

Over the years, we have had many, many failures in intelligence. For those of us who have been through top secret briefings in room 407 of the Capitol Building, it is nearly unbelievable what they told us they knew from all their different kinds of intelligence-gathering devices and their analysis, and what we subsequently learned were the facts or the truth of the matter.

I am telling you because we need a good intelligence system to protect our country and protect our homeland. I worry about all of this, knowing that the intelligence system was deeply flawed. In candid moments, most Members of the Senate would tell you that which was told them as top secret intelligence information has often turned out to be fundamentally wrong.

We now read, for example—and I am not now discussing that which comes from top secret briefings; I am discussing things that come from the periodicals—we read, for example, that the intelligence we were given in briefings about the issue of mobile chemical weapons laboratories, it turns out came from one source, a source they call “Curve Ball.” I am describing this from *Newsweek* and *Time* magazine, not from top secret briefings. One source turns out to apparently have been a drunk and a fabricator and, as a result of that source, we get top secret briefings and the Secretary of State makes a presentation at the United Nations about something that apparently we now know was untrue. What kind of intelligence system is that?

We learned that Germans provide the name and information of a terrorist to the CIA here in the United States and the telephone number and nobody checks on him, nobody follows up at all. Our intelligence folks cannot find a couple of alleged terrorists living in San Diego when their names and telephone numbers are in the phonebook? What on earth is this? I suppose it is Keystone Kops, except this is about the security of the United States of America.

I want the CIA and the Intelligence Community to succeed. Our country depends on it being able to succeed in gathering good intelligence and protecting this country.

There is so much that is wrong here. Hans Blix, the U.N. weapons inspector, said he was “not impressed” by the intelligence presented by the administration regarding Iraq’s weapons of mass destruction. The Blix team checked every site where U.S. intelligence indicated weapons of mass destruction would be found in Iraq, and there was nothing.

It goes on and on.

David Kay, the CIA chief weapons hunter, said the intelligence community failed.

On the 9/11 issue, the intelligence community failed to connect the dots. I am not talking here just about the CIA; I am talking about the FBI. The list goes on.

When we are talking about 9/11, we also ought to talk about a report that

was done by the Joint Intelligence Committee in December of 2002 that was published with 28 pages missing. Those 28 pages are about the Saudis. Fifteen of the 19 who attacked this country were Saudi citizens. But when the report was published for the public to read, the White House redacted or eliminated the 28 pages that dealt with Saudi Arabia.

On October 29 of last year, I offered an amendment to the Foreign Operations appropriations bill, a sense-of-the-Senate resolution, calling on the administration to declassify those 28 pages. If one is talking about 9/11, and talking about intelligence, I believe the American people and every Member of this Senate and the Congress need to understand what is in those 28 pages dealing with Saudi Arabia.

It is interesting, even the Saudi Ambassador and the Saudi Foreign Minister, publicly insisted that this information be declassified. Senator SHELBY, the top Republican Senator on the 9/11 inquiry, said that 95 percent of the classified pages of these 28 pages could be released without jeopardizing our national security.

I say once again to the administration and to my colleagues that the 28 pages dealing with Saudi Arabia and 9/11 needs to be released to the American people. This Congress and the American people should not be evaluating 9/11 and our intelligence without releasing those 28 pages, so that the American people see what was deemed required to be classified. It should not have been classified.

Whether we are talking about Iraq, Afghanistan, Pakistan, Syria, or back even further, Libya or the old Soviet Union, there have been intelligence failures. We spend a great deal of money on U.S. intelligence. We want it to work. I do not want our intelligence system to fail our country, because our country requires a good intelligence system to prevent the next terrorist attack and to attack terrorists where they live.

The attack on Iraq was a preemptive strike that the President said was necessary to protect our country. Well, it is very important when talking about preemption, which is a doctrine that has been foreign to this country’s interests in the past, to have good intelligence. Preemption can never occur based on what one thinks. Preemption could only occur based on what one knows. What one knows must come from good intelligence.

We have discovered, since the time preemption was discussed by this administration, that the intelligence was just plain horrible on major points delivered in top secret briefings to Members of this Congress. Our intelligence community was just flat wrong. So we all need to fix it.

There is no Republican or Democratic way to deal with intelligence. We need to fix this system in the interests of this country. Our safety depends on it.

I am going to vote for Mr. Goss. I think he is qualified to do this job. As I indicated, I am concerned about some things he has done in the past. I hope that is over. I am concerned about the intelligence agencies themselves. I believe they are in desperate need of reform. I hope Mr. Goss will be a reformer. Most importantly, our country, all of us, each of us, needs to work together to create an intelligence system that works for the safety of this country and works in a way that a President, a Congress, a Director of the CIA can rely on good intelligence from all around the world.

My understanding is that we will be in recess for 1 hour until the hour of 4 p.m.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, we will now stand in recess until the hour of 4, with the time charged evenly to both sides.

Thereupon, the Senate, at 3:04 p.m., recessed until 4 p.m. and reassembled when called to order by the Presiding Officer (Mr. CORNYN).

EXECUTIVE SESSION

NOMINATION OF PORTER J. GOSS TO BE DIRECTOR OF CENTRAL INTELLIGENCE—Continued

The PRESIDING OFFICER. The Senator from Illinois.

Mr. DURBIN. What is the pending business before the Senate?

The PRESIDING OFFICER. The pending business is the nomination of PORTER GOSS.

Mr. DURBIN. Mr. President, I rise to speak in reference to that nomination.

Mr. President, I will vote against the nomination of Congressman PORTER GOSS to serve as the next Director of Central Intelligence. I do so reluctantly. I have known Congressman GOSS for a number of years, and I consider him a good person and a good public servant. But we are on the verge of enacting significant, historic, and much needed reform of the U.S. intelligence community. It is more important than ever that the next leader of the intelligence community be non-partisan and firmly committed to meaningful intelligence reform.

Based on his record and his public statements, and on the confirmation hearings before the Intelligence Committee on which I serve, I do not believe Mr. Goss is the right person at this moment in time for this vitally important national security position.

Mr. Goss has served as chairman of the House Intelligence Committee for almost 8 years, the second longest tenure in that position in the almost 30 years since its creation. The chairman of a congressional committee has considerable power in determining on which issues the committee will focus,