) and land-to-sea missiles with a range of 300km. The document quotes the North Koreans as understanding the limitations imposed by the UN, but being prepared "to cooperate with Iraq on the items it specified". At the time of OIF, these discussions had not led to any missiles being transferred to Iraq. A high level cooperating source has reported that in late 2002 at Saddam's behest a delegation of Iraqi officials was sent to meet with foreign export companies, including one that dealt with missiles. Iraq was interested in buying an advanced ballistic missile with 270km and 500km ranges.

The ISG has also identified a large volume of material and testimony by cooperating Iraq officials on Iraq's effort to illicitly procure parts and foreign assistance for its missile program. These include:

Significant level of assistance from a foreign company and its network of affiliates in supplying and supporting the development of production capabilities for solid rocket propellant and dual-use chemicals.

Entities from another foreign country were involved in supplying guidance and control systems for use in the Al-Fat'h (Ababil-100). The contract was incomplete by the time of OIF due to technical problems with the few systems delivered and a financial dispute.

A group of foreign experts operating in a private capacity were helping to develop

Iraq's liquid propellant ballistic missile RDT&E and production infrastructure. They worked in Baghdad for about three months in late 1998 and subsequently continued work on the project from abroad. An actual contract valued at \$10 million for machinery and equipment was signed in June 2001, initially for 18 months, but later extended. This cooperation continued right up until the war.

A different group of foreign experts traveled to Iraq in 1999 to conduct a technical review that resulted in what became the Al Samoud 2 design, and a contract was signed in 2001 for the provision of rigs, fixtures and control equipment for the redesigned missile.

Detainees and cooperative sources have described the role of a foreign expert in negotiations on the development of Iraq's liquid and solid propellant production infrastructure. This could have had applications in existing and planned longer range systems, although it is reported that nothing had actually been implemented before OIF.

Uncertainty remains about the full extent of foreign assistance to Iraq's planned expansion of its missile systems and work is continuing to gain a full resolution of this issue. However, there is little doubt from the evidence already gathered that there was substantial illegal procurement for all aspects of the missile programs.

I have covered a lot of ground today, much of it highly technical. Although we are resisting drawing conclusions in this first interim report, a number of things have become clearer already as a result of our investigation, among them:

1. Saddam, at least as judged by those scientists and other insiders who worked in his military-industrial programs, had not given up his aspirations and intentions to continue to acquire weapons of mass destruction. Even those senior officials we have interviewed who claim no direct knowledge of any on-going prohibited activities readily acknowledge that Saddam intended to resume these programs whenever the external restrictions were removed. Several of these officials acknowledge receiving inquiries since 2000 from Saddam or his sons about how long it would take to either restart CW production or make available chemical weapons.

2. In the delivery systems area there were already well advanced, but undeclared, on-going activities that, if OIF had not intervened, would have resulted in the production of missiles with ranges at least up to 1000 km, well in excess of the UN permitted range of 150 km. These missile activities were supported by a serious clandestine procurement program about which we have much still to learn.

3. In the chemical and biological weapons area we have confidence that there were at a minimum clandestine on-going research and development activities that were embedded in the Iraqi Intelligence Service. While we have much yet to learn about the exact work programs and capabilities of these activities, it is already apparent that these undeclared activities would have at a minimum facilitated chemical and biological weapons activities and provided a technically trained cadre.

Let me conclude by returning to something I began with today. We face a unique but challenging opportunity in our efforts to unravel the exact status of Iraq's WMD program. The good news is that we do not have to rely for the first time in over a decade on the incomplete, and often false, data that Iraq supplied the UN/IAEA;

Data collected by UN inspectors operating with the severe constraints that Iraqi security and deception actions imposed;

Information supplied by defectors, some of whom certainly fabricated much that they

supplied and perhaps were under the direct control of the IIS;

Data collected by national technical collections systems with their own limitations.

The bad news is that we have to do this under conditions that ensure that our work will take time and impose serious physical dangers on those who are asked to carry it out. Why should we take the time and run the risk to ensure that our conclusions reflect the truth to the maximum extent that is possible given the conditions in post-conflict Iraq? For those of us that are carrying out this search, there are two reasons that drive us to want to complete this effort.

First, whatever we find will probably differ from pre-war intelligence. Empirical reality on the ground is, and has always been, different from intelligence judgments that must be made under serious constraints of time, distance and information. It is, however, only by understanding precisely what those differences are that the quality of future intelligence and investment decisions concerning future intelligence systems can be improved. Proliferation of weapons of mass destruction is such a continuing threat to global society that learning those lessons has a high imperative.

Second, we have found people, technical information and illicit procurement networks that if allowed to flow to other countries and regions could accelerate global proliferation. Even in the area of actual weapons there is no doubt that Iraq had at one time chemical and biological weapons. Even if there were only a remote possibility that these pre-1991 weapons still exist, we have an obligation to American troops who are now there and the Iraqi population to ensure that none of these remain to be used against them in the ongoing insurgency activity.

Mr. Chairman and Members I appreciate this opportunity to share with you the initial results of the first 3 months of the activities of the Iraqi Survey Group. I am certain that I speak for Major General Keith Dayton, who commands the Iraqi Survey Group, when I say how proud we are of the men and women from across the Government and from our Coalition partners, Australia and the United Kingdom, who have gone to Iraq and are carrying out this important mission.

Thank you.

Mr. BOND. We are engaged in a monumental fight against terrorism and tyranny on a global scale, one in which all freedom-loving people have a stake. Other free countries ought to realize this is a battle in which we all have a stake. The Middle East region has long been marked by instability and marred by war, the threat of war and torture, terrorism, and ruthless dictators. Saddam Hussein was at the heart of it. On September 11 we lost close to 3,000 citizens when foreign terrorists attacked innocent civilians. It is a miracle we did not lose more. But we are now fighting that battle against terrorism in Baghdad, not in Boston or Boise or Baldwin, MO.

As I said earlier, some argue that Saddam has not been linked to terrorism. Well, what David Kay has already described puts the lie to that. Also, tell that to the thousands of Israeli families who have lost innocent relatives at the hands of Hamas suicide bombers whose families received \$25,000 from the Iraqi dictator for each successful attack on innocent men, women, and children.

Today, on the good-news side, there are close to 100,000 Iraqis who are assuming control of essential civil responsibilities such as border police, civil defense, police facilities protection, and as soldiers. With each passing day, more and more Iraqis are taking the lead in security and in protecting Iraq. Over 85 percent of Iraq is relatively stable, with the exception of the troubled Sunni Triangle.

It is no surprise the Sunni Baathists are putting up the most resistance, for they have the most to lose. We have seen recently declassified reports of the Iraqi-sponsored torture, which are too disturbing even to watch. We found mass graves. We know Saddam conducted mass chemical attacks against his own people and launched chemical attacks against Iran.

I believe the President was correct when he said we must take on the war on terrorism, which would take years, not months. This is a global conflict against terrorism. The will of the American people is being tested. We cannot flinch. If we do not pursue terrorists where they live now, then we will continue to invite more attacks any time U.S. interests collide with the interests of terrorists.

#### EXHIBIT 1

The Oct. 26 front-page article "Search in Iraq Fails to Find Nuclear Threat" is wildly off the mark. Your reporter, Barton Gellman, bases much of his analysis on what he says was told to him by an Australian brigadier, Stephen D. Meekin. Gellman describes Meekin as someone "who commands the Joint Captured Materiel Exploitation Center, the largest of a half-dozen units that report to [David] Kay."

Meekin does not report, nor has he ever reported, to me in any individual capacity or as commander of the exploitation center. The work of the center did not form a part of my first interim report, which was delivered last month, nor do I direct what Meekin's organization does. The center's mission has never involved weapons of mass destruction, nor does it have any WMD expertise.

Gellman's description of information provided by Mahdi Obeidi, chief of Iraq's pre-1991 centrifuge program, relies on an unnamed "U.S. official" who, by the reporter's own admission, read only one reporting cable. How Gellman's source was able to describe reporting that covered four months is a mystery to me. Furthermore, the source mischaracterized our views on the reliability of Obeidi's information.

With regard to Obeidi's move to the United States, Gellman writes, "By summer's end, under unknown circumstances, Obeidi received permission to bring his family to an East Coast suburb in the United States." The reader is left with the impression that this move involved something manipulative or sinister. The "unknown circumstances" are called Public Law 110. This mechanism was created during the Cold War to give the director of central intelligence the authority to resettle those who help provide valuable intelligence information. Nothing unusual or mysterious here.

When the article moves to describe the actual work of the nuclear team, Gellman states that "frustrated members of the nuclear search team by late spring began calling themselves the 'book of the month club.'" But he fails to note that this was before the establishment of the Iraq Survey Group. In

fact, the team's frustration with the pace of the work is what led President Bush to shift the responsibility for the WMD search to the director of central intelligence and to send me to Baghdad.

One would believe from what Gellman writes that I have sent home the two leaders of my nuclear team, William Domke and Jeffrey Bedell, and abandoned all attempts to determine the state of Iraq's nuclear activities. Wrong again, Domke's assignment had been twice extended well beyond what the Department of Energy had agreed to. He and Bedell were replaced with a much larger contingent of experts from DOE's National Labs.

Finally, with regard to the aluminum tubes, the tubes were certainly being imported and were being used for rockets. The question that continues to occupy us is whether similar tubes, with higher specifications, had other uses, specifically in nuclear centrifuges. Why anyone would think that we should want to confiscate the thousands of aluminum tubes of the lower specification is unclear. Our investigation is focused on whether a nuclear centrifuge program was either underway or in the planning stages, what design and components were being contemplated or used in such a program if it existed and the reason for the constant raising of the specifications of the tubes the Iraqis were importing clandestinely.

We have much work left to do before any conclusions can be reached on the state of possible Iraqi nuclear weapons program efforts. Your story gives the false impression that conclusions can already be drawn.

When Barton Gellman interviewed me last month I stressed on a number of occasions that my remarks related to Iraq's conventional weapons program. I am responsible for aspects of that program as the commander of the coalition Joint Captured Materiel Exploitation Center. I did not provide assessments or views on Iraq's nuclear program or the status of investigations being conducted by the Iraq Survey Group.

On the issue of Iraq's use of aluminum tubes, I did confirm, in response to a question by Gellman, that aluminum tubes form the body of Iraqi 81mm battlefield rockets and that my teams had recovered some of these rockets for technical examination. Further, I stated that the empty tubes were innocuous in view of the large quantities of lethal Iraqi conventional weapons such as small arms, explosive ordnance and man-portable air defense systems in this country. I did not make any judgment on the suitability of the 81mm aluminum tubes as components in a nuclear program.

In discussing the disbanding of the Joint Captured Materiel Exploitation Center, I told your reporter that the center's work was largely complete, and I made clear that its role was in the realm of Iraq's conventional weapons and technologies.

Gellman attributed to me comments about the effect of U.N.-imposed sanctions. Again, I referred to Iraqi efforts to acquire conventional military equipment. I made no assessment about the effect of U.N. sanctions on Iraq's nuclear program.

Mr. CRAIG. Madam President, I will claim no more than 5 minutes of the time of the Senator from Texas.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### HEALTHY FORESTS CONFERENCE

Mr. CRAIG. I come to the floor this morning a bit frustrated and maybe with a good reason to be angry at some of our colleagues for what now appears