

U.S. HOUSE OF REPRESENTATIVES

HEARING ON THE "DOWNING STREET" MEMO

Thursday, June 16, 2005

2:30 p.m.

HC-9 The Capitol

Washington, D.C.

[TRANSCRIPT PREPARED FROM AN AUDIO RECORDING.]

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1 P R O C E E D I N G S

2 MR. CONYERS: [In progress] --men and
3 women in harm's way based on false information.
4 The fact that our intelligence is found to be
5 flawed in no way absolves those who would
6 intentionally mislead our nation or its allies. We
7 can't do anything in this hearing to change the
8 facts and the problems on the ground in Iraq today,
9 but we can pledge today to do everything within our
10 power to find out how we got there and to make sure
11 it never happens again.

12 I'm proud now to have our witnesses who we
13 will ask them--Ambassador Joseph Wilson, Mrs. Cindy
14 Sheehan, Mr. Ray McGovern, attorney John Bonifaz,
15 to please stand and take an oath that everything
16 that you say will be truthful. Raise your right
17 hands, please.

18 [Witnesses sworn.]

19 MR. CONYERS: Let the record show the
20 witnesses indicated that they said "yes," and
21 please be seated.

22 Let me briefly describe our witnesses.

1 Attorney John Bonifaz is the founder and general
2 counsel of the, a prominent legal center in the
3 campaign finance field. In February and March
4 2003, he served as lead counsel for a coalition of
5 United States soldiers, parents of soldiers, and
6 members of Congress in a federal lawsuit in which I
7 and Representative Kucinich of Ohio were a part of
8 challenging the authority of President Bush and
9 Secretary Rumsfeld to launch a war against Iraq
10 absent a congressional declaration of war or
11 equivalent action.

12 Mr. Ray McGovern, a 27-year career as a
13 CIA analyst, spanned administrations from John F.
14 Kennedy to George H. W. Bush. His duties included
15 at the CIA sharing national intelligence estimates,
16 preparing the president's brief. These, the most
17 authoritative genres of intelligence reporting,
18 have been the focus of press reporting on weapons
19 of mass destruction in Iraq and on what the
20 President was told before 9/11.

21 During the mid-1980s Mr. McGovern was one
22 of the senior analysts conducting early morning

1 briefings for the President's daily brief, one of
2 the senior analysts conducting early morning
3 briefings, one on one with the Vice President, the
4 Secretaries of State and Defense, the Chairman of
5 the Joint Chiefs and the Assistant to the President
6 for National Security Affairs.

7 Mrs. Cindy Sheehan is the mother of Casey
8 Austin Sheehan, age 24, killed in action in Iraq.
9 Mrs. Sheehan founded the Gold Star Families for
10 Peace in January 2005. The Gold Star Families for
11 Peace is dedicated to bringing United States troops
12 home immediately from Iraq.

13 Our first witness, Ambassador Joseph
14 Wilson, has been involved in international politics
15 for more than 20 years. He served as the Acting
16 U.S. Ambassador in Iraq during Operation Desert
17 Shield and was the last American official to meet
18 with Saddam Hussein before the first Gulf War.

19 In 2002 at the request of Vice President
20 Cheney, Mr. Wilson was assigned to the CIA to
21 investigate--was seeking to acquire whether Saddam
22 Hussein was seeking to acquire uranium from Niger

1 for the purpose of advancing his nuclear program.
2 Mr. Wilson reported back to Washington that there
3 was no basis for the claims.

4 Surprised that President Bush repeated
5 that claim in his 2003 State of the Union address
6 when it had been excerpted from previous speeches,
7 Mr. Wilson wrote a New York Times op-ed piece
8 asserting that the Bush administration had
9 exaggerated the public case for invading Iraq.
10 Shortly thereafter, White House officials called
11 reporters to identify Mr. Wilson's wife Valerie
12 Plame as a clandestine CIA operative.

13 Mr. Wilson also has a book out now, and we
14 welcome him to begin the testimony.

15 Welcome to this forum, sir.

16 TESTIMONY OF AMBASSADOR JOSEPH WILSON

17 MR. WILSON: Thank you, Congressman
18 Conyers, and good afternoon.

19 It's an honor to appear before this
20 hearing to discuss the so-called Downing Street
21 Memorandum of July 2002, and the assertion
22 contained therein that the in the Bush

1 administration the intelligence and facts were
2 being fixed around the policy to remove Saddam
3 through military action justified by the
4 conjunction of terrorism and weapons of mass
5 destruction.

6 I served my country as a diplomat for
7 almost 23 years, including tours in Niamey, Niger,
8 and in Baghdad, Iraq, as Deputy Chief of Mission
9 and charge d'affaires or Acting Ambassador during
10 the Desert Shield phase of the first Gulf War.

11 I was also appointed Ambassador to Gabon
12 and to the Democratic Republic of Sao Tome and
13 Principe by President George Herbert Walker Bush.
14 And concluded my public service career as Special
15 Assistant to President Clinton and Senior Director
16 for African Affairs at the National Security
17 Council.

18 I am the recipient of numerous awards from
19 the Department of State as the Distinguished
20 Defense Service Award from the Department of
21 Defense for my service as political adviser to the
22 Commander in Chief of U.S. Armed Forces in Europe

1 during the deployment of American troops in Bosnia.
2 The team I have always played for is America, not
3 Republican, not Democrat, America.

4 In February 2002 I was asked by the CIA to
5 meet with the American intelligence community
6 officials charged with understanding Iraq's weapons
7 of mass destruction programs in order to discuss an
8 intelligence report that had caught the attention
9 of the Office of the Vice President. The report
10 concerned the alleged sale of a significant amount
11 of uranium yellow cake from the West African nation
12 of Niger to Iraq.

13 I was asked to attend this meeting because
14 of my extensive experience in Niger and with the
15 government that had been in power in that country
16 during the time the supposed sale had taken place.
17 Additionally, as the Senate Select Committee on
18 Intelligence has reported, I have previously
19 traveled to Niger to look into other uranium-related
20 matters.

21 At this meeting I was briefed that
22 American intelligence had either seen or been

1 briefed by a foreign intelligence service about the
2 existence of documents purporting to be a
3 memorandum of sale between Niger and Iraq. I did
4 not see any documents as I have said and written
5 repeatedly. I understand they were not in the
6 possession of the U.S. government at the time of
7 the meeting.

8 At the meeting I was asked if I would
9 consider traveling to Niger to try to find answers
10 to lingering questions that analysts might have.
11 That was the first time the suggestion of traveling
12 to Niger was ever raised with me.

13 There have been assertions that my wife
14 Valerie, a CIA operations officer in the
15 counterproliferation area suggested or recommended
16 me for the trip. She did not. The CIA a week
17 after her identity was compromised by Robert Novak
18 told Knut Royce and Tim Phelps of Newsday that, She
19 did not recommend her husband to undertake the
20 Niger assignment. They, the officers who did ask
21 Wilson to check the uranium story, were aware of
22 who she was married to which is not surprising.

1 There are people elsewhere in government who were
2 trying to make her look like she was the one who
3 was cooking this up, he, the CIA spokesman said. I
4 can't understand why. The CIA has repeated this
5 denial to all who have asked since including
6 David Ensor of CNN and Doyle McManus of the Los
7 Angeles Times. She was not at the meeting where
8 the trip was first raised with me.

9 There have been questions raised about why
10 the CIA would send a "known Bush critic," to quote
11 Robert Novak, to undertake this mission. My trip
12 to Niger took place towards the end of
13 February 2002, almost 6 months before I first
14 shared my concerns about the regime change by
15 military action approach of the administration.

16 I went to Niger because of questions
17 raised by the intelligence report, and the concerns
18 of the Office of the Vice President were legitimate
19 and needed to be checked out. This was not a
20 partisan question, but one impacting national
21 security. Weapons of mass destruction exploding in
22 American cities will kill Americans, not

1 Republicans or Democrats, but Americans.

2 Even when I did begin to question the
3 administration's approach as I first wrote in an
4 article published in the San Jose Mercury News on
5 October 13, 2002, I acknowledged the importance of
6 dealing with the threat I like so many believed his
7 arsenal of weapons of mass destruction posed to the
8 region and to our own national security.

9 I traveled to Niger and spent 8 days there
10 meeting with former members of the Niger government
11 and satisfied myself that their answers, coupled
12 with the structure of the mining industry about
13 which I knew quite a bit, and the government
14 decision making process, made it highly unlikely
15 that such a transaction had ever taken place.

16 There were two other inquiries made at
17 approximately the same time. Our Ambassador to
18 Niger at the time, Barbara Owens-Kirkpatrick, and
19 the Deputy Commander in Chief of U.S. Armed Forces
20 in Europe, Marine Corps General Carlton Fulford who
21 also traveled to Niger, reported that it was highly
22 unlikely that such a sale had occurred. There

1 were, accordingly, three reports on the subject in
2 the files of the U.S. government by mid-March 2002.

3 Parenthetically, there are those who've
4 questioned my qualifications to make these
5 inquiries, noting that I am not a CI officer nor an
6 expert on weapons of mass destruction. Those
7 assertions are true. I am, however, an expert on
8 Niger and know quite a bit about uranium mining in
9 Africa, having served in three countries in Africa
10 in which uranium is mined including as Ambassador
11 to Gabon where the mining industry structure is
12 similar to that in Niger.

13 Uranium yellow cake is the result of the
14 separation of ore from rock in which it is found.
15 It is a mining question, not a nuclear weapons
16 question. My particular value added to the U.S.
17 government's understanding of the issue was my
18 knowledge of the country, its mining industry and
19 my long relationship with key players in Niger's
20 politics. Quite simply, I knew them far better
21 than our ambassador who had arrived only during the
22 transition process to a government.

23 I reported back to the CIA after having
24 also briefed the ambassador and embassy officials
25 in Niger and went back to my private life.

1 In January 2003, the President in his
2 State of the Union Address uttered the now infamous
3 16 words, "The British government has learned that
4 Saddam Hussein recently sought significant
5 quantities of uranium from Africa." At the time, I
6 was mildly curious about the assertion, but given
7 that three other countries produce uranium, South
8 Africa, Namibia and Gabon, I did not immediately
9 conclude that the President had been speaking about
10 Niger. I did take the initiative to call the State
11 Department's Bureau of African Affairs to remind
12 them of my trip and to suggest that if the
13 President had been speaking about Niger either had
14 had information about which I was not aware or else
15 the record needed to be corrected. I was told that
16 perhaps he had been speaking about another country.

17 Unbeknownst to me, the State Department in
18 December 2002 had published a White Paper in which
19 it claimed that Saddam had failed to come clean on

1 his efforts to purchase uranium from Africa in the
2 direct declaration submitted to the United Nations
3 as required by U.N. Security Council
4 Resolution 1441. However, the Niger claim was
5 quickly removed from subsequent iterations of the
6 U.S. Bill of Particulars against Iraq because it
7 was not credible.

8 After the publication of the State
9 Department paper and again after the President's
10 State of the Union Address, it has been reported
11 that the International Atomic Energy Agency asked
12 the U.S. government for information related to the
13 charges made. After the second request, documents
14 purporting to be the memorandum of sale of uranium
15 from Niger to Iraq were delivered to the IAEA.

16 In March 2003, Dr. Mohammed ElBaradei, the
17 Director General of the IAEA, testified to the
18 U.N. Security Council that the documents had been
19 deemed by that agency to be forgeries. His deputy,
20 Jacques Baute, was even more candid, commenting
21 that they were so replete with errors that a 2-hour
22 search on Google would suffice to discredit them.

1 The U.S. government in response was a statement and
2 we fell for it.

3 It was at that point that I became aware
4 that the President's State of the Union assertion
5 was based on the Niger claim. For the next
6 3 months I privately urged the administration
7 through contacts and third parties to correct the
8 record. I also shared what I knew with
9 Nick Kristof of the New York Times and
10 Walter Pincus of the Washington Post, as well as
11 with several Democratic Senators, and I met with
12 the staffs of the House and Senate Intelligence
13 Committees.

14 I took this initiative for one simple
15 reason. It is my firm belief that the most solemn
16 decision a government in our democracy ever has to
17 make is that decision to send our soldiers to die
18 and to kill in the name of our country. In making
19 that decision, we deserve a debate based on facts,
20 not on information that is thrown into the debate,
21 not because it is true, but because it supports a
22 political decision that has already been made.

23 In Mid-June, Condoleezza Rice, then the
24 National Security Adviser, in response to a
25 question from Tim Russert on "Meet the Press"

1 asserted with respect to what the White House knew
2 about the Niger matter that maybe somebody in the
3 bowels of the agency knew something about it, but
4 nobody in her circle.

5 It was clear to me then and later
6 confirmed by a senior State Department official
7 that if the truth were to come out, I would have to
8 write it myself. I did so in an article published
9 in the New York Times on July 6, 2003, entitled
10 What I Did Not Find in Africa. In it I wrote the
11 question now is how that answer to the question of
12 Niger's uranium sales to Iraq was or was not used
13 by our political leadership.

14 If my information was deemed inaccurate, I
15 understand, though I would be very interested to
16 know why. If, however, the information was ignored
17 because it did not fit certain preconceptions about
18 Iraq, then a legitimate argument can be made that
19 we went to war under false pretenses. At a

1 minimum, at a minimum, Congress which authorized
2 the use of military force at the President's behest
3 should want to know if the assertions about Iraq
4 were warranted.

5 I further wrote in the same article
6 America's foreign policy depends on the sanctity of
7 its information. For this reason, questioning the
8 selective use of intelligence to justify the war in
9 Iraq is either idle sniping nor revisionist history
10 as Mr. Bush as suggested. The act of war is the
11 last option of a democracy taken when there is a
12 grave threat to our national security. More than
13 200 soldiers have lost their lives in Iraq already.
14 We have a duty to ensure that their sacrifice came
15 for the right reasons.

16 The next day the White House acknowledged
17 to a Washington Post reporter, Walter Pincus, that
18 the 16 words did not rise to the level of inclusion
19 in the State of the Union Address. Within days it
20 became clear that the Director of Central
21 Intelligence had warned the administration nearly
22 4 months before the State of the Union not to use

1 the Niger claim and had warned that the President
2 not be a witness of fact because as he subsequently
3 testified, the case was weak and the American
4 intelligence community believed the British had
5 exaggerated the claim.

6 Indeed, at roughly the same time Mr. Tenet
7 was sending faxes and telephoning the White House
8 in early-October 2002, his deputy was telling the
9 Senate Select Committee on Intelligence that the
10 American intelligence community believed the
11 British had "stretched the case on African uranium
12 sales to Iraq." Steven Hadley, then the Deputy
13 National Security Adviser offered to resign when
14 the evidence of phone calls and faxes from the
15 Director of Central Intelligence became public.
16 And Condoleezza Rice even offered an apology to
17 Gwen Ifill of PBS.

18 At the same time, of course, the
19 administration launched a campaign to defame and
20 discredit me by compromising the identity of my
21 wife as a CIA operative, although, frankly, being
22 married to her is hardly anything that compromises

1 me or anything that I am ashamed of. Indeed, I'm
2 proud of her.

3 Whatever damage the administration and its
4 allies in the Republican National Committee and the
5 right-wing echo chamber have done to me, however,
6 is nothing compared to what has been done to our
7 soldiers and their families with this war.

8 Now with the publication of the so-called
9 Downing Street Memo as well as the subsequent
10 documents that have appeared in the British press,
11 it is increasingly clear that the intelligence and
12 the facts were indeed being fixed around the policy
13 and that we sent our troops to war under dubious
14 pretenses.

15 We're having this discussion today because
16 we failed to have it 3 years ago in the run-up to
17 the war. It would appear from the information that
18 has been made public over the past 2 years,
19 including the Downing Street Memo, that the
20 administration may have been less than candid with
21 Congress as it considered that most important of
22 decisions, voting to go to war.

23 Even today however belatedly, it is an
24 important dialogue as it touches on everything a
25 democracy stands for. It used to be said that

1 democracies are difficult to mobilize for war
2 precisely because of the nature of debate required
3 in the run-up to such a decision. Indeed, that is
4 one of the reasons often put forward for
5 championing progress towards democracy governance.
6 If the administration circumvented that requirement
7 for open debate before going to a war with Iraq,
8 then the public needs to understand why if we hope
9 to avoid making the same mistake again.

10 At the same time, we must not take our eye
11 of the ball in Iraq. The situation is a mess, and
12 by all accounts not seen to improve. We were told
13 in the run-up to the war that there would be fewer
14 than 30,000 troops in Iraq within a year of the
15 invasion. There are four times that many there
16 now. We are now told that we must stay lest the
17 country fall into sectarian violence, but it is in
18 the midst of sectarian strife as we speak, and
19 there is no reason to believe that our departure

1 now or 5 years from now will change the nature of
2 that violence. Our continued presence will,
3 however, guarantee more America deaths and more
4 people who hate us for what we have done and from
5 whose ranks increasing numbers of terrorists will
6 be drawn.

7 I don't have the answer, but I do believe
8 that the time has come to ask the question, is our
9 presence in Iraq part of the solution or part of
10 the problem? In answering that question, I believe
11 we should elicit the views of Iraq's neighbors, our
12 allies, the international community at large and
13 experts in this country, and not just the same
14 cabal of ideologues whose policy prescriptions
15 foisted upon a frightened nation in the aftermath
16 of the terrible tragedy of 9/11 have been shown to
17 be so terribly flawed.

18 I have brought copies of the two articles
19 I cited in the statement and would ask that they be
20 made part of the record. Thank you.

21 MR. CONYERS: Without objection so
22 ordered.

23 [Documents made part of the record.]

24 MR. CONYERS: I want to thank you so much,
25 Ambassador Wilson, for starting us off.

1 We have been joined by Congresswoman
2 Maxine Waters of California, Mr. Barney Frank from
3 Massachusetts, Mr. Jim Moran of Virginia, Mr.
4 Tierney, Massachusetts, and Sheila Jackson Lee,
5 Judiciary Member from Texas, and Dr. James
6 McDermott from Washington State.

7 We will now call on the founder of the
8 Gold Star Families for American Peace, Ms. Cindy
9 Sheehan. Welcome to this forum.

1 TESTIMONY OF CINDY SHEEHAN

2 MS. SHEEHAN: Thank you, Congressman
3 Conyers.

4 I wish I could say it was an honor to be
5 here today to testify about the effects that the
6 revelations of the Downing Street Memo has had on
7 me and my family. It is an honor that I wish never
8 had to happen. I believe that not any of us should
9 be gathered here today for this reason, as a result
10 the result of an invasion and occupation that never
11 should have happened.

12 My son, Specialist Casey Austin Sheehan,
13 was killed in action in Sader City, Baghdad, on
14 04/04/04. He was in Iraq for only 2 weeks before
15 L. Paul Bremer inflamed the Shiite militia into
16 rebellion which resulted in the deaths of Casey and
17 six other brave soldiers who were tragically killed
18 in an ambush. My friend Bill Mitchell, the father
19 of Sergeant Mike Mitchell who was one of the other
20 soldiers killed that awful day is here with us
21 today.

22 This is picture of my son Casey when he

1 was 7 months old. It's an enlargement of a picture
2 he carried in his wallet until the day he was
3 killed. He loved this picture of himself. It was
4 returned to us with his personal effects from Iraq.
5 He always sucked on those two fingers. When he was
6 born he had a flat face from passing through the
7 birth canal and we called him Edward G., short for
8 Edward G. Robinson.

9 How many of you have ever seen your child
10 in his or her premature coffin? It is a shocking
11 and very painful sight. The most heart-breaking
12 aspect of seeing Casey lying in his casket for me
13 was that his face was flat again because he had no
14 muscle tone. He looked like he did when he was a
15 baby laying in his bassinet.

16 The most tragic irony is that if the
17 Downing Street Memo proves to be true, Casey and
18 thousands of people should still be alive.

19 I believe our leaders invaded Iraq in
20 March 2003--I believe before our leaders Iraq in
21 March 2003, and I am even more convinced now, that
22 this aggression on Iraq was based on a lie of

1 historic proportions and was blatantly unnecessary.
2 The so-called Downing Street Memo dated 23 July
3 2002, only confirms what I already suspected, the
4 leadership of his country rushed us into an illegal
5 invasion of another sovereign country on
6 prefabricated and cherry-picked intelligence. Iraq
7 was no threat to the United States of America, and
8 the devastating sanctions and bombing against the
9 Iraq were working.

10 As a matter of fact, in interviews in 1999
11 with respected journalist and long-time Bush family
12 friend, Mickey Herskowitz, then Governor
13 George Bush stated, "One of the keys to being seen
14 as a great leader is to be seen as commander in
15 chief. My father had all this political capital
16 built up when he drove the Iraqis out of Kuwait and
17 he wasted it. If I have a chance to invade, if I
18 had that much capital, I'm not going to waste it.
19 I'm going to get everything passed that I want to
20 get passed and I'm going to have a successful
21 presidency." It looks like George Bush was ready
22 to lead this country into an avoidable war even

1 before he became President.

2 From the expose of the Downing Street Memo
3 and the conversations with George Bush from 1999,
4 it seems like the invasion of Iraq and the deaths
5 of so many innocent people were preordained. It
6 appears that my boy Casey was given a death
7 sentence even before he joined the Army in
8 May 2000.

9 When a President lies to Congress and the
10 American people, it is a serious offense. If the
11 Downing Street Memo proves to be true, then it
12 would appear that the President, Vice President and
13 many members of the Cabinet deceived the world
14 before the invasion of Iraq. As a result of this
15 alleged lie, over 1,700 brave young Americans who
16 were only trying to do their duties have come home
17 in flag-draped coffins, images as if they were
18 ashamed of our children, that our leaders won't
19 even let the American public see.

20 Thousands upon thousands of Iraqis who
21 were guilty only of the crime of living in Iraq are
22 dead. Thousands of our young people will go

1 through the rest of their lives missing one or more
2 limbs, and too many will come home missing parts of
3 their souls and humanity.

4 Kevin Lucey, who found his Marine son
5 Jeffrey who was recently home from Iraq, hanging
6 dead from a garden hose in his basement wrote to
7 me, "We ask daily where was the urgency? Where was
8 the necessity of rushing in? Can anyone explain to
9 us, his mother and to his father, as to why he felt
10 that he had to die by his own hand? Why are the
11 ones in position of power so afraid to ask people
12 like us to discuss what happened to Jeff? Jeff can
13 teach us so much. This war was so misguided and
14 had so many other agendas which had nothing to do
15 with the country."

16 Kevin, who cradled his son when he was his
17 sweet baby boy, cradled Jeff's lifeless body for
18 the last time in his arms after he cut him down
19 from the--

20 [Technical interruption.]

21 MS. SHEEHAN: The Jeff that the Luceys saw
22 march off to a reckless war was not the one who

1 went home. The Jeff his family knew died in Iraq,
2 murdered by the inhumanity of gratuitous war.

3 The deceptions of the trails that led to
4 the U.S. invasion and occupation of Iraq cost my
5 family a price too dear to pay and almost too much
6 to bear, the precious life of Casey. Casey was a
7 good soldier who loved his family, his community,
8 his country and his God. He was trustworthy and
9 trusting, and the leadership of his country
10 seemingly betrayed him. He was an indispensable
11 part of our family, an obedient, sweet, funny and
12 loving son to myself and his father, Pat, an adored
13 big brother to his sisters Carley and Jane, and his
14 brother Andy, and the beloved nephew to my sister,
15 Auntie, who is here with me today. Our family has
16 been devastated and torn asunder by his murder.

17 I believe that the reasons that we
18 citizens of the United States of America were given
19 for the invasion of Iraq have unequivocally been
20 proven to be false. I also believe that Casey and
21 his buddies have been killed to line the pockets of
22 already wealthy people and to feed the insatiable

1 war machine that has always devoured our young.
2 Casey died saving his buddies, and I know so many
3 of our brave young soldiers die doing the same
4 thing. But he and his fellow members of the
5 military should never have been sent to Iraq.

6 I know the family of Sergeant Sherwood
7 Baker who was killed guarding a team that was
8 looking for the mythic WMDs in Baghdad, the same
9 WMDs that were the justification for invading Iraq
10 as outlined in the Downing Street Memo. Sherwood's
11 brother Dante Zappala and his dad Al Zappala are
12 here with us today. I believe the Downing Street
13 Memo proves that our leaders betrayed too many
14 innocents into an early grave. The lives of the
15 ones left behind are shattered almost beyond
16 repair.

17 I also believe an investigation into the
18 Downing Street Memo is completely warranted and a
19 necessary first step into writing the wrong that is
20 Iraq, and holding someone accountable for the
21 needless, senseless and avoidable deaths of many
22 thousands.

23 As far as I am concerned, it doesn't
24 matter if one is a Democrat or a Republican, a full
25 investigation into the veracity of the Downing

1 Street Memo must be initiated immediately. Casey
2 was not asked his political affiliation before he
3 was sent to die in Iraq. The innocent that are
4 having their blood shed by the bucket full in Iraq
5 don't even know or care what American partisan
6 politicking is all about. Every minute that we
7 waste in gathering signatures on petitions or
8 arguing about partisan politics, more blood is
9 being spilled in Iraq. How many more families here
10 in America are going to get the visit from the grim
11 reaper dressed in a U.S. military uniform while we
12 are trying to get our congressional leadership to
13 do their duties to the Constitution and to the
14 people of America?

15 I believe that Congress expediently
16 abrogated their constitutional responsibility to
17 declare war when they passed the War Powers Act and
18 they bear at least some responsibility for the
19 needless heartache brought on this world by our

1 government. I believe that supporting a full
2 investigation into the Downing Street Memo is a
3 good beginning for Congress to redeem itself for
4 abandoning the Constitution and the American
5 people.

6 There are too many stories of heartache
7 and loss to tell at a hearing like this. I have
8 got testimonies of other families who have been
9 devastated by the war. Their soldiers' names are
10 Sergeant Sherwood Baker, Kevin--04/26/04, First
11 Lieutenant Neil Santoriello, killed in action
12 08/13/04, Sergeant Mike Mitchell, killed in action
13 04/04/04, Specialist Casey Sheehan, also killed in
14 action 04/04/04, Lieutenant Jeff Taylor (ph),
15 killed in action 04/07/03, Specialist Kevin Russell
16 (ph), killed in action 04/19/05, Specialist
17 Jonathan Castro killed in action 12/21/04, Private
18 First Class William Pritchard killed in action
19 02/11/04, Specialist Joseph Blickenstaff killed in
20 action 12/08/03, and First Lieutenant Kenneth
21 Ballard killed in action 05/30/04.

22 I would like to the testimony put into the

1 record and recorded for all to read the words of
2 boundless love, bottomless loss and deep despair.

3 MR. CONYERS: Without objection so
4 ordered.

5 [Documents made part of the record.]

6 MS. SHEEHAN: There are few people around
7 the U.S. and a couple of my fellow witnesses who
8 are a little justifiably worried that in my anger
9 and anguish over Casey's premeditated death I would
10 use some swear words as I have been known to do on
11 occasion when speaking about the subject.

12 Mr. Conyers, out of my deep respect for you, the
13 other Representatives here, my fellow witnesses and
14 viewers of these historic proceedings, I was able
15 to make it through an entire testimony without
16 using any profanity.

17 [Laughter.]

18 MS. SHEEHAN: However, if anyone deserves
19 to be angry and use profanity, it is I. What
20 happened to Casey and humanity because of the
21 apparent dearth of honesty in our country's
22 leadership is to profane and it defines even my

1 vocabulary skills.

2 We as Americans should be offended more by
3 the profanity of the actions of this administration
4 than by swear words. We have all heard the old
5 adage that actions speak louder than words, and for
6 the sake of Casey and our other precious children,
7 please hold someone accountable for their actions
8 and their words of deception.

9 Again I would like to thank you for
10 inviting me to testify today and giving me a chance
11 to tell my story which is the tragic story of too
12 many families here in the U.S. and in Iraq. I hope
13 and pray that this is the first step in exposing
14 the lies to the light and bringing justice for the
15 ones who can no longer speak for themselves.

16 More importantly, I hope this is a step in
17 bringing our other children home from Iraq. Thank
18 you.

19 MR. CONYERS: Very well said. We'll try
20 to meet all of the commitments that you'd like us
21 to. Ms. Sheehan, we thank you so much.

22 The next witness is Mr. Ray McGovern.

1 TESTIMONY OF RAY McGOVERN

2 MR. McGOVERN: Thank you, sir. I would
3 like to start out by showing a very brief
4 videoclip. It lasts 45 seconds and so I would ask
5 you all to stay awake for those 45 seconds.

6 [Videoclip played.]

7 MR. McGOVERN: I would ask you to reflect
8 on that. I would ask you why it could be that just
9 a few months later after 9/11 the story abruptly
10 changed. Suddenly Iraq had all manner of weapons
11 of mass destruction, WMD, and posed an immediate
12 threat not only to its immediate neighbors, but to
13 the United States of America. How do you explain
14 that?

15 The Downing Street minutes and the other
16 documents that have been released now help. They
17 help a lot, and I would like to publicly thank the
18 patriotic, courageous whistle-blowers who did that,
19 who made available these documents because through
20 them and through of all people Rupert Murdoch's
21 Sunday Times we know the answers to a lot of these
22 questions.

23 By now you know what the Downing Street
24 minutes say. Let me focus in on the phase the
25 intelligence facts were fixed around the policy.

1 How exactly is this fixing accomplished? Rather
2 than speak in generalities, let's do AOL. Let's do
3 the anatomy of a lie.

4 We'll take just one. You have to pay a
5 little bit of attention here because it flows
6 through a chronology. Here is now it works. On
7 August 26, 2002, less than 5 weeks after the
8 briefing at 10 Downing Street, Vice President
9 Cheney gave a major speech in which he said, "We
10 now know that Saddam has resumed his efforts to
11 acquire nuclear weapons. Among other sources,
12 we've gotten this from the first-hand testimony of
13 defectors including Saddam's own son-in-law." This
14 was a lie. Saddam's son-in-law, Hussein Kamel,
15 told us just the opposite when he defected in 1995.
16 Again, he told us just the opposite.

17 You can find it on page 13 of his
18 debriefing report. He said, "All weapons,
19 biological, chemical, missile, nuclear, were

1 destroyed." How did Kamel know this? He was in
2 charge. They were destroyed in July 2001. I'm
3 sorry, in July 1991 at his order. Why? To prevent
4 the U.N. inspectors from finding them after the
5 war. And everything else, everything else Hussein
6 Kamel told us checked out to be true.

7 Cheney's lie would have been able to stand
8 were it not for the conscience of another patriotic
9 whistle-blower who gave the text of Kamel's
10 debriefing to Newsweek 4 weeks before the war as
11 the drumbeat for war got louder and louder in
12 early-2003.

13 Newsweek broke the story on February 24,
14 2003, several weeks before the attack, but the
15 information was suppressed by U.S. media. When
16 Reuters asked then CIA spokesman Bill Harlow about
17 it, he used this entire tray of adjectives branding
18 this report incorrect, bogus, wrong and untrue.
19 The British government took the same line. It
20 mattered not that the evidence was documentary from
21 the official debriefing report of Kamel.

22 So that's how it works, folks. That's how

1 you fix intelligence. All you need is chutzpa, a
2 very flexible attitude toward truth, slumbering
3 watch dog intelligence committees in the Congress,
4 and a supine press eager to accept official
5 explanations no matter how disingenuous.

6 Cheney played a superb role in fabricating
7 out of whole cloth a nuclear threat from Iraq,
8 putting wind behind all those mushroom clouds
9 conjured up by the President and Condoleezza Rice
10 to deceive you, the Congress, our elected
11 representatives.

12 In a 27-year career in intelligence, one
13 encounters many examples of attempts to trim the
14 truth or, as the British minutes put it, fix the
15 intelligence and facts around the policy. It's in
16 the woodwork. It's part of the political scene.
17 But I had never known fixing to include the Vice
18 President abrogating the right to turn a key piece
19 of intelligence on its head. Nor had I in all
20 those years ever known a sitting Vice President to
21 make multiple visits to CIA headquarters to make
22 sure the fix was in, and this is just one example.

23 There is no word to describe the reaction
24 of professional intelligence officers, active and
25 retired, to the reality that our intelligence

1 community managers were eager to participate in
2 this deceit, and to this deliberate subversion of
3 the oath we all take--the oath we all take to
4 protect and defend the Constitution of the United
5 States of America.

6 Now we're not talking about Georgetown
7 parlor games here, or worse still, White House
8 fraternity jokes. These are consequential death-dealing
9 lies. The establishment was all yucking it
10 up at the annual dinner of the Radio and TV news
11 correspondents on March 24th, 2004, as photos
12 showed the president looking under the office
13 furniture, and around this desk are there some
14 weapons of mass destruction here? or maybe they're
15 over there. Ha, ha, ha, and you all laughed with
16 him folks; you all laughed with him.

17 I'll tell you who's not laughing. Cindy's
18 not laughing. The father and brother of
19 Specialist--or Sgt. Sherwood Baker's not laughing.

20 Cindy's son was killed 11 days after the
21 show put on by the president looking for weapons of
22 mass destruction. Sgt. Baker was killed 33 days
23 after that big joke, and four months after David
24 Kay came back from Iraq and told us all there were
25 no weapons of mass destruction.

1 You shall know the truth and the truth
2 shall set you free. That's the scriptural verse
3 chiseled into the marble at CIA headquarters.

4 Well, thanks to the Downing Street
5 minutes, we now know the truth, and the question
6 for us is whether we have enough respect for the
7 Constitution, whether we have enough courage, that
8 we will pursue the purveyors of consequential
9 falsehood, so that the truth can truly make us
10 free. Thank you very much.

11 MS. WATERS: Thank you very much. Next
12 we'll hear from John Bonifaz.

1 TESTIMONY OF JOHN BONIFAZ

2 MR. BONIFAZ: Thank you, Congresswoman
3 Waters. Congressman Conyers, members of the
4 committee, thank you for your leadership, thank you
5 for hosting this forum today.

6 My name is John Bonifaz. I am a Boston-based
7 attorney specializing in constitutional
8 litigation and a co-founder of
9 Afterdowningstreet.org.

10 While it is also true, as Congressman
11 Conyers referenced in the opening, that I serve as
12 general counsel for the National Voting Rights
13 Institute, I am here in my private capacity as a
14 constitutional attorney in Boston and as the co-founder of
15 Afterdowningstreet.org.

16 Afterdowningstreet.org is a national
17 coalition of veterans groups, peace groups, public
18 interest organizations, and ordinary citizens
19 across this country calling for a formal
20 congressional investigation into whether the
21 President of the United States has committed
22 impeachable offenses in connection with the Iraq

1 war.

2 We launched this campaign on May 26 of
3 this year in response to the revelations which have
4 emerged from the release of the Downing Street
5 minutes.

6 The recent release of the Downing Street
7 minutes provides new and compelling evidence that
8 the President of the United States has been
9 actively engaged in a conspiracy to deceive and
10 mislead the United States Congress and the American
11 people about the basis for going to war against
12 Iraq.

13 If true, such conduct constitutes a high
14 crime under article 2, section 4 of the United
15 States Constitution, which states: The president,
16 vice president and all civil officers of the United
17 States shall be removed from office on impeachment
18 for and conviction of treason, bribery or other
19 high crimes and misdemeanors.

20 As has previously been stated, the Downing
21 Street minutes reveal that by the summer of 2002,
22 President Bush had decided to overthrow Iraqi

1 president Saddam Hussein by launching a war, which
2 Richard Dearlove, the senior British intelligence
3 officer reports would be, quote, justified by the
4 conjunction of terrorism and WMD, weapons of mass
5 destruction. Dearlove continues: But the
6 intelligence and facts were being fixed around the
7 policy.

8 The Framers of the United States
9 Constitution drafted article 2, section 4, to
10 ensure that the people of the United States,
11 through their representatives in the United States
12 Congress, could hold a president accountable for an
13 abuse of power and an abuse of the public trust.

14 James Madison, speaking at Virginia's
15 ratifying convention stated: A president is
16 impeachable if he attempts to subvert the
17 Constitution.

18 Alexander Hamilton, writing in The
19 Federalist, stated that the impeachment is for the
20 misconduct of public men from the abuse of
21 violation of some public trust.

22 James Iredell, who later became a justice

1 of the United States Supreme Court, stated at North
2 Carolina's ratifying convention, the president must
3 certainly be punishable for giving false
4 information to the Senate. He is to regulate all
5 intercourse with foreign powers and it is his duty
6 to impart to the Senate every material intelligence
7 he receives.

8 Iredell went on to say that if the
9 president, quote, has concealed important
10 intelligence which he ought to have communicated,
11 and by that means induced the Congress to enter
12 into measures injurious to their country, and which
13 they would not have consented to, had the true
14 state of being been disclosed to them, end quote,
15 then he said that ought to be considered an
16 impeachable offense.

17 On July 25th, 1974, then-Representative
18 Barbara Jordan spoke to her colleagues on the House
19 Judiciary Committee of the constitutional basis for
20 impeachment. The powers relating to impeachment,
21 Jordan said, are an essential check in the hands of
22 this body, the legislature, against and upon the

1 encroachment of the executive.

2 Impeachment, she added, is chiefly
3 designed for the president and his high ministers
4 to somehow be called into account. It is designed
5 to bridle the executive if he engages in excesses.
6 It is designed as a method of national inquest into
7 the conduct of public men. The Framers confined in
8 the Congress the power, Representative Barbara
9 Jordan said, if need be, to remove the president in
10 order to strike a delicate balance between a
11 president swollen with power and grown tyrannical,
12 and preservation of the independence of the
13 executive.

14 The question must now be asked, with the
15 release of the Downing Street minutes, whether the
16 president has committed impeachable offenses.

17 Is it a high crime to engage in a
18 conspiracy, to deceive and mislead the United
19 States Congress and the American people about the
20 basis for taking the nation into war?

21 Is it a high crime to manipulate
22 intelligence so as to allege falsely, a national

1 security threat posed to the United States as a
2 means of trying to justify a war against another
3 nation based on preemptive purposes?

4 Is it a high crime to commit a felony via
5 the submission of an official report to the United
6 States Congress, falsifying the reasons for
7 launching military action?

8 Congressman Conyers, members of the
9 committee, the Downing Street minutes shed new and
10 important light on a document the president himself
11 submitted to the United States Congress within 48
12 hours after having launched the invasion of Iraq.

13 This is the document and I have
14 distributed it to all of you and I ask that it be
15 put into the record of these proceedings.

16 MR. CONYERS: Without objection, so
17 ordered.

18 [The document is made part of the record.]

19 MR. BONIFAZ: In the letter dated March
20 18th, 2003, the president makes a formal
21 determination as required by the joint resolution
22 on Iraq passed by the United States Congress in

1 October 2002, that military action against Iraq was
2 necessary to, quote, protect the national security
3 of the United States against a continuing threat
4 posed by Iraq.

5 He also states in this letter to Congress,
6 that military action was consistent with the United
7 States and other countries continuing to take the
8 necessary actions against international terrorists
9 and terrorist organizations, including those
10 nations, organizations or persons who planned,
11 authorized, committed, or aided the terrorist
12 attacks that occurred on September 11th, 2001.

13 If the evidence revealed by the Downing
14 Street minutes is true, then the president's
15 submission of his March 18th, 2003, letter to the
16 United States Congress would violate federal
17 criminal law, including the federal anticonspiracy
18 statute, which makes it a felony, quote, to commit
19 any offense against the United States or to defraud
20 the United States or any agency thereof in any
21 manner or for any purpose.

22 And the False Statements Accountability

1 Act of 1996, which makes it a felony to issue
2 knowingly and willfully false statements to the
3 United States Congress.

4 The United States House of Representatives
5 has a constitutional duty to investigate fully and
6 comprehensively the evidence revealed by the
7 Downing Street minutes and other related evidence,
8 and to determine whether there are sufficient
9 grounds to impeach George W. Bush, the President of
10 the United States.

11 A resolution of inquiry is the appropriate
12 first step in launching this investigation.

13 The Iraq war has led to the deaths of more
14 than 1700 United States soldiers and tens of
15 thousands of Iraqi civilians. Thousands more have
16 been permanently and severely injured on both
17 sides.

18 More than two years after the invasion,
19 Iraq remains unstable and its future unclear. The
20 war has already cost the American people tens of
21 billions of taxpayer dollars at the expense of
22 basic human needs here at home.

23 More than 135,000 United States soldiers
24 remain in Iraq without any stated exit plan.

25 If the president has committed high crimes

1 in connection with this war, he must be held
2 accountable. The United States Constitution
3 demands no less. Thank you.

4 MR. CONYERS: Thank you very much,
5 Attorney Bonifaz, and I thank all of the witnesses
6 for their testimony. I'm going to begin with a
7 couple questions and then I'd like all of my
8 colleagues to join in with any statements of
9 questions that they may have.

10 And here's a question to all four of you.
11 The Downing Street minutes outline this
12 administration's deliberate intention to manipulate
13 intelligence in order to justify a predetermined
14 policy of war against Iraq.

15 Some in the media have suggested these
16 revelations are nothing new.

17 What do the Downing Street minutes tell us
18 that we did not know before they were revealed?

19 If you have a view about that, please come

1 forward.

2 Mr. Ambassador.

3 MR. WILSON: Let me begin if I may,
4 Congressman; thank you.

5 A year after the Downing Street memo
6 appeared, I asked the question in my New York Times
7 article, Was the U.S. fixing the intelligence,
8 essentially. It's very clear to me, that in July
9 2002, at the very highest levels of the British
10 government, they had concluded that that was the
11 case. That war was inevitable and the facts were
12 being fixed around the policy.

13 Now there have been a number of articles
14 that suggest that nothing was new, that we knew all
15 that at the time. Indeed, yesterday, there was an
16 opinion piece in the Washington Post that suggested
17 all that.

18 I would submit, sir, that I don't think
19 that Jim Baker would have written his piece, which
20 was written after July 2002, nor would Brent
21 Scowcroft have written his piece. Both were senior
22 advisers to President George Herbert Walker Bush.

1 I may not have written the piece that I wrote in
2 October of that year, had I believed that in fact
3 the cards had already been dealt.

4 General Anthony Zinni, who was the
5 commander in chief of CENTCOM, which has that
6 particular part of the world in its region, may
7 well not have participated in the debate until
8 December, had he known.

9 Indeed, he told me, and I put it in my
10 book, that he left the debate in December, in
11 December, six months after the Downing Street
12 memos, because in his judgment at that time the
13 decisions had all been made.

14 MR. CONYERS: You remind me that many
15 members of Congress said that if they had known
16 this before we voted to give the president
17 additional military authority in Iraq, he might not
18 have gotten any votes or certainly very few, had
19 this knowledge been available to us then.

20 MR. WILSON: Of course Paul Wolfowitz,
21 then the deputy Secretary of Defense, was quoted in
22 Vanity Fair as having said we settled on weapons of

1 mass destruction because that was something that we
2 could sell.

3 MR. CONYERS: Right.

4 Mr. McGovern.

5 MR. MCGOVERN: Apropos your remark about
6 congressmen and senators feeling misled, I would
7 point out that even Senator Pat Roberts, head of
8 the Senate Intelligence Committee, no liberal he,
9 has admitted that had he known some of the things
10 that came out since, he has strong doubts as to
11 whether there would have been a vote for war.

12 Let me just add an element to what
13 Ambassador Wilson has said here and that is that
14 these documents, not only the first document but
15 the others, they show a panic, a veritable panic
16 among British lawyers, and I think perhaps you can
17 all identify with this.

18 They were befuddled. The decision had
19 been made for war. Their prime minister had opted
20 on to this scheme and they were trying to figure
21 out a way, how it could be legally justified.

22 And not once but several times, Peter

1 Goldsmith, the attorney general in London, felt it
2 necessary to point out to various and sundry,
3 including the prime minister, that regime change is
4 not a legal basis for war. Okay.

5 And so the other documents who the lawyers
6 scurrying around for other ways to justify this and
7 the best they could come up with is let's propose
8 to Saddam Hussein the kind of intrusive inspection
9 regime that he's sure to reject, and then we'll
10 have a casus belli, then we can do what we want.
11 He outfoxed them. They accepted it. He invited in
12 the most intrusive, in modern history, inspection
13 regime, and when they found something, namely the
14 Al Samood missile, which exceeded in range the
15 allowed limits, I remember thinking, What is Saddam
16 Hussein going to do? Does anyone remember what
17 happened? They destroyed them. They cut them all
18 up. There were about ninety of them.

19 So it was working. So I could just see
20 the British lawyers sort of saying, Foiled again!
21 What is our fallback position now?

22 So it's really ludicrous, if you look at

1 these documents. The British were in because of
2 the promises made by their prime minister, but they
3 could not justify it legally and they had their
4 chief of staff saying: Look--I'm not gonna send my
5 men and women into war unless you sign on the
6 dotted line saying this is legal. Because the
7 British, unlike us, are members of the
8 International Court of Justice, and the admiral
9 heading up their armed services was not allow--was
10 not about to put his men and women at that kind of
11 risk.

12 And so what happened in the event was
13 Peter Goldsmith, their attorney general, was
14 persuaded by a phalanx of lawyers from the NSC
15 here, to change his mind, and three days before the
16 invasion he signed a little one-pager saying: Yeah,
17 I suppose it's okay after all.

18 MR. CONYERS: Thank you, Mr. McGovern.

19 Attorney Bonifaz, you've already suggested
20 a resolution of inquiry. What else would you add
21 to the question that I've raised?

22 MR. BONIFAZ: Well, Congressman, I think

1 that what's at stake here is whether or not the
2 president engaged in activity that subverted the
3 Constitution. Article 1, section 8, clause 11, as
4 we know, the war powers clause, makes it clear that
5 Congress and only Congress has the power to declare
6 war, to start a war.

7 It may be that the president, if the
8 country's been attacked, suddenly attacked, may
9 repel against that attack. But when it comes to
10 starting a war and declaring war against another
11 nation, Congress has exclusive power.

12 Now you and other members of this panel,
13 and courageous members of Congress with you, as
14 well as United States soldiers and parents of
15 soldiers, all challenge the president's authority
16 to wage war absent a Congress declaration of war.

17 It was our view, and I was proud to serve
18 as your counsel in that case--it was our view that
19 in fact the October 2002 resolution did not
20 constitute a proper declaration of war or anything
21 of equivalent action.

22 The White House, through the Justice

1 Department, in terms of its representation, went
2 into federal court and argued that the October 2002
3 resolution was a proper authorization, was proper
4 under the war powers clause.

5 And so if in fact their position is that
6 the October 2002 resolution was proper, then we
7 have to consider what was the evidence at the time
8 that the October 2002 resolution was deliberated,
9 that the White House had, that it may have
10 concealed from the United States Congress? Or even
11 beyond that, was there in fact a deliberate
12 deception campaign that the White House engaged in
13 to deceive the United States Congress into voting
14 for that resolution?

15 And that I think is the question of the
16 highest magnitude for this Congress to deal with,
17 whether it was deceived, and if so, whether a war
18 was started against another nation,
19 unconstitutionally and illegally, and that the
20 president subverted the Constitution in doing so.

21 MR. CONYERS: That would be covered by a
22 resolution of inquiry?

23 MR. BONIFAZ: Correct. A resolution of
24 inquiry which would begin the process of
25 investigating whether or not these Downing Street

1 minutes are accurate.

2 Now the president has not disputed the
3 authenticity of these minutes. He's not said these
4 minutes do not exist. He's not said this meeting
5 never happened in London. He's not said that he
6 doesn't know who Mr. Dearlove is.

7 In fact, all of that has in effect been
8 admitted by his comments that he didn't believe the
9 minutes were anything close to the truth.

10 But we need to get to the bottom of this.
11 We need to know who's telling the truth and why his
12 comments directly conflict with Mr. Dearlove.

13 A resolution of inquiry would allow the
14 Congress to get contemporaneous notes,
15 contemporaneous documents, subpoena people under
16 oath and to determine who is telling the truth and
17 who's not.

18 MR. CONYERS: That is precisely why we've
19 called this forum, to seek information, to

1 determine how we're going to proceed to continue
2 this investigation. Yes?

3 MS. WATERS: Mr. Conyers, I really want to
4 thank you for having the courage and the caring to
5 pull this hearing together today, and I want to
6 thank all of our participants. Many of you have
7 suffered, but you are here today, confronting what
8 may be one of the biggest scandals in the history
9 of this country based on the deception that you're
10 helping us to unveil, and I want to thank you for
11 that. You're doing a great service to the American
12 public.

13 I want to direct my question to Mr.
14 McGovern. You made a statement that Vice President
15 Cheney made visits to CIA and it appears that it
16 was more than one visit. We have been watching a
17 vice president who had done any number of things.
18 This former CEO of Halliburton, who appears to have
19 had a hand in no bid contracts. This vice
20 president who defends Guantanamo and says that's
21 what we ought to do. We ought to be rough and we
22 ought to be holding people there without charge.

23 This is a vice president who refused to
24 share information about the meetings that he was
25 holding with the energy giants of this country.

1 This vice president appears to be more
2 than arrogant. He appears to not be concerned
3 about what the American public thinks about him and
4 his actions and the way that he influences the
5 decisions of this government.

6 Now today, you have implied that with
7 these visits, something was going on. We all
8 believe, or many of us believe that there's been a
9 manipulation of intelligence information, that they
10 had to make the intelligence fit the conclusion
11 that they were indeed going to invade Iraq.

12 Would you elaborate further on these
13 visits and could you shed any light on any actions
14 or words or anything that he may have done, that
15 you or others know about, that would help us to
16 understand that in fact he was responsible for
17 helping to manipulate intelligence information.

18 MR. MCGOVERN: Thank you, Congresswoman
19 Waters. With respect to the visits to

1 headquarters, people ask me is this unusual, that a
2 vice president would be coming to CiA headquarters
3 and I say, no, it's not unusual, it's
4 unprecedented.

5 I was there for 27 years. Not once, not
6 even George Herbert Walker Bush, who had been
7 director of the CIA, not once did a vice president,
8 sitting vice president come on a working visit to
9 CIA headquarters.

10 Now we know that Cheney came eight or nine
11 times. Apparently the CIA officials can't get
12 their act together because they give a range. It's
13 between eight and twelve, I think they say, which
14 opens the possibility that he may have gone there
15 without so much as reference, making reference to
16 the people in charge. No, it's incredible that
17 that should be happening.

18 Now put yourself in the position of a
19 young analyst. You're trying to find out the
20 truth, right? and you're analyzing this, and you
21 have Cheney come in, he'd like a briefing, and
22 right over his shoulder is George Tenet, who

1 everyone knew was cooking things to what he thought
2 the president wanted.

3 MS. WATERS: Excuse me. You're telling me
4 that he would ask for briefings, he would visit--

5 MR. McGOVERN: Yes.

6 MS. WATERS: --with analysts? He would be
7 given information and Tenet would be present?

8 MR. McGOVERN: Well, that's the normal
9 procedure. Now I wasn't there but the director
10 would normally be there, or the deputy director for
11 intelligence, and none of these folks protected
12 their people from this. Now this is the real
13 outrage. A head of an agency needs to protect his
14 people from this kind of outside pressure, at least
15 in the intelligence business, and he did not do
16 that. Tenet didn't do it and Jamie Misseck [ph],
17 the head of the Intelligence Directorate, she also
18 didn't do it. So these people, these young people
19 who were trying to make a career, were subject to
20 that kind of pressure.

21 And not only that, but George Tenet
22 decided that he'd like to see the president every

1 morning and so he hitched a ride with the morning
2 briefer. Now, my experience in briefing people
3 downtown--vice presidents, secretaries of state and
4 defense and so forth--was it's a one-on-one deal.
5 Okay? You go down there, you're trusted, you've
6 been around for awhile, you can answer questions.
7 You know enough not to answer questions if you
8 don't know the answer. So you carry out this duty.
9 So here is your director standing behind you, over
10 your shoulder. And if this doesn't have an
11 inhibiting effect on your candor, when you know
12 your director is saying slam-dunk and things like
13 that, then nothing will.

14 So the bottom line here seems to be, and I
15 regret very much to have to say this, but that the
16 management of the Central Intelligence Agency has
17 been so corrupted, has been so politicized, that
18 there's a real question in my mind as to whether
19 they can come up with an objective view on
20 anything, given the fact that the administration
21 makes it very clear the answers that they want to
22 hear.

23 You asked about a couple of other things.
24 Just very briefly--energy. It's very interesting
25 Cheney was head of that energy task force, of

1 course. He had come out of that Halliburton
2 experience, okay? He had been CEO, of course.
3 Now, after Gulf War I, he was asked in Seattle in
4 early 1991, Why didn't you just go in there at take
5 Saddam out? You know? Why didn't you do that?

6 You know what he said? He said, we asked
7 ourselves what that would lead to. And we asked
8 ourselves, well, how many American soldiers are
9 worth taking Saddam out, and we decided, well, not
10 very many. Okay?

11 Now, 10 years later he's vice president.
12 What changed? Two things changed. He was head of
13 Halliburton, he knows all about oil, number one.
14 And the second is that our country, for the first
15 time in its history, is importing more than half of
16 the oil it needs. He finds Iraq on its back
17 militarily for what we did to it in 1991, he finds
18 Saddam Hussein a ruthless dictator, he finds Iraq
19 with the second-largest oil deposits in the world.

1 Let's go get 'em. So that was a very integral part
2 of that whole nexus. The whole deal--alternative
3 social strategy? Who knows about that? And I look
4 around the table -- they're all oil people. We
5 know about that and we know where the oil is. I
6 don't know how our oil got beneath the sands of
7 Iraq, but, you know, we have to deal with that.

8 So, yeah, he has a major role in all of
9 this. It's very easily demonstrated. And the
10 thing is, you probably can tell what professional
11 intelligence analysts find most outraging is that
12 the management of the CIA permitted this kind of
13 pressure to be put on their analysts. And sadly,
14 that kind of pressure worked. And the analysts who
15 were worth their salt have left, and what you've
16 got there are the kinds of people who will
17 cooperate with this kind of thing, frankly.

18 MS. WATERS: Thank you very much.

19 MR. CONYERS: Thank you very much,
20 Congresswoman Waters.

21 We've been joined by Maurice Hinchey of
22 New York, Barbara Lee of California, Mr. Charles

1 Rangel of New York, Zoe Lofgren of California, Mr.
2 Jerry Nadler of New York. And the chair recognizes
3 Barney Frank, and then after him Mr. Jim McDermott
4 and Barbara Lee.

5 MR. FRANK: Thank you, Mr. Chairman. I
6 want to focus on the memos again as well.
7 Obviously, we are all clearly here because of our
8 conviction, and I think a growing conviction, that
9 the time has come to get out.

10 And I just want to say, as you mentioned,
11 to the morass that preceded this, you understand
12 why they're having trouble figuring out an exit
13 strategy and that's because they never had a good
14 entrance strategy. If you don't have a good reason
15 for doing something, it becomes hard to have a
16 reason for stopping doing it. And it is the
17 absence of any logical reason to go in that is now,
18 I think, the frustration.

19 But I've been struck, with regard to the
20 Downing Street memos, that the defenders in the
21 administration, including in the media, have been
22 arguing the alternative. Some have been saying

1 that it isn't true what's in the memos, and
2 alternatively that they knew it all along. And I
3 would particularly be interested in your addressing
4 this. I've seen some of the journalists say, well,
5 big deal, we knew that. I mean, as you've seen--

6 So the question is, did they know that
7 and, if they knew that, why the hell didn't they do
8 something about it?

9 Joe, do you want to start?

10 MR. WILSON: Yes, sir, Congressman. I
11 said earlier that, indeed, I believe that had they
12 well known about it and had the books been cooked
13 in the minds of those, even supporters of the
14 Republicans, they perhaps might not have entered
15 the debate as they did. And I cited Brent
16 Scowcroft, who wrote an article in August or
17 September; Jim Baker, who wrote an article urging a
18 different course of action; Larry Eagleberger, who
19 on numerous appearances said that he would support
20 the president if the president said there was a
21 nuclear case to be made, a case of nuclear weapons.
22 Myself included. I was part of that team in the

1 first Gulf War. I was in charge of the embassy in
2 Baghdad during Desert Shield and was considered
3 pretty hawkish within that circle as I was
4 reporting back to Washington.

5 I frankly find the suggestion, as it has
6 been reported in a number of newspapers, to be an
7 insult to the intelligence of the readership.

8 MR. FRANK: The suggestion that everybody
9 knew that all along?

10 MR. WILSON: I think that's correct. The
11 president came out on any number of occasions, and
12 indeed, from July of 2002 until the time he went up
13 to the United Nations, his rhetoric changed from
14 regime change, when it became apparent that regime
15 change is not legal justification for war. The
16 U.N. Charter is very clear on noninterference in
17 the internal affairs of a sovereign nation.
18 Therefore, you had to come up with another reason.
19 And the rhetoric changed from regime change to
20 weapons of mass destruction, and then regime change
21 to terrorism, ties to terrorism. Mr. Zarkawi was
22 found--

23 MR. FRANK: It would be specifically what
24 the reference was to fixing the facts around the
25 policies.

1 MR. WILSON: Well, I think that's exactly
2 right. And also, if you recall, my recollection of
3 the use of force authorization was that the
4 administration had to persuade itself that the
5 threat to the United States was such that military
6 action was the only possible action. Hence, you
7 have the argument made, the case built, on weapons
8 of mass destruction, a case which we now know was
9 built out of whole cloth.

10 MR. CONYERS: Didn't they also shift to
11 bringing democracy to Iraq as even a third leg to
12 find some more rational justification?

13 MR. WILSON: The justification was first
14 weapons of mass destruction as a threat to our
15 national security, and Mr. Wolfowitz later said
16 that weapons of mass destruction was the reason
17 everybody would buy. They then went to ties to
18 terrorism and brought--found Mr. Zarkawi, who of
19 course was at that time associated with Ansar al-Islam,
20 which was located in an area of Iraq not
21 under the control of Saddam Hussein, but under the
22 control of Jalal Talabani, who of course is now the
23 president of Iraq.

24 The third case was ties between--the
25 possibility that Saddam Hussein might actually

1 transfer weapons of mass destruction to
2 international non-state actors, international
3 terrorists. The director of the Central
4 Intelligence Agency, Tenet, testified that he would
5 do that only as a last gasp, as his government was
6 collapsing, sort of as a posthumous last gasp, as I
7 wrote. And then late in the game, the president
8 gave a speech at the American Enterprise Institute
9 in which he talked about bringing democracy--

10 MR. FRANK: But democracy came after the
11 others had been refuted. Democracy was not put
12 forward until--

13 MR. WILSON: That's correct.

14 MR. FRANK: --the others had been refuted
15 by--

16 MR. WILSON: The president himself said --

1 this.

2 MR. FRANK: Democracy was in this case the
3 last refuge of whatever.

4 MR. WILSON: I would argue that the
5 contract we have with our servicemen and women is
6 to defend this country against foreign threats.
7 And the idea that we use the military and our
8 military hardware to bring democracy to a foreign
9 country is really counterintuitive on the face of
10 it. I would further argue that the 23 years that I
11 was in the Foreign Service, that's what diplomats
12 did. We promoted those values that are here and
13 important to us. Which values, by the way, are
14 enshrined in the United Nations Human Rights
15 Charter. That's what we do as diplomats.

16 MR. BONIFAZ: Congressman, can I just add
17 to this? I think it is important to highlight that
18 this letter on March 18, 2003, which the president
19 sent to the United States Congress was his official
20 determination, in accordance with the October 2002
21 resolution that this Congress passed, as to why we
22 were going to war against Iraq. And he says in

1 this letter, as he was required to do under the
2 October 2002 resolution, that military action was
3 necessary to protect the national security of the
4 United States against a continuing threat posed by
5 Iraq; and, point 2, to be consistent with the
6 United States and other countries continuing to
7 take the necessary actions against international
8 terrorist organizations, et cetera, related to the
9 September 11th attacks.

10 Those were the two justifications that he
11 formally reported in this letter, in this official
12 document.

13 MR. FRANK: "Democracy" is not in here.

14 MR. BONIFAZ: "Democracy" is not in here.
15 "Democracy" is not in there. And the point here is
16 if the Downing Street minutes are true and if the
17 president was engaged in a policy of fixing the
18 intelligence, then did he wilfully and knowingly
19 submit a false statement to the United States
20 Congress? Did he willingly and knowingly say to
21 the Congress that in fact we were taking military
22 action to protect the national security of the

1 United States against a continuing threat posed by
2 Iraq when he knew that that was not true? Did he
3 know that to be the case? And that is the question
4 that needs to answered by this Congress.

5 MR. CONYERS: Willingly, yes; knowingly,
6 no.

7 MS. : Didn't the White House put
8 out a statement that he didn't read it before he
9 signed it, so he could absolve himself of that?

10 MR. CONYERS: That disclaimer was not
11 noted anywhere in the record.

12 MR. FRANK: But actually the copy we have
13 didn't--

14 MR. : --and members of the
15 population can get it from whitehouse.gov.

16 MR. CONYERS: I'm pleased to recognize our
17 new colleagues joining us--Bob Wexler of Florida;
18 Bobby Scott, Virginia; Al Green, Texas; Diane
19 Watson, California. And the chair recognizes Jim
20 McDermott, who will be followed by Sheila Jackson
21 Lee.

22 MR. McDERMOTT: Thank you, Mr. Chairman.

1 I want to commend you for having these hearings and
2 for the committee putting this all together and for
3 you, the panel, coming here and talking.

4 Before the war began, in August and
5 September a church group in Washington state wanted
6 me to go to Iraq. And before I would go, I talked
7 to the Iraq ambassador. And then I went up to New
8 York and talked to the Iraq foreign minister. Had
9 a long conversation with him--it was about an hour
10 long--in which he said, finally, You will be
11 pleased with the decision we're going to make--referencing
12 the inspectors. And he also said, But
13 it doesn't make any difference what we do, you are
14 going to bomb us, you are going to--why don't you
15 just start the bombing now, because you are going
16 to attack us. We know that. There's no question
17 in our mind what's happening here.

18 Then recently the press has come out with
19 stories about the bombing raids that were going on
20 before, during the period between September and
21 actual invasion in March. And I would like to hear
22 what you know about that and what sources you could

1 direct us to to find more information, or who we
2 should have come and talk to us about this.
3 Because its seems to me they were not only cooking
4 the books, they were putting facts on the ground to
5 support what they were saying they were doing.

6 MR. McGOVERN: That's exactly right. Your
7 source for that is the British Ministry of Defense.
8 And the reason that the British Ministry of Defense
9 surrendered these documents is because Parliament
10 required them to.

11 The step-up in bombing was incredible. In
12 March-April of 2002, there were hardly any bombs
13 dropped at all. By the time September came along,
14 several hundred tons of bombs had been dropped.
15 The war had really started.

16 MR. McDERMOTT: When, did you say?

17 MR. McGOVERN: By September of 2002. This
18 is on the public record now. And the question is--these
19 were not only U.K. bombers and fighters--the
20 question is under what authority did our armed
21 forces do these war-like acts, and whether those
22 war-like acts were in any way authorized by the

1 people who were supposed to authorize war in this
2 country.

3 I would just mention one other thing and
4 that is, Congressman McDermott, when you went to
5 Baghdad I remember you and Dave Bonier being
6 interviewed by George Stephanopoulos. And at one
7 point he said, Congressman McDermott, you're not
8 saying that the American president would mislead
9 the American people, are you? And, you know, I
10 heard the gasps go up in the rec rooms around my
11 neighborhood. And you said, That's precisely what
12 I'm suggesting, George. But this is a nonpartisan
13 affair. When a president of the United States
14 wishes to go to war, whether it's LBJ or George
15 Bush, yes, he'll mislead the American people.
16 Thank you for asking the question.

17 That's the first time in his life George
18 Stephanopoulos didn't know what to say.

19 [Laughter.]

20 MR. McDERMOTT: I've got to go vote.

21 MR. CONYERS: The chair recognizes--
22 Rush Holt is here, New Jersey. And I recognize for

1 questions or comments the gentlelady from Texas,
2 Sheila Jackson Lee.

3 MS. JACKSON LEE: Thank you very much, Mr.
4 Chairman, for convening this hearing, and
5 witnesses, thank you very, very much.

6 For those of us who debated on the floor
7 of the House in the fall of 2002 in a lonely
8 vacuum, certainly not one without the sense that
9 you were right, but in a lonely vacuum, many would
10 ask why now? And unfortunately, I would say
11 "timing, timing." Within the course of timing, we
12 look at the hundreds upon hundreds of loss of
13 lives, the thousands upon thousands of Iraqi lives.
14 But yet we also look at the extended cost of the
15 traumatized returning military personnel.

16 This war has shown the highest number
17 percentage-wise of suicides. It has shown the
18 highest percentage of degree of need for mental
19 health services. We have had veterans hospitals
20 denying services to returning veterans who have
21 long-term damages. And as well, we have not
22 calculated the human cost and loss in Iraq.

23 I want to say to you, Ms. Sheehan, and I
24 wish that I did not have to say it, but what I want
25 to say to you is an apology. I want to officially

1 go on record. And if no one else has apologized, I
2 want to apologize on behalf of the institutions of
3 this nation--the United States Senate, the United
4 States House of Representatives, and, if I can
5 extend to the executive of the United States of
6 America. The reason I apologize is, as the counsel
7 has indicated, and the argument that I recall that
8 I made in the fall of 2002, was that this was not a
9 constitutional vote and that the authority of the
10 declaration of war was that of this Congress, and
11 that, although we might have been feeling the
12 emotion or the belief that we were in jeopardy, we
13 hold an obligation to the lives that we will be
14 sending forward who took an oath--meaning the
15 military--to sacrifice on our behalf. We owe the
16 responsibility to send them on the basis of truth
17 and the vetting of that truth.

18 So in all seriousness, I want to again
19 reaffirm my apology. And I believe the nation owes

1 you an apology and it owes an apology to all of the
2 families that have now lost loved ones who
3 willingly went to serve on the front lines in Iraq
4 and Afghanistan. I hope you will hold me to that
5 and, as well, I hope you will hold me to action on
6 what we're hearing today.

7 Might I just pose this question, Mr.
8 Ambassador. Coming back from Africa, you came back
9 with a full report. I imagine you thought you had
10 been sent for an honest journey and an honest
11 investigation. And I suspect that you expected
12 that your thorough review based upon your knowledge
13 of Africa and your knowledge of the issue would
14 have been received in the manner that you would
15 offer it. With the realm of what you're allowed to
16 provide us with in terms of classified information,
17 could you track for us -- briefly the scenario of
18 returning, who you encountered in making the
19 report, and whether or not you left satisfied that
20 you had convinced them of the veracity of a plain,
21 simple report, which I think your basic assignment
22 was, were nuclear materials being sent to Iraq and

1 did they have the capacity or did it result in the
2 capacity of, I guess, producing weapons of mass
3 destruction?

4 MR. WILSON: Thank you, Congresslady.

5 Indeed, when I was asked to go out to
6 Niger, I undertook the mission as I think anybody
7 in my particular area of expertise would have done.
8 The questions raised by what I was told was the
9 Office of the Vice President were absolutely
10 legitimate. If in fact there was substance to the
11 allegation that Saddam Hussein had attempted or was
12 purchasing 500 tons of uranium yellowcake from
13 Niger, there really would only be one reason to
14 have that stockpile, and that would be to make
15 nuclear weapons.

16 It was a legitimate question. I went out
17 and did my best to answer the question. As I said
18 earlier, mine was not the only effort to answer the
19 question. There were two other efforts undertaken
20 pretty much contemporaneously, one by our
21 ambassador on the scene in Iraq, Ambassador Owens-
22 Kirkpatrick, and one by a four-star -- general who

1 was the deputy commander in chief of U.S. Armed
2 Forces/Europe, Marine Corps General Carlton
3 Fulford. All three of us concluded separately and
4 independently that such a sale likely did not take
5 place.

6 My particular value added to this inquiry
7 was that I had been senior director for African
8 affairs in the latter years of the Clinton
9 administration at a time when we were working
10 closely with the Niger government as it was working
11 through a succession of military coups, including
12 the assassination of one of the coup leaders who,
13 as president, would become the leader of the junta
14 in Niger. I had helped them work through all their
15 issues, and indeed, by the late '90s they had had
16 elections and had returned a greater
17 representational government.

18 I had gone out to Niger in the late '90s
19 at the request of the then-coup leader as he was
20 transitioning out, and he received me at the
21 airport because when I had seen him when he'd come
22 to power, I had told him there were several things

1 he had to do--have elections, move out of power,
2 and probably leave the country since his successor
3 civilian president would not be comfortable with
4 him watching his back. It had been in fact his
5 organization that had been responsible for the
6 assassination of his predecessor.

7 He received me at the airport to say to
8 me, everything you asked me to do 18 months ago, I
9 have done, haven't I? And I said, Yes, sir, you
10 certainly have. He said, there's one other thing.
11 I'm on my way down to Nigeria for a state visit, an
12 official visit, and while I'm there I'll be picking
13 up the key to my new house because I would be
14 leaving the country to allow the new government to
15 seed itself and take responsible.

16 Now, in making this effort in the late
17 '90s, I had worked very closely with the civilian
18 bureaucracy that sort of worked underneath this
19 military junta, including the prime minister, the
20 minister of foreign affairs, and other senior
21 officials in that particular government. I had
22 earned their trust. It had been they who had asked

1 me to come and help move the country out of the
2 dictatorship rolls and onto the democracy rolls.

3 And it was really building, it was that
4 trust with the government that had been in the
5 office at the time these purported memoranda of
6 sales had been executed, that gave me added insight
7 into what they were doing. Our ambassador on the
8 ground had arrived during the transition to a new
9 civilian government and therefore had not really
10 had the experience with these people that I had
11 had.

12 I also had served in Niger in the mid-'70s
13 and knew quite a bit about how uranium is mined in
14 Francophone Africa, both from Niger and also as
15 service as the American ambassador to Gabon in the
16 mid-1990s. So I knew quite a bit about the uranium
17 mining business. I knew the officials who would
18 have been involved in any transaction intimately,
19 and I was able to report back with confidence, as
20 the other two were able to report back, that it was
21 highly unlikely that such a transaction had taken
22 place.

23 Now, when I returned--first of all, before
24 I left Niamey, Niger, I briefed the ambassador. I
25 also briefed other embassy officials as to what I

1 had found or what I had not found. When I returned
2 to the United States, within two hours of my having
3 set down at Dulles, there was a CIA reports officer
4 who was at my house. I briefed him on what I had
5 found. He then turned that briefing into sort of
6 intelligence, an intelligence memorandum which was
7 circulated through the U.S. government.

8 Now, my understanding is the other two
9 reports were also circulated throughout the U.S.
10 government. So by early March of 2002, there
11 should have been no confusion about this. Indeed,
12 in October of 2002, four months before the State of
13 the Union, in which the famous, of infamous, 16
14 words showed up, the deputy director of central
15 intelligence testified to the Senate Select
16 Committee on Intelligence that, in his judgment,
17 the British had stretched the case on African
18 uranium sales to Iraq. A couple of days later, the
19 director of central intelligence called the White

1 House and sent to faxes saying the same thing and,
2 as he has later testified, said that he did not
3 want the president to be a witness of fact on this
4 matter because the evidence was weak and, in the
5 judgment of the American intelligence community--that \$40
6 billion-a-year industry we have to give us
7 their best assessments--the British had exaggerated
8 the case.

9 Now, I think those of us who live in
10 Washington know what it means when the deputy
11 director of intelligence, and the director, says
12 things "stretched the case" and "exaggerated."
13 What it means to normal Americans, or to translate
14 for normal Americans, it means the British
15 intelligence wasn't worth the paper it was printed
16 on--so as not to use a profanity.

17 [Laughter.]

18 MR. WILSON: So I think that that was four
19 months before the State of the Union address.

20 MS. JACKSON LEE: Thank you.

21 MR. CONYERS: And I thank you very much.

22 Before recognizing Congresswoman Barbara

1 Lee and then, following that, Congressman Jim
2 Moran, I wish to acknowledge the presence of Ms.
3 Lynn Woolsey of California and Mr. Jay Inslee of
4 Washington State; Marcy Kaptur of Ohio; Jan
5 Schakowsky of Illinois; Ed Markey of Massachusetts.
6 We welcome you all.

7 We now turn the questioning over to the
8 gentlelady from California.

9 MS. LEE: Thank you very much, Mr.
10 Chairman. Let me thank you for your leadership and
11 for insisting that the truth be told to America and
12 to the rest of the world. And I want to thank all
13 of our witnesses for your bravery and for being
14 here and for continuing in your efforts to make
15 sure that this never happens again and that the
16 American people know the truth.

17 Now, many of us knew that there was no
18 connection between al Qaeda and Saddam Hussein.
19 Many of us knew that there were no weapons of mass
20 destruction in Iraq. I serve on the International
21 Relations Committee, one of the committees that
22 authorized the use of force. During the debate in

1 that committee, and many of you heard that debate,
2 we offered them an amendment, which we subsequently
3 took to the floor, that said basically let's just
4 continue with the United Nations inspections,
5 because we knew, if the U.N. had continued with
6 their work, that we would not have to go to war
7 based on these distortions and these lies.

8 Now we're \$300 billion-plus; 1,700 of our
9 young men and women have died; countless Iraqis
10 have died; and there's no end in sight. I want to
11 ask you a question, and I'm talking with
12 Congressman Conyers and others with regard to a
13 resolution of inquiry, because of course the
14 International Relations Committee is one of the
15 committees with jurisdiction over that, but I had
16 to find out with regard to the long-term plans of
17 the Bush administration. Now, we know their
18 foreign policy doctrine is a doctrine of
19 preemption. We use preemptive strikes to prevent
20 what they see as perceived future threats. Who
21 knows what's next on their agenda? Is it Iran, is
22 it Syria, is it North Korea? We don't know. Now

1 they've sifted to regime changes in Venezuela. So
2 I question this overall foreign policy within this
3 context.

4 So I would like to just hear your take on
5 this in terms of their general foreign policy. And
6 also, I'm curious of your insight as to whether
7 Secretary Powell and the National Security Advisor
8 Condoleezza Rice were part of this. Did they know
9 that there were no weapons of mass destruction?
10 Did they know that this policy was being put
11 together to justify the upcoming invasion? Or was
12 this above their pay grade? I'd just like to know
13 what your take is on that.

14 MR. BONIFAZ: Thank you, Congresswoman
15 Barbara Lee. I must say that it's humbling to be
16 complimented on our bravery by someone with your
17 bravery.

18 With respect to Powell and Condoleezza
19 Rice, Colin Powell earned his persona, his self-image by
20 saluting the person on top. He was
21 constitutionally unable to act otherwise. I think
22 he knew chapter and verse about the charade that

1 was being constructed and he went ahead anyway
2 because he knew no other way. That's harsh. I
3 know him well. He grew up a mile from me in the
4 Bronx. But I know the syndrome. When you come up
5 that way, you salute.

6 Condoleezza Rice, I have to say that her
7 record for veracity is undistinguished. When you
8 look at all the things she said about 9/11, all
9 them--well, it's on your record, all the things
10 that she said that turned out not quite to be true.

11 Now, preemption. I was sort of worried
12 about preemption. I'm a student of history and of
13 some political science. I may be wrong, but
14 preemption has no place under international law.
15 There is no international law blessing of the
16 doctrine of preemption, or prevention, or however
17 you want to call it. And that was one of the
18 problems that the British laws were running into.
19 You have to have an imminent threat and you have to
20 be able to prove that somebody's about to attack
21 you. And nothing was farther from the truth.

22 And so we have a real problem if we sit

1 back and we say, oh, we have a new national
2 security strategy, preemption. It's a little
3 different from containment.

4 Well, it's a lot different from
5 containment. It's illegal. We ought to make that
6 point to the American people until we come to
7 change it.

8 MR. WILSON: Can I add to what the
9 congresslady said about courage? What we're doing
10 sitting here is not courage, it is civic duty. It
11 is what we do in this country at every level of
12 governance every day. We just happen to be doing
13 it on a matter of international relations. But you
14 go to any city hall, you go to any state
15 legislature, you go back and look at your e-mails,
16 and you have citizens of this country exercising
17 their First Amendment rights to petition the
18 government for a redress of grievance. Courage is
19 1,700 Americans who have already sacrificed their
20 lives, the 130,000 Americans who are still over
21 there fighting. And our obligation is to ensure
22 that we have not sent them off to kill and to die

1 in our name, falsely and under dubious pretenses.

2 That's what courage is.

3 Now, with respect to the administration's
4 foreign policy. As most recently defined by the
5 president of the United States, it appears to be to
6 use our military force to bring God's gift of
7 freedom to the human race.

8 Now, I don't believe that anywhere in the
9 contract we signed with our soldiers, sailors,
10 airmen, and marines it is stated that that is what
11 they're going to carry arms and use arms to do.
12 They are paid to defend us against foreign enemies.

13 MR. CONYERS: Jim Moran. Oh, excuse me,
14 did you wish to--

15 MR. BONIFAZ: I just want to add on this
16 preemptive war doctrine question, the president, on
17 June 1, 2002, announced this doctrine, and when he
18 did so at this speech before the United States
19 Military Academy at West Point, he stated, "Our
20 security will require all Americans to be forward
21 looking and resolute, to be ready for preemptive
22 action when necessary to defend our liberty and to

1 defend our laws." And 10 days later, the
2 Washington Post printed an article on the emergence
3 of this new doctrine, describing it as "a radical
4 shift" from half-century-old policies of deterrence
5 and containment.

6 Now, leaving aside the question whether we
7 are for or against this shift in foreign policy to
8 preemptive war, by its own terms the preemptive war
9 doctrine requires evidence that there is a threat
10 to preempt. And this is precisely the point of why
11 the Downing Street minutes are so important.
12 Because if it is true that the president engaged in
13 a deliberate deception campaign to fix the
14 intelligence, to fix the threat, to manipulate the
15 facts and to say that there is a threat that did
16 not in fact really exist, then he clearly has
17 engaged in suborning the Constitution and engaged
18 in such a high crime that it must require
19 accountability under the United States
20 Constitution.

21 MR. CONYERS: Mr. Moran will inquire.

22 MR. MORAN: We have a very vote coming up.

1 I'm afraid it's a five-minute vote. It's our
2 previous question on requiring an exit strategy on
3 Iraq.

4 What I would like to do is to get back to
5 why we did do it. We understand that the reasons
6 that we were given were part of an endemic pattern
7 of deceit. They were not the real reason. But
8 what do you think was the real reason?

9 It's been suggested that the oil companies
10 were concerned Saddam was giving contracts to
11 Russia and France, and maybe that's what it was, we
12 wanted to get control over the oil.

13 It's been suggested that rather than being
14 the president of a failed economy, which was the
15 situation in 2003, that being commander in chief of
16 a mighty military was a lot better political
17 position to be in.

18 There was a suggestion that, while Iraq
19 was no threat to the United States, Iraq could have
20 been a threat to our ally in the Middle East.

21 What was the real motivation, in your
22 mind, to why we did go to work in Iraq?

23 MR. BONIFAZ: All of the above.

24 MR. MORAN: All of the above.

25 MR. McGOVERN: Yeah. I use the acronym

1 OIL. O for oil, I for Israel, L for the logistical
2 base necessary, or deemed necessary by the so-called
3 neocons, and it reeks through all their
4 documents, the logistical military base whereby the
5 United States and Israel can dominate that area of
6 the world. It's a very strategically important
7 area of the world, mostly because it has oil but
8 also because Israel, which is traditionally
9 described as our ally--and I don't know of any
10 alliance we have with Israel--has been very
11 influential in our policy. Witness the fact that
12 the first President Bush's national security
13 advisor, Scowcroft, has described the president as
14 being mesmerized by Ariel Sharon, who has our
15 president wrapped around his little finger.

16 So what I'm saying here is oil was a major
17 factor, Israel was another factor--and I have to
18 say that Israel is something that is not allowed to
19 be brought up in polite conversation; last time I

1 did this, the previous director of central
2 intelligence called me antisemitic--and the other
3 thing is the ideological strategic vision of the
4 so-called neocons. You can see it in their
5 documents. We are the sole remaining superpower in
6 the world. We would be remiss in our duty were we
7 not to use this power in every strategically
8 important part of the world, and what's more
9 important than the Middle East? That would be my
10 answer, Congressman.

11 MS. WATERS: I should just say for a
12 moment before we leave that we are going up where
13 we're going to take a vote on an amendment by our
14 leader, Nancy Pelosi, asking for a report from the
15 president to Congress containing a strategy for
16 success in Iraq and identifying the criteria to be
17 used to determine when it is appropriate to bring
18 U.S. forces home from Iraq.

19 Now, let me say this. Most of the people
20 who have been in the room today are now signed up
21 in what we have organized as Out of Iraq
22 Congressional Caucus. This just happened. We made

1 a presentation to the leader and to the caucus on
2 Tuesday. We took up two hours basically putting
3 everybody on notice that we were coming out of the
4 box, we've been quiet for too long, and that we
5 could not idly by and undermine the reason why many
6 of us came here, and allow this war to continue
7 with our soldiers being killed, no exit strategy,
8 et cetera.

9 So what we have done in doing this is
10 we've gotten some movement going in our caucus.
11 Things are beginning to happen. The Out of Iraq
12 Caucus will continue to agitate and connect with
13 groups outside so that we can provide the
14 leadership that the American public so desperately
15 wants from us in order to bring an end to this war.

16 So I want to thank you for all that you
17 have done to help give us the backbone, the
18 courage, the inspiration, and all the other things
19 that I think people needed in order to move in the
20 direction that we are about to move. But you can
21 take great credit, because of what you've been
22 saying and what you've been doing and the

1 sacrifices that you have made, that something is
2 about to happen here above and beyond even the
3 amendment that you see today. We're hitting the
4 streets, we're organizing, we're going to work.

5 Thank you, John Conyers.

6 [Applause.]

7 MR. CONYERS: Thank you.

8 We've been joined by Congresswoman Corrine
9 Brown of Florida. And who seeks to question our
10 witnesses, Mr. Hinchey from New York, and then
11 followed by Congressman Jerry Nadler.

12 MR. HINCHEY: John, thank you very much.

13 MR. CONYERS: Excuse me. Hinchey, Rangel,
14 Nadler.

15 MR. HINCHEY: I'll defer to Charlie first.
16 I'll go after him.

17 MR. RANGEL: Thank you. I can't thank
18 this panel enough. I would fight for this country
19 at the drop of a hat it's been so good to me, but I
20 have sat through two painful impeachments, one on
21 the Judiciary Committee with the Chairman of this
22 committee, and through the impeachment proceedings

1 against President Clinton. Quite frankly, the
2 evidence that appears to be building up points in
3 the direction of whether or not a President has
4 misled or, rather, deliberately misled the Congress
5 in the most important decision that a President can
6 ever make, and that is placing Americans in harm's
7 way.

8 I say this with heavy heart because I want
9 to badly to believe that no human being, no public
10 official, no President would ever sacrifice
11 American lives deliberately. I have not been able
12 to be here throughout this hearing, this historic
13 hearing, because I'm certain that all Americans
14 want to believe that at worst the President was
15 misinformed, and I think this will clear the record
16 as we get information as to whether it was
17 deliberate or not.

18 Having not heard all of the testimony, has
19 anyone here testified earlier that they believe
20 that the information we have now is sufficient to
21 conduct an inquiry to see whether or not the
22 President knew or should have known that Iraq was

1 not threat or Saddam Hussein was no threat to the
2 United States of America?

3 MR. BONIFAZ: Yes, Congressman, we have at
4 afterdowningstreet.org, my name is John Bonifaz,
5 co-founder of afterdowningstreet.org, we have
6 launched a campaign on behalf of a national
7 coalition of veterans' groups, peace organizations,
8 public interest organizations and ordinary citizens
9 across this country asking this Congress to engage
10 in a formal congressional investigation into
11 whether or not the President has committed a high
12 crime, whether he has committed impeachable
13 offenses.

14 All we're asking at this point is for
15 answers from these questions. All we're asking is
16 to know the truth as to whether or not the
17 President engaged in a deliberate deception
18 campaign. Some of his supporters want to say this
19 was a failure of intelligence. If the questions
20 get asked and they get answered sufficiently,
21 documents get subpoenaed, Emails and
22 contemporaneous notes get subpoenaed, people get

1 put under oath and at the ultimate end of that
2 investigation it is determined that that's all it
3 was, a failure of intelligence, then so be it.

4 But if in fact the Downing Street minutes
5 are accurate and Richard Dearlove, British senior
6 foreign intelligence officer, is accurate when he
7 said that the intelligence and facts were being
8 fixed around the policy, if that's what the truth
9 is, then the American people and the United States
10 Congress deserve to know.

11 Cindy Sheehan and all the military
12 families who have suffered losses in this war
13 deserve to know. We all deserve to know the truth
14 as to whether or not the President has lied to the
15 United States Congress and the American people
16 about the basis for sending this nation into war.
17 We owe it to ourselves and we owe it to the
18 Constitution.

19 MR. RANGEL: Thank you, Mr. Chairman.

20 MR. CONYERS: Thank you, Charles Rangel.

21 Mr. Hinchey of New York?

22 MR. HINCHEY: Mr. Conyers, I want to thank

1 you very much for this historic hearing and for
2 doing this and for leading this in a very
3 courageous way, and I also want to thank the four
4 of you for being here today. Thank you for the
5 courage that you've shown over the course of the
6 last several years. In many ways, I think that all
7 of us in the Congress and the entire nation owes
8 all of you and others a deep debt of gratitude.

9 This country in my opinion is facing one
10 of the most critical moments in our history. The
11 idea that a President of the United States may have
12 misled the Congress and the American people with
13 regard to war is the most flagrant example of bad
14 leadership and irresponsibility and corruption that
15 one could imagine in a democratic republic such as
16 ours. So what is being done today I think is
17 incredibly important and I am deeply indebted to
18 you, Mr. Conyers, for allowing it to happen or
19 making it happen.

20 The fact that we're in a tiny little room
21 like this discussing one of the most important
22 issues before the American public indicates how

1 irresponsible this Congress is. Under the
2 Constitution, the Congress of the United States has
3 the responsibility to oversee the Executive Branch
4 and to make certain that the Executive Branch's
5 actions and activities are wholly and completely
6 consistent with the law as written by the Congress.
7 This Congress has abrogated its responsibility,
8 failed completely in its obligations and
9 responsibilities to oversee this administration.

10 It's unfortunate, but in Washington today
11 we have a monolithic government. We do not have
12 the checks and balances which are so critically
13 important to allowing this country to keep
14 functioning properly.

15 Many of us realize that the time that that
16 resolution was passed in October, that the basis
17 for the resolution as it was presented by the White
18 House and the leadership here in the Congress was
19 largely if not completely false. We did not have
20 all the information then, but on the basis of the
21 information that we had which was available to
22 every member of the Congress and to a large number

1 of the American population, it was clear that there
2 was no connection between Iraq and the attack of
3 September 11th, that there was no relationship of
4 any consequence between Saddam Hussein and Osama
5 bin Laden as it was presented by administration,
6 and it was clear that whatever weapons of mass
7 destruction, chemical and biological weapons,
8 including all of those which were placed in Iraq
9 during the mid- to late-1980s and early-1990s by
10 this government under the administration of Ronald
11 Reagan and the administration of George H. W. Bush,
12 all of those chemical and biological weapons as
13 well as conventional weapons which were sent there
14 during that time were largely accounted for if not
15 completely accounted for.

16 Now the Downing Street Memo which says
17 clearly that the administration twisted the
18 intelligence and the facts around the policy
19 documents again what we believe to be the case in
20 October 2002 and all of the period of time sometime
21 before that and all of the period of time after
22 that.

23 So if this administration did what now
24 seems apparent and in fact twisted and distorted
25 the facts in order to accomplish a policy which was

1 set in place long before the attack of
2 September 11th and sought to exploit the attack of
3 September 11th in order to carry out that policy,
4 i.e., the attack on Iraq.

5 And then alleged that any mistakes that
6 may have been made were the result of malfunctions
7 in the intelligence system, putting the blame of
8 the responsibility for all of that activity in the
9 Central Intelligence Agency, on the FBI, on the
10 other aspects of American intelligence, and that is
11 not the case which it seems to be.

12 What is the impact of that on the American
13 intelligence system? The President is saying to us
14 that the attack on Iraq among other things has made
15 America and the world more secure. It seems to me
16 it has made it much less secure. It seems to me as
17 a nation we are much less secure today than we were
18 before this policy was put into effect.

19 One of the examples of that insecurity is

1 what I imagine to have happened within the
2 construct of the intelligence apparatus within the
3 United States. Having done their job, having
4 presented the information, albeit George Tenet
5 admittedly saying to the President, yes,
6 Mr. President, it's a slam dunk. Whatever you
7 want, we can get for you. But the people who
8 actually do the work in the intelligence apparatus
9 of this country, what has been the effect on the
10 intelligence? How much less capable is our
11 intelligence today? How has the affected the
12 people working in the intelligence operations? How
13 are they less able to produce what they ought to be
14 producing? And if you would, maybe you might
15 comment also on the Senate Intelligence Committee
16 report which said to us last fall that they were
17 going to complete that report early this year and
18 tell us in that report what were the
19 administration's connections with the falsification
20 of information.

21 MR. MCGOVERN: Thank you. Perhaps I could
22 start by responding the state of U.S. intelligence

1 has never been more a shambles. We're heir to two
2 dozen years of what I call corruption by virtue of
3 politicization. The kinds of people who would tell
4 William Casey, Ronald Reagan's DCI, that, yes, they
5 too could see the Russians under every rock.
6 There's one over there, yes. Those are the people
7 that got promoted. So after 24 years, or after 22
8 years, when George Tenet came back from the White
9 House in September 2002 and said to his managers
10 that we have to do our national intelligence
11 estimate now on weapons of mass destruction in
12 Iraq. We can't avoid it any longer, but it's got
13 to come out the way Dick Cheney just said it was on
14 August 26, in my day we would have laughed at the
15 director like that, you're kidding, you're kidding.
16 We don't do that kind of thing. Then if you said
17 I'm not kidding, I like to think we would have all
18 walked out. Maybe somebody would have stayed, but
19 he would have known that he had insurrection on his
20 hands.

21 In 2002, the kinds of malleable managers
22 that had bubbled to the top, sat there and said,

1 yes, sir, we can do that, how soon do you need it?
2 And 3 weeks later the worst national intelligence
3 estimate ever produced by the intelligence
4 community with high confidence, mind you, judgments
5 about WMD all over the place, an ability of these
6 little planes to spread chemical weapons from
7 barges off the Atlantic, give me a break. It was
8 awful, and that's what happened.

9 So in answer to your question, a thorough
10 house cleaning is required because many of the good
11 people have left and I dare say that if John Bolton
12 after the things that he did to intelligence
13 analysts, if he is confirmed, the rest of the good
14 people will leave, too, because what is the sense
15 in working in the intelligence community when you
16 have a high policy maker like Bolton or like Cheney
17 who reserves the right to themselves to analyze the
18 intelligence who say, thank you very much, but I
19 look at it this way? Bolton has claimed that
20 right, and of course, Cheney acts that way all the
21 time.

22 So in answer to your question, character

1 does count, integrity does count. We didn't have
2 it at the top of the intelligence community and
3 that kind of thing percolates down. And not do the
4 sycophants get promoted up, but I have to say that
5 a lack of professionalism goes hand in hand with
6 the kind of careerism that gets people moved up to
7 the very top.

8 So the situation now is very miserable,
9 and that's why, that's why it's so incumbent upon
10 you. I have to say that the intelligence
11 communities have shown themselves--the intelligence
12 committees have shown themselves incapable of doing
13 much about this, but perhaps you could raise
14 consciousness to the point where the honest people
15 still left in the intelligence community can say
16 maybe we do have a patriotic duty here and maybe we
17 can speak out and maybe Negroponte will see a
18 choice between telling the truth or not telling the
19 truth and getting only a Medal of, what, the
20 Freedom Medal in consolation. Sorry about that.

21 MR. CONYERS: Thank you. Ambassador?

22 MR. WILSON: Given my unique relationship

1 with a certain member of the CIA, I would really
2 not want to talk specifically about what's going on
3 out there, but I would say this, and that is that
4 the sanctity of the integrity of the intelligence
5 product needs to be maintained and that has been
6 sacrificed clearly in everything that we've seen
7 irrespective of the gloss and the spin that the
8 administration is trying to put on this.

9 There are any number of people who are
10 afraid to come out of the woodwork, many likely
11 because of what happened to my wife. There are
12 those in the administration who have said that it
13 was out of revenge. My own view that it was a shot
14 across the bow to members in the intelligence
15 community and it was basically a signal to them if
16 you do to us what Wilson did to us, we will do to
17 you what we did to Wilson's family, and I find that
18 in a democracy to be absolutely unacceptable.

19 The debate in the public square is a
20 debate that takes place based on the value of the
21 ideas you bring to the debate, not on the ability
22 of your opponent to assassinate your character,

1 impugn your integrity or attempt to find skeletons
2 in your closet. Again, let me say once again for
3 the record, being married to my wife is not having
4 a skeleton in my closet.

5 [Laughter.]

6 MR. CONYERS: Thank you very much. Time
7 is moving rapidly. We are trying to begin to move
8 toward a close. The Chair before he recognizes
9 Jerry Nadler wants to acknowledge that
10 Congresswoman Betty McCollum of Minnesota is here,
11 Congresswoman Tammy Baldwin of Wisconsin is
12 present, Congressman Chris Van Hollen of Maryland
13 is here. Mr. Nadler?

14 MR. NADLER: Thank you very much,
15 Mr. Chairman. Let me begin by thanking you, Mr.
16 Conyers, for holding this hearing and the witnesses
17 and everybody for participating in it.

18 I think it is a very important hearing. I
19 think that this country now is at a very unique
20 moment. I think we have five crises that we're
21 facing simultaneously. One, we have a war going on
22 in which people are dying and in which a lot of

1 things are happening. That's crisis number one
2 which I'll come to in a minute. Two, we see that
3 war seems to be wrecking our armed forces. We hear
4 testimony from generals and we see what's happening
5 to recruitment. We see our generals saying the
6 Army is less combat ready and will be less combat
7 ready. And what happens if, God forbid, there is a
8 real emergency somewhere at some other place?

9 Three, we seem to be wrecking our
10 administration capability which is a another
11 crisis. Four, there is a lack of checks and
12 balances. The fact that this hearing as Mr.
13 Hinchey mentioned is being held in this room under
14 unofficial minority auspices because we can't get
15 the people who run this Congress to begin to place
16 real checks on the Executive Branch and hold
17 hearings into all these questions is a crisis in
18 American democracy.

19 And five and finally, a constitutional
20 crisis, the one most intimately associated with
21 this hearing, about the President of the
22 United States who may very well have deliberately

1 deceived Congress and the American people in order
2 to get us into a war, the authority for which
3 Congress would never have voted had it been aware
4 of the true state of facts. It seems to be
5 generally conceded that the facts or the factual
6 allegations and assertions upon which Congress was
7 induced to vote authorization for the President's
8 use of military force were in fact not true and the
9 only question is was the President and his
10 administration a fool or an aid? Did they
11 deliberately falsify information they knew not to
12 be true and hand it off to Congress? Or were they
13 simply ignorant and foolish and self-deceiving and
14 believing information which they should have known
15 if our intelligence was functioning properly was
16 not true?

17 I suppose it's some comfort if they were
18 foolish, then at least they weren't violating the
19 law and wouldn't be raising the questions of
20 whether we have to start impeachment inquiries, but
21 that's of small comfort to people who are victims
22 of war, the direct victims or the indirect victims,

1 being the entire American and Iraqi peoples.

2 So I have two questions, and I want to say
3 one other thing before the question. I remember
4 during the Vietnam War there was a Democratic
5 President who got us into that war and a Democratic
6 Congress, and that Democratic Congress under the
7 leadership of Senator Fulbright held hearings which
8 started undoing the case for the war and which
9 applied the checks and balances principles and
10 starting holding the feet of the Executive to the
11 fire. We don't seem to have a Congress in this
12 case because you have a Republican President, you a
13 Republican Congress that doesn't seem willing to
14 fulfill the constitutional functions and say what
15 the heck is really going on here, and that's why
16 we're here in this small room.

17 I also serve as do most, not all of the
18 people at this table, on the Judiciary Committee,
19 and we all remember participating in impeachment
20 hearings against the President of the United States
21 a few years ago in which the basic allegation was
22 that the President lied regarding a matter of

1 private conduct, lied to the Congress and to the
2 American people about a matter of private conduct.
3 And regardless of our conclusions in that, most of
4 us thought that that wasn't impeachable because it
5 wasn't subverting the structure or function of
6 government or subverting liberty. A President who
7 deliberately deceives the Congress, sends a
8 deliberately deceptive official communication to
9 Congress, lies to Congress, in order to induce it
10 to vote military authorization clearly would meet
11 that definition, clearly would meet that
12 definition, and we have to look into that.

13 I have two questions. The first is I
14 suppose of Mr. Bonifaz, and this goes to the
15 Downing memorandum. If the President foolishly
16 deceived this country into war, that's bad enough.
17 If he deliberately did it, it's far worse. Downing
18 Street Memo seemed to--well, not seemed to, the
19 Downing Street Memo says that it was the conclusion
20 of British intelligence and other officials that
21 the administration was deliberately deceiving the
22 Congress and the American people. Do we know on

1 what that is based or is that simply a statement of
2 opinion by them? How much can we rely on that?
3 That's my first question.

4 My other question I'll just state it now
5 so I'll be finished. My other question is of
6 Ambassador Wilson. You say in your written
7 testimony that we were told in the run-up to the
8 war that there would be fewer than 30,000 troops in
9 Iraq within a year of the invasion. Obviously
10 that's not true. We are told now that we must stay
11 less the country falls into sectarian violence. My
12 question to you is, on the assumption that if we
13 were to pull out now, the country would fall into
14 sectarian violence and cause a lot of people to be
15 killed, what is likely to happen with respect to
16 that prediction if we don't pull out now, if we
17 stay there another 5 years? Is that still going to
18 happen 5 years from now, except with whatever
19 number of thousands of more American boys dead or
20 would we be likely to have a different or better
21 outcome? In other words, is there any likelihood
22 that we don't have to face that possibility at some

1 point?

2 MR. BONIFAZ: With respect to your first
3 question, Congressman, it is clear from the Downing
4 Street minutes that this document was intended to
5 be secret and that it was not intended to go beyond
6 those who attended this meeting. This meeting was
7 in July 2002, July 23, 2002, at the Prime
8 Minister's residence, 10 Downing Street, in London.
9 Prime Minister Tony Blair held a meeting at which
10 Richard Dearlove, the senior British intelligence
11 officer, the head of M16 at the time in Britain,
12 the equivalent of our head of the Central
13 Intelligence Agency, was briefing the Prime
14 Minister and other top security--national security
15 officials in Britain.

16 He says and he reports in his briefing
17 that the President had decided to overthrow Iraqi
18 President Saddam Hussein by launching a war which
19 would be "justified by the conjunction of terrorism
20 and WMD, weapons of mass destruction." And he
21 continues, "But the intelligence and facts are
22 being fixed around the policy."

23 Now some people can say these were just
24 impressions that Mr. Dearlove had. That's not
25 really what happened. That's why we need an

1 investigation. That's why we need these questions
2 asked, because Mr. Dearlove reports in this
3 briefing, and he had no reason to exaggerate in
4 this secret meeting for the Prime Minister and
5 other national security officials what the Bush
6 administration had planned, no reason whatsoever.

7 In fact, if anything, the people in this
8 meeting were very concerned about these plans and
9 trying to figure out how to potentially get to the
10 United Nations and see whether there could be some
11 kind of legal justification which they could not
12 find thus far present.

13 So our view is there needs to be this
14 investigation to precisely answer this question:
15 Is Mr. Dearlove correct? Is this the policy that
16 the Bush administration engaged in and had planned
17 back in July 2002, or is it something else?

18 I would just add that when it comes to the
19 question of whether intelligence has been misused,

1 that issue has not been investigated by either the
2 House or the Senate. The American media is--

3 MR. NADLER: That was the second set of
4 hearings that Senator Pat Roberts promised that
5 would occur after the election and now says forget
6 about it, we're not going to bother.

7 MR. BONIFAZ: That's right. And so when
8 we hear these reports in various news media outlets
9 around the country that this matter has already
10 been investigated, it has not. This question of
11 whether intelligence has been misused, whether
12 there was a deliberate deception campaign, has not
13 been investigated.

14 And what's different about these minutes
15 is that these are official government minutes.
16 This is an official government document and this is
17 not about someone's opinion in a book. This is an
18 official meeting that occurred prior to the start
19 of this war, months before the start of this war,
20 and these questions must be asked and they must be
21 answered.

22 MR. McGOVERN: Two sentences on that.

1 Richard Dearlove was just back from Washington.
2 The whole purpose of this briefing was to give an
3 account of what he learned from talking to George
4 Tenet and the other senior officials in Washington,
5 so it wasn't sort like a periodic wrap-up. This
6 was the result of his visit.

7 Number two, Jack Straw, the British
8 Foreign Secretary, said exactly the same thing in
9 this memo. He says I talked to Colin Powell, yes,
10 the President has decided to have this war. We
11 have to figure out how to do it. Number three,
12 Dearlove says this is a major change, this is a
13 major change from before. And number four,
14 Dearlove describes the change as inevitably leading
15 to war.

16 MR. BONIFAZ: It's been reported that
17 Mr. Dearlove met with George Tenet.

18 MR. NADLER: I doubt that that went over
19 the mikes. Congressman Scott asked do we know who
20 they met with.

21 MR. BONIFAZ: It's been reported that
22 Mr. Dearlove met with George Tenet and

1 Condoleezza Rice in his meetings in Washington, but
2 that question also needs to be asked and answered.

3 MR. WILSON: With respect to your second
4 question, Congressman, as to whether or not we have
5 any information as to our continued presence being
6 part of the solution or part of the problem, in
7 other words, will sectarian violence continue
8 irrespective of whether we're there or not, I don't
9 think that anybody has a definitive answer on that
10 yet which is why I suggest that at a minimum the
11 question be raised so that people could be
12 stimulated to think about it.

13 Every time you turn around you have a
14 military officer talking about how it's going to be
15 another several years before we get our arms around
16 the insurgency. The lesson of the battle of
17 Algiers was that while the French killed off the
18 first set of insurgents that they faced, a whole
19 second generation was being trained and growing up,
20 and you may well have something along those lines.

21 My suspicion is that you will have
22 sectarian violence for the foreseeable future

1 whether we're there or not. Being there we are
2 essentially blamed for whatever sectarian violence
3 goes on in addition to which there are, literally
4 with every attack that the Americans launch,
5 thousands if not hundreds of thousands of Arabs and
6 other Muslims who decide that what we're doing
7 there is something worthy of their hate and from
8 those thousands and hundreds of thousands will
9 undoubtedly be drawn a second generation of
10 terrorists who will want to do us harm here in the
11 United States and where we may be traveling
12 overseas.

13 MR. CONYERS: Thank you, Mr. Ambassador.
14 As we move toward the beginning of a close, we've
15 been jointed by Don Payne, New Jersey, Hilda Solis,
16 California, Peter DeFazio, Oregon. I'm totally and
17 humbly grateful to all of my colleagues for showing
18 up. I recognize Congressman Zoe Lofgren.

19 MS. LOFGREN: Thank you, Mr. Conyers.
20 First, thank you for holding this hearing. It's
21 both a good thing and a sad thing because we're
22 meeting in this little room in the basement of the

1 Capitol because those who are in charge of the
2 Congress are participating in a coverup, and
3 there's really no other way to say it.

4 Looking at Mr. Rangel and Mr. Conyers,
5 they are the only two members of Congress who were
6 on the Judiciary Committee when the impeachment
7 inquiry was made with Richard Nixon. I'm sure they
8 recall, I do because I was on the staff at the
9 time, that when that vote was taken, it wasn't just
10 Democrats who voted, it was Democrats and
11 Republicans because it wasn't about partisanship,
12 it was about America. And unfortunately, we do not
13 have leadership in the House today that has that
14 same spirit of Americanism which is why we are
15 sitting here in this basement hoping that the press
16 can arouse the public so that we can get those who
17 are in charge to do their job and make an inquiry.

18 I along with my colleagues on the
19 Judiciary Committee had the unfortunate experience
20 of participating in the impeachment of President
21 Bill Clinton, and the impeachment of Mr. Clinton
22 did not meet the standard outlined in 1974, Section

1 4, Article II, "the President shall be removed from
2 office on impeachment for and conviction of
3 treason, bribery or other high crimes and
4 misdemeanors," and if you read the record of the
5 writing of the Constitution, high crimes and
6 misdemeanors has a very particular meaning at the
7 time of the drafting of the Constitution. It
8 certainly didn't mean lying about sex, but it might
9 well mean lying to the Congress about a large
10 public purpose such as Iraq.

11 I think certainly we don't want to leap to
12 conclusions. It is wrong to misuse impeachment for
13 any political or partisan purpose. But we have
14 questions that need answers, and right now we get a
15 stonewall from the Chairman of the Chairman of the
16 Judiciary Committee. We can't even get a room to
17 meet in to even discuss this matter.

18 So I have a question for you,
19 Mr. McGovern, and again it goes to the partisan
20 nature of the coverup. In a recent interview on
21 NBC's Meet the Press, the Republican National
22 Committee Chairman Ken Melman said about the

1 Downing Street memo, and this is a quote, "Tim,
2 that report has been discredited by everyone else
3 who's looked at it since then, whether it's the
4 9/11 Commission, whether it's the Senate, whoever
5 has looked at this has said there was no effort to
6 change the intelligence at all." When Russert
7 noted, "I don't believe that the authenticity of
8 this report has been discredited, Melman
9 reiterated, "I believe that the findings of the
10 report, the fact that the intelligence was somehow
11 fixed, have been totally discredited by everyone
12 who has looked at it."

13 So is the Republican National Committee
14 Chairman correct? Has this been discredited by
15 everyone who has looked at it?

16 MR. McGOVERN: I have to refer back to a
17 remark that got Ambassador Wilson in trouble, I
18 believe. He permitted himself, the consummate
19 ambassador, to say a word that ambassadors never
20 say when he told the Washington Post reporters in
21 July 2003, This African charade begs the question
22 as to what else they're lying about.

23 Now we have the Downing Street Memorandum
24 and we know what else they were lying about. This
25 will not prevent propagandistic repetition of

1 untrue things. I listened to that interview, and
2 the whole business about this report having been
3 discredited by commissions that took place months
4 before the report surfaced is ludicrous on its
5 face. And I applaud Russert for following up on
6 the question, but he sort of let it dangle at the
7 end and what we get, the impression that the
8 American people get from the press coverage, is
9 it's sort of like a headline that says, Shape of
10 the Earth in Dispute; administration officials and
11 NIH said today that they believe that the Earth is
12 square after all, and then in the last two
13 paragraphs, However, traditionalists continue to
14 maintain that the shape of the Earth is round.

15 What kind of reporting is that? He said,
16 she said, and they leave the American people up in
17 the air and it's a bald lie. It hasn't been
18 discredited. Those commissions took place before
19 the report.

20 MR. LOFGREN: What Mr. Melman said was not
21 true?

22 MR. McGOVERN: No.

23 MR. WILSON: May I just add to that,
24 Congresswoman? The piece of this that I own which
25 is the trip to Niger and the findings and the sort

1 of ignoring of the findings and ultimately the
2 16 words in the President's State of the Union
3 Address.

4 The Senate Select Committee on
5 Intelligence report on that is very clear. Four
6 months before the State of the Union Address the
7 Senate Select Committee on Intelligence was told
8 that the American intelligence community did not
9 believe--believed that the British had stretched
10 the case on American sales of uranium to Niger, and
11 at the same time within days George Tenet told the
12 National Security Adviser, her deputy, and
13 presumably it to the President of the United
14 States, that the President of the United States
15 should not a witness of fact in this matter because
16 the evidence was weak and in the judgment of the

1 American intelligence community that \$40 billion a
2 year organization we have to sift facts from rumors
3 believed that the British had exaggerated the case.

4 MR. FRANK: I do want to reemphasize,
5 while some people have said like Melman that the
6 Downing Street minutes were false, others have
7 simultaneously argued that they knew it all along.
8 A, it's false, and B, we always knew that, and the
9 same people make the same argument.

10 MS. LOFGREN: I know that we are running
11 out of time, so I'm going to defer back to our
12 leader on the Judiciary Committee, Mr. Conyers, but
13 I will just say in the end the people of the United
14 States own the Congress, not the lobbyists, not the
15 special interests, and I hope that the American
16 people will call upon all of their representatives
17 including the Republicans that are engaging in this
18 stonewall and coverup to engage in an activity to
19 discern the truth. I thank you, Mr. Chairman.

20 MR. CONYERS: Thank you.

21 MR. : If I may add with respect
22 to this point about the coverup briefly, that I in

1 my view look at these Downing Street minutes as
2 equivalent to the revelation that there was a
3 taping system in the Nixon White House.

4 Imagine for the moment that upon that
5 revelation coming to the Congress and to the
6 nation, Congress's response was we don't want to
7 see those tapes. We don't want to hear them.
8 We're not going to ask for them. You can keep
9 them. Of course Congress had to ask for those
10 tapes. And these Downing Street minutes require
11 that Congress pursue these questions to wherever
12 they may lead including whether or not the
13 President may have committed a high crime.

14 MR. CONYERS: The Chair is pleased to
15 include the testimony of Ann Reich who was in this
16 room, one of three people who resigned from the
17 State Department as a result of her objection to
18 the Iraq invasion. She was a department Deputy
19 Chief of Mission when Diane Watson was then an
20 ambassador.

21 The four people left, members, Hilda
22 Solis, Don Payne, Marcy Kaptur and Jan Scharkowsky.

23 MS. SCHARKOWSKY: Thank you, Mr. Conyers,
24 our Ranking Member for the Democrats on the
25 Judiciary. And I want to thank especially the

1 panelists for being so brave and courageous to be
2 here with us because it is a sad say when we have
3 to have a hearing at this hour solely after we've
4 had more than 11 amendments to vote on, and maybe
5 that was made deliberate so that members would not
6 be coming through here, so no surprise there.

7 My comment really is that in a district
8 like mine in Southern California, we've lost
9 already 11 soldiers. Some were green card
10 soldiers. They weren't even citizens. Their
11 parents are waiting to find out how some of them
12 died because there is no classification as to what
13 accidents may have happened or how they were
14 killed, if they were in battle or did their truck
15 just fall off the bridge over the Tigris River, for
16 example. There are a lot of questions that our
17 parents back home are asking of us.

18 One of my questions that I wanted to ask
19 whoever on the panel is with respect to the yellow

1 cake that we heard about so much, that there was
2 evidence there of the potential for uranium.

3 Was there in fact the yellow cake, and if
4 it was, when was it disposed of? Do we even know
5 where that material may have been, could have been,
6 or is it a manifestation of what happened that was
7 removed maybe some 15 years ago?

8 MR. WILSON: Thank you for your question,
9 Congresslady, and let me just say that we as
10 civilians owe it to our military to ensure, owe it
11 to the families of the military who serve this
12 country so nobly, to give their families all the
13 information as quickly as we possibly can.

14 I would also note it's not just regular
15 servicemen. I was told the other day that half the
16 National Guard in New York State is deployed to
17 Iraq. What happens when there are things like
18 wildfires in Washington State, for example, and you
19 have no National Guard to turn to? To what extent
20 has our own domestic security, our homeland
21 security, been degraded by this?

22 With respect to yellow cake, there were,

1 my understanding, several hundred tons of yellow
2 cake already in Iraq that was under International
3 Atomic Energy Agency seal at the time of the war.
4 I don't know what's happened to that.

5 After the invasion the integrity of the
6 premises in which this was stored was breached and
7 there were photographs sent around the world of
8 Iraqi children getting into these drums and
9 suffering from some radiation sickness as a
10 consequence of their exposure to it.

11 Iraq also has some natural sources of
12 uranium up in the north. There was in fact a
13 facility that I believe was bombed during the first
14 Gulf War to ensure that they would not be able to
15 mine that.

16 With respect to the Niger uranium, the
17 yellow cake that was supposedly sold from Niger to
18 Iraq, that was a fabrication that was made out of
19 whole cloth. The agency has since it all became
20 public gone back and certified that in their
21 judgment there was absolutely nothing to this from
22 the beginning.

23 MS. SHEEHAN: May I ask something not
24 about yellow cake but about the truth? I would say
25 every military family in here who has lost their

1 children or brothers or nephews, we have not been
2 told the truth. We have not been told the truth
3 about where, when, how, why our children died. As
4 a matter of fact, we have been trying to get a
5 meeting with Donald Rumsfeld for months, even
6 somebody from the DOD to talk to us about it and
7 they refuse to talk to us about it.

8 My Congressman George Miller just came in.
9 He has been trying to help us with getting a
10 meeting with the Department of Defense. We gave
11 something that never should have been asked from
12 us, our children, and they will not sit down with
13 us and meet with us and tell us the truth, and to
14 me that is an abomination.

15 This country, we should have the keys to
16 the Pentagon as far as I'm concerned for what they
17 took from us, and they won't tell us the truth.
18 And this is what we want with this investigation,
19 the truth. If this administration doesn't have

1 anything to hide, then they should be down here
2 testifying today.

3 MR. CONYERS: George Miller is here, but
4 the next person briefly is Don Paine, Ranking
5 Member of the International Relations from New
6 Jersey.

7 MR. PAINE: Thank you, Mr. Chairman. Let
8 me thank you for your 40 years of service to this
9 Congress. This country is much better off because
10 of your leadership over the years and continues to
11 be.

12 To Ambassador Wilson and to the other
13 panelists, I have had the privilege to work with
14 Ambassador Wilson and you couldn't find a finer
15 career State Department person, and it's a shame
16 that people who have given their lives to this
17 country and their families are put in harm's way
18 the way you were, and we all should apologize for
19 the manner in which the agency treated you.

20 I had the privilege for 2 days to manage
21 the resolution on whether to give preemptive strike
22 authority to President Bush. I was the most

1 ranking Democrat who opposed this preemptive
2 strike. I was opposed to it from the beginning
3 because it was wrong. Hans Blix and the inspectors
4 were given free rein and for our country to ask
5 them to leave was shameful, and that might simply
6 be the question.

7 I just want to also indicate that as we
8 look at the level and the quality of the leadership
9 of the Judiciary Committee that handled the
10 impeachment of Mr. Nixon, I replaced Congressman
11 Peter Rodino. These were people who had integrity.
12 We will have a special order on Monday
13 commemorating his life. He passed away several
14 weeks ago. And to see what a Judiciary Committee
15 has dropped to the level, almost purgatory seventh
16 level in Dante's Inferno, it's unbelievable.

17 Let me just say that if indeed the
18 inspectors and also the Ambassador of Niger, a
19 country that's forgotten by this country, 800,000
20 children are at the verge of starvation, locusts
21 are in the country, and it's just been forgotten by
22 this nation; 25 percent of its people are hungry.

1 This was the country that was supposed to have the
2 uranium. It's pitiful.

3 Let me just ask what do you think would
4 have been--if there could have been a discussion
5 about the U.S.'s request to remove the inspectors,
6 could there have been some U.N. outrage or some
7 countries to say let them remain? Do you know any
8 of you what debate or discussion when the President
9 arbitrarily said it's time to leave them after they
10 were given free rein for the country? Could anyone
11 respond to that?

12 MR. WILSON: Thank you, Congressman, for
13 your comments. Let me just repeat what I have said
14 earlier, and that is that the courage we ought to
15 be applauding is the courage of our armed forces.
16 What those of us are doing up here is really our
17 civic duty.

18 With respect to what has happened to my
19 own family and me which is nothing compared to the
20 families of those who have lost their loved ones in
21 this war, it was not done by the agency, it was
22 done by the political machine of the Republican

1 Party. I think we ought to be very, very clear
2 about that.

3 Secondly, with respect to the inspectors,
4 it's very clear that when the President went up to
5 the United Nations and got 1441 passed, that was an
6 enormous victory. That resolution was passed 15 to
7 zero. That resolution was accepted by Saddam
8 Hussein and we had inspectors there doing
9 everything that we wanted them to be doing. Any
10 glitch in the system was bureaucratic. There was
11 no political intent. He was contained.

12 And remember also that we had defeated the
13 fourth-largest army in the world in 1991 in the
14 first Gulf War where I was in charge of the embassy
15 during Desert Shield in Baghdad. This was not the
16 rise of the Third Reich. This was a decaying and
17 indeed decayed political system that would have
18 fallen of its own weight, and it was further
19 contained by the efforts of the United Nations to
20 put inspectors back in there.

21 This was not a threat to our national
22 security. It was not a threat to regional

1 security. Indeed, Turks would not even permit us
2 to move our troops through Turkey in order to
3 participate in this misadventure.

4 So with respect to whether or not the
5 United Nations would have stood up and not removed
6 the inspectors when we said to do so, I don't think
7 that anybody in that organization was prepared to
8 put the lives of the inspectors at risk knowing
9 that there was going to be an attack. So I don't
10 think that that would have gone anywhere.

11 Indeed, we decided not to go for the
12 second resolution in the United Nations because
13 there was the resistance that was put up by some of
14 our friends and allies and, indeed, most of the
15 rest of the international community.

16 MR. CONYERS: Thank you very much. The
17 Honorable Marcy Kaptur, Toledo, Ohio.

18 MS. KAPTUR: Thank you very much,
19 Congressman Conyers, our once and future great
20 Chairman of the Judiciary Committee, and I have to
21 start by thanking the people of the great Wolverine
22 State of Michigan for sending you back to this

1 Congress these many years for allowing you to
2 assemble the seniority that you have in order to
3 have the foresight and courage to bring us all
4 together today. Thank you on behalf of the
5 American people and for allowing me this question.

6 I wanted to say with my colleagues that
7 it's truly a tragedy that we have to meet in such
8 cramped quarters to welcome the American people
9 here to hear their views and to be also this
10 afternoon required to cast 11 votes, that's more
11 votes than we've cast all week in any 2-hour period
12 simultaneous with this particular hearing. And
13 also the committee that several of us are on,
14 Appropriations, holding a hearing on the largest
15 budget that comes before us that is nondefense at
16 exactly the same time causing us to probably miss
17 votes there. It's very interesting timing.

18 Let me say I'm also very troubled by the
19 Downing Street Memo and the little attention that
20 it's been given by this Congress, particularly the
21 statement by Mr. Dearlove that the intelligence and
22 facts were being fixed around the policy.

23 This reminds me of the book by the Bush
24 former Secretary of the Treasury Mr. O'Neill who
25 said from his very first Cabinet meeting the issue

1 of the war in Iraq was on the table and he was
2 systematically removed.

3 As a member of the Defense Appropriations
4 Subcommittee, I wanted to say one of my major
5 concerns is the integrity of our military forces
6 and respect for their honor and their service. I
7 have never seen, and I've been in this Congress
8 23 years, I have never seen the number of
9 resignations or retirements of top generals who are
10 brilliant. I have never seen JAG officers decide
11 to retire when they don't have to, brilliant
12 people. I have never seen Guard and Reserve
13 commanding officers at the state level deal with
14 the kind of pressure they are under and with the
15 diminishing recruitment levels in every state in
16 this union.

17 I am very troubled by what is happening to
18 our regular forces, and I am deeply troubled by the
19 number of contractors inside of Iraq. We had

1 trouble obtaining numbers, and we don't have exact
2 numbers now, but we know with 150,000 of our people
3 on the ground, there are at least 25,000
4 contractors, and much of the budgets that we
5 appropriate go for security. Honestly, we as a
6 Congress really don't know who they are and what
7 they're doing there. This is completely different
8 than any other military conflict in which this
9 nation has ever been engaged. We do not know the
10 facts.

11 Mr. Bonifaz, you have established an
12 organization called afterdowningstreet.org. I only
13 have two comments. In assembling the facts in this
14 case, I think that it is very important to look at
15 deployments prior to the vote in Congress for the
16 war in Iraq in particular of our Guard and Reserve
17 units around the country and put it on a time table
18 over the last 5 years. There were units that were
19 deployed for combat engineering purposes. No one
20 ever looks at the state units that have been
21 deployed for the most part, but we could not
22 conduct these operations without our Guard and

1 Reserve.

2 There have been combat engineering units
3 that have gone out there that built airfields prior
4 to the invasion. There are combat engineering
5 units that built generators. Those airfields,
6 there are dozens of them, and that didn't happen by
7 accident. And I think it's very important if there
8 are people listening who can go to your website and
9 if you could look carefully at how the American
10 people were deployed in these military units and
11 what they were doing, I think that is a very
12 important piece of this that has not been
13 assembled. Family assistance centers can help us
14 with this, it's happened from almost every state in
15 the union, and we as members of Congress do not
16 know. I think that is a very important piece of
17 the puzzle in taking a look at the preplanning and
18 predeployment exercises that went on.

19 Secondly, I wanted to say, and this
20 doesn't relate to the war in Iraq directly but
21 somewhat indirectly because I had tried to get this
22 as a member of this Congress and have been

1 unsuccessful, during the 1980s the involvement of
2 the Reagan and Bush administrations in the arming
3 of Saddam Hussein occurred, but we do not have
4 records that have been formally assembled on what
5 was sold, when it was sold, how the Export-Import
6 Bank was involved in the transmittance of the
7 materiel in those sales right through the end of
8 the 1980s. We have attempted to obtain those
9 records from the administration, even the
10 Department of Agriculture, and I service on the
11 Agriculture Appropriations Committee, was involved
12 in allowing through the Commodity Credit
13 Corporation those sales to go through. We cannot
14 get the records from the administration. The
15 Treasury Department won't give them to us.
16 Obviously, the Department of Agriculture won't give
17 them to us.

18 There were a lot of activities that helped
19 to arm Saddam Hussein at the beginning and give him
20 the chemical weapons capacities which were then
21 destroyed in the 1990s, but that record has never
22 been established for the people of the United

1 States. It continues to bother me and I don't
2 appreciate the resistance of the administration in
3 providing those records to the Congress. So those
4 are two areas that help to create some of the
5 backdrop to what has happened now.

6 MR. BONIFAZ: Thank you, Congressman. We
7 will certainly pursue that at
8 afterdowningstreet.org, and it is our intention
9 with this campaign that represents over 120
10 organizations all across this country and thousands
11 of people all across this country to help the
12 Congress in pursuing the truth. And we invite
13 citizens all over this nation to visit
14 afterdowningstreet.org and join this effort.

15 MR. : I would say that there's an
16 excellent book on this subject that it has been
17 successfully suppressed. It's called The Spider's
18 Web, and it has a very good story about all of what
19 Ms. Kaptur was just saying. I don't know if you're
20 aware of it, but it's replete with good solid
21 information.

22 MR. : Mr. Chairman?

23 MR. CONYERS: Yes.

24 MR. : Ms. Sheehan mentioned the
25 effort that some of us are making, others in the

1 Congress, to have Secretary Rumsfeld to get the
2 Pentagon to meet with these families and maybe
3 after this other members would like to sign on to
4 an additional letter to the Secretary. And if they
5 have tens of thousands of employees and they can't
6 find anybody to meet with these families to have
7 this discussion and answer these questions, then
8 maybe others can join on a second effort to the
9 Pentagon.

10 MS. : Call for his resignation.

11 MR. CONYERS: We have been joined by
12 Congressman Gregory Meeks of New York, and our
13 final two members to make comments are--and
14 Mr. Tierney, Massachusetts.

15 MS. : Thank you so much,
16 John Conyers. Your leadership and persistence
17 could perhaps change the course of history, but at
18 the very least I think this hearing will inform the
19 American people of things they need to know, need

1 to know.

2 And thank you so much to the panel. The
3 word courage has been used a lot and I have to
4 agree with you, Ambassador Wilson, that for most of
5 us in this room, certainly the members of Congress,
6 we're really just doing our job and to do otherwise
7 really would be a dereliction of duty. But there
8 is at least one hero in this room, and that would
9 be Cindy Sheehan whose son Casey was lost in this
10 war, this unnecessary war, this war that we now
11 know I think without any doubt was based on lies
12 and manipulation and has worked through her grief
13 that I know you carry with you all the time and
14 turned that into a force to prevent other mothers
15 from facing that the same. So you are our hero and
16 you do in fact have courage.

17 And I thank the media for being here
18 today. We know that that has not been true for
19 about 5 weeks or so since the May 1st Sunday Times,
20 but there's an article today, but I appreciate it
21 and without reservation that you are here to cover
22 this important meeting.

23 There is an article today in the
24 Washington Post where journalists offer various
25 explanations for not having covered this. They

1 said, this is a quote now from the Washington Post,
2 they say, "The memo was old, that the U.S.
3 mobilization for war was widely reported at the
4 time, that there was initial distrust of a British
5 press report, and some maintained that the memo
6 didn't prove anything."

7 So at the risk of being repetitive, what
8 makes this bit of information different? Is it a
9 smoking gun? Is it the platform off of which now
10 we have to launch further inquiries? But what
11 makes this different from all of the cumulative
12 pieces of information that we've gotten until now?

13 MS. : I have an answer to that.
14 What makes it different is that
15 www.afterdowningstreet.org we won't let it die.
16 Everything just seems to slide of this
17 administration and nothing sticks, and it took a
18 coalition of grassroots citizens to make it stick
19 in the media's minds. We just haven't let it go

1 and we won't let it go, and I think that's one of
2 the differences.

3 The other thing is it predates all the
4 other pieces of information that we know that let
5 this country, that let this administration lead us
6 into invading a country that had no--posed no
7 threat to the United States of America. It
8 predates everything. And for the media to say we
9 knew that all along, why weren't they reporting
10 about it? Why weren't they telling us about it?

11 Because I really think that the media also
12 abrogated its responsibility in the lead up to
13 Iraq. They didn't investigate it. They just went
14 along with everything, and the Washington Post and
15 the New York Times has admitted that to us.

16 MS. : Is this apt to be treated
17 more seriously than all the other pieces of
18 information?

19 MR. : It does because it's
20 documentary evidence. It's what intelligence
21 analysts and I believe lawyers lust after. It's
22 not meant for public consumption. It's secret,

1 U.K. eyes only, and it's deliberations at the
2 highest level of the British government on a report
3 by the head of their intelligence just back from
4 Washington.

5 So up until now we've had scads of
6 circumstantial evidence. I used to do a little
7 chronology and I got tied because it got so long,
8 but forget circumstantial. This is documentary
9 evidence here. It has to be taken seriously, and
10 when you put that into this nexus, you can see all
11 this stuff fall right out of it.

12 July 23rd, this meeting. August 26th,
13 Vice President Cheney makes this major speech where
14 he sets the terms of reference, what nuclear
15 weapons they're seeking and U.N. inspections aren't
16 worth a damn. Those were his two major points.

17 Then from there on the national
18 intelligence estimate dated October 1st,
19 October 7th the President saying our first sign
20 might be a mushroom cloud. October 7th,
21 Condoleezza Rice saying our first sign might be a
22 mushroom cloud. October 9th, Victoria Clarke from

1 the Pentagon, our first sign might be a mushroom
2 cloud. October 10th and October 11th, you all
3 voted--not all of you, thank God, but some voted--enough
4 voted to give the President their authority.

5 MS. : Fifty percent of Democrats
6 voted no. It's just important to point out.

7 MR. : I know.

8 MS. : Is that too much of an
9 exaggeration to say this is a smoking gun?

10 MR. : Not at all. It's not an
11 exaggeration to say this is a smoking gun. This is
12 I believe precisely what ought to propel a formal
13 congressional investigation into whether or not the
14 President has committed impeachable offenses.

15 I recognize that the idea that the
16 President of the United States may have engaged in
17 a conspiracy to deceive and mislead the United
18 States Congress and the American people is very
19 hard to believe because why would any President
20 take the nation into war based on a potential lie?
21 But this is the senior intelligence officer in
22 Britain reporting in a secret meeting to Prime

1 Minister Tony Blair and his top national security
2 officials exactly that, that there was a policy to
3 fix the intelligence.

4 So we owe it to the Constitution, and this
5 Congress has a duty to investigate whether or not
6 the President engaged in that conspiracy and take
7 the questions wherever they may lead.

8 MS. : Thank you. Thank you all.

9 MR. CONYERS: Jay Inslee?

10 MS. : While Jay is coming, where
11 did the Colin Powell lie start in that list of
12 lies?

13 MR. : He was a bit player. He
14 wasn't in on it. The President invited him in and
15 told him we're going to have a war, now we need
16 your support.

17 MS. : Yeah, but he was the one
18 that went up to the U.N. and showed us pictures
19 where the weapons were being made.

20 MR. : Yeah.

21 MR. CONYERS: But they were grainy
22 photographs.

23 [Laughter.]

24 MR. CONYERS: Jay?

25 MR. INSLEE: Just to quote from

1 Mr. Powell, this is February 24, 2001, "Saddam
2 Hussein has not developed any significant
3 capability with respect to weapons of mass
4 destruction. He has unable to project conventional
5 power against his neighbors." Then we hear nothing
6 about mushroom clouds.

7 Following this meeting from this Downing
8 Street Memo, the pieces have fit in together.
9 There is an irony and a great sadness here. The
10 irony is that after years of abuse by King George
11 we threw off the tyranny of abuse of the British,
12 and now some brave Brit has done penance by showing
13 us the abuse of power by the President of the
14 United States. That is a certain irony.

15 The one message I would hope from this
16 hearing that goes to the White House is that we are
17 not going away. They had hid the mattresses behind
18 the stone wall to try to ignore this. Their
19 response to the letter of 88 members, some of them

1 served on the Watergate Committee, asking for a
2 response to this is we don't think there's a need
3 to respond.

4 There is no greater need to respond when
5 you face the widows and fathers and mothers of
6 perished service personnel of this kind of
7 assertion. Is there any greater need for the
8 President of the United States to say anything to
9 America today than to respond to this assertion of
10 what happened from the British? I don't think so.
11 He had time. We had the White House picnic
12 yesterday, and we are not going away. It took
13 40 years to bring these criminal charges to the
14 people in the South in civil rights, and this may
15 take time.

16 Ms. Sheehan, I just wanted to say
17 something to you, and then I want to ask a
18 question. It's very difficult circumstances you
19 being here under these circumstances. I know
20 everyone has admiration for your courage. I just
21 want to make sure you understand that even though
22 we've reached a conclusion that this is a war based

1 on false information, that we hold your son's
2 memory in the highest esteem and the highest
3 regard, and the facts of how the Commander in Chief
4 made a decision here does not diminish his
5 contribution to America and its bright future in
6 any degree one ounce. And it does not reduce the
7 strength of his memory and the strength of his
8 passion that you have brought here today, and I
9 hope you sense that. And I know that's what my
10 650,000 people that I represent think, and I hope
11 you know you're wrapped in their arms.

12 But I want to ask about as far as the
13 families who've been left behind. Does this what
14 we're engaged in to try to get answers to how this
15 happened, is that a benefit to the families
16 themselves? We think there's a benefit to
17 democracy, the cause of democracy, we think to the
18 cause of justice. But is it a benefit to the
19 families themselves on a personal basis?

20 MS. SHEEHAN: I know the ones that I
21 represent, the Gold Star Families for Peace, it
22 definitely is a benefit.

23 We actually realized that our children
24 were killed needlessly and senselessly and in vain
25 a long time ago, and that's what we're trying to do

1 is make sense out of their deaths and make them
2 mean something.

3 But I feel sorry for the parents who still
4 thought that their kids might have died for a
5 reason. When this memo comes out it must be
6 devastating news to them. There are still parents
7 who want to believe that their children died for
8 freedom or democracy, so it might not benefit them,
9 but I think the truth is always beneficial and the
10 truth needs to come out.

11 And we are hurt so badly anyway. There is
12 hardly anything else that could hurt us more than
13 the hurt that we have in facing and to make meaning
14 out of. I know the families I represent, the
15 Shirley Baker's families, Bill Mitchell, that are
16 here right here is that we want to make meaning of
17 our children's deaths by bringing the other
18 soldiers home. And the truth needs to come out
19 because the American people need to know the truth

1 so they can put pressure on their congressional
2 officials to bring our troops home and bring all
3 those millions of people that are in Iraq out of
4 harm's way, to get them out of harm's way, and that
5 would be the highest honor to our children's
6 sacrifices.

7 MR. INSLEE: Thank you. Thank you for
8 your courage. Ambassador Wilson, from your
9 experience with the yellow cake, is it fair to say
10 that that fits in this puzzle as a perfect
11 demonstration of making the facts fit the policy?

12 MR. WILSON: That was certainly that
13 conclusion that I drew and it's the conclusion that
14 I wrote about in the New York Times opinion piece,
15 that one should certainly ask the question as to
16 how it was that something that was so widely known.
17 And as it turns out again from the Senate
18 investigation, both the White House and the Senate
19 Select Committee on Intelligence were informed of
20 this, of the judgement of the American intelligence
21 community 4 months before the State of the Union
22 Address.

23 So how does this get into the State of the
24 Union Address at a time when everybody understands
25 that the administration is required to persuade

1 itself that the threat to U.S. national security is
2 such that only military action can really alleviate
3 that threat?

4 The one real weapon of mass destruction
5 that threatens our society is nuclear.
6 Tommy Franks in an interview with Cigar magazine
7 after he retired, one of my favorite magazines I
8 might add, said that if a nuclear weapons were to
9 go in the United States it might require the U.S.
10 armed forces to intervene to ensure governance. I
11 find that absolutely frightening, but there you
12 have a senior military officer speaking on the
13 record.

14 That is the threat. That is why we cannot
15 afford to wait for the mushroom--for the smoking
16 gun to come in the form of a mushroom cloud.
17 That's why you have this idea that these aluminum
18 tubes might be used for centrifuges.

19 You ask anybody who understands anything

1 about the centrifuges, they will tell you that
2 while the administration portrayed a highly finely
3 milled piece of equipment in these tubes, one that
4 was anodized as well in order to let us know how
5 sophisticated it was, the material they were
6 buying, nuclear experts have said that in fact the
7 first thing you have to do to use them for
8 centrifuges would be to remove the anodization and
9 then you've got the yellow cake. Yellow cake goes
10 into the centrifuges which becomes softball sized
11 fissile material which becomes a nuclear weapon
12 which becomes the smoking gun in the form of a
13 mushroom cloud. That was all made--

14 MR. : May I add a little note on
15 the yellow cake? When it first came out, the
16 analysts looked at it and they determined that it
17 couldn't have happened. Why? Because the
18 government of Niger does not control the
19 disposition of the uranium that's mined there.
20 It's controlled by an international consortium. So
21 it was false on its face. Then we learned that it
22 was based no forgeries.

23 I remind you of that great line of
24 Yul Brenner in the King and I where he stands up
25 and he says, So, it was a false lie.

1 [Laughter.]

2 MR. : That's what we have here,
3 a false lie.

4 I would just say one more thing, that this
5 false lie got injected even before the State of the
6 Union Address into something the State Department
7 put out as a fact sheet, and who was responsible
8 for that I wonder? His name begins with John and
9 ends with Bolton. He was in charge of that, and he
10 knew darn well that that was spurious and yet he
11 inserted it in there. So what further need to--

12 MR. INSLEE: The smoking gun was not a
13 mushroom cloud, it was the Downing Street Memo.

14 MR. : Exactly.

15 MR. INSLEE: I wanted to yield just a
16 moment to Ann Reich (ph) in respect of your
17 efforts, if you have some comments you'd like to
18 add, Ms. Reich?

19 MS. REICH: Thank you very much. As a

1 35 year federal employee, 29 years in the U.S.
2 military and 16 years in the State Department,
3 having reopened our U.S. Embassy in Kabul,
4 Afghanistan in December 2001, the charges in
5 Sierra Leone when all the trouble happened, in
6 Somalia, in Grenada, in Nicaragua, I've had a lot
7 of experience with the U.S. government and the
8 trials and tribulations that we've had. I would
9 just like to say that this Downing Street Memo to
10 me is one of the most important documents that I
11 have seen about all of the things that have
12 happened here about Iraq.

13 To me, two things in particular, the
14 illegality of the war. In fact, I came back
15 specifically for your hearing. I was in Africa in
16 Sierra Leone, the first time I've been back in
17 8 years since I left there, and going through
18 London to talk with the Deputy Legal Counsel of the
19 Foreign Office, a woman who like myself resigned
20 from her long years, 30 years with the British
21 government, and she resigned because Tony Blair
22 refused to accept the very standard analysis by all

1 the government from the year 2002 that a war based
2 on regime change was illegal. She resigned over
3 that. The Attorney General of the U.K. switched
4 his opinion 7 days before the start of the war.
5 The illegality of going to war in the manner that
6 we did is just crushing to me.

7 The second part is that the provocation
8 that the United States did in Iraq to me is an
9 aggressive criminal act and we need to impeach the
10 President of the United States and we need to hold
11 in criminal contempt the senior leadership of the
12 Department of Defense, the Department of State, the
13 National Security Council and the Department of
14 Justice, and the CIA.

15 Other than that, I think we're just doing
16 fine.

17 [Applause.]

18 MR. CONYERS: I'm sure glad we accepted
19 your written testimony into the record. Not it's
20 complemented by your comments in person. Thank you
21 very much, Jay.

22 MR. INSLEE: Thank you very much,

1 Mr. Chairman.

2 MR. CONYERS: The last commentator among
3 members of Congress is Mr. Tierney. I then want to
4 make an announcement about several hundred-thousand
5 petitions that we have to take to the White House
6 after that.

7 MR. : How about the next hearing?

8 MR. CONYERS: The next hearing? There are
9 going to be a number of next hearings. As Bobby
10 Scott, able lawyer in Judiciary has pointed out, we
11 could use a little subpoena power around here, too.

12 [Laughter.]

13 MR. TIERNEY: Thank you, Mr. Conyers.

14 It's no small feat to get the last word amongst
15 this esteemed group, so I say that.

16 I want to thank all the witnesses here
17 today for your testimony, and the families that are
18 here. I know, Ms. Sheehan, that you've been very
19 powerful in your testimony here today. There is a
20 family in my district in Bedford, Massachusetts,
21 and the father is Brian Hart (ph) and, John, I know
22 you've heard of him and, Ms. Sheehan, you probably

1 have, too. He also feels that the government
2 hasn't been honest with him, and I think that's a
3 real point here. Honesty at the beginning, at the
4 outset of this situation, honesty afterwards.
5 Brian lost his son, John. An RPG went into his
6 unarmored vehicle and afterwards was told that we
7 had all of the armor that we could possibly have of
8 vehicles because we were producing at full
9 capacity.

10 Brian didn't accept that and he went to
11 the manufacturers. In fact, what he found out is
12 we were far below full capacity. It was a
13 conscious choice of the Department of Defense to
14 not put the money into putting it up to full
15 capacity. So the pain and the anguish of families
16 has to be understood, and what you're doing here
17 today is a great memorial of your son and Brian's
18 and everybody else's that this is absolutely
19 essential. Their service to this country is
20 respected by everybody and appreciated by everybody
21 as is your sacrifice.

22 An individual named Fred Kaplan, a

1 reporter wrote just yesterday that when the
2 scholars write the big tomes on this sordid saga,
3 they will want to base their findings on primary
4 source documents, and here is one flashed right
5 before us, he said, referring to the Downing Street
6 Memo.

7 Do any of you have any knowledge that
8 you're aware of any other primary source document
9 that adds weight to the other side of this
10 equation? Is there any primary source document
11 that in fact supports the President's conclusions
12 that he presented to Congress in his presidential
13 letter of March 18, 2003? That would be my first
14 question.

15 Then the second question just would be one
16 in terms of Congress. Realizing that Congress took
17 its vote as sort of gave conditional authority to
18 the President that upon these findings he might
19 take action with Iraq, did Congress actually
20 abrogate its constitutional responsibilities to be
21 the final voice in whether or not this country goes
22 to war?

23 MR. BONIFAZ: Congressman, regarding your
24 first question, we know of no document out there
25 that refutes what the Downing Street minutes say.

1 We know of no contemporaneous document that was
2 taken at the time that said we are finding that
3 there are weapons of mass destruction and that's
4 why we must go into Iraq and that we will not be
5 fixing the intelligence or the policy--the facts,
6 rather.

7 With respect to the second question, it is
8 my view and it was the view of many members of this
9 panel along with United States soldiers and parents
10 of soldiers that the President did not have the
11 constitutional authority to wage this war in the
12 first place. That's why we sued the president in
13 court and I'm proud to have served as the counsel
14 for many of you in that case. We sued him
15 challenging whether or not he had the
16 constitutional authority in the first place to
17 launch this invasion of Iraq. I believe the
18 Congress did unlawfully transfer its exclusive
19 decision-making power to the President.

20 If we go back and look at the debate that
21 occurred in October 2002, there are some in the
22 Congress who got up on the floor of the Congress,
23 the Senate and the House, and said, I trust the
24 President. The President says the nation is facing
25 an imminent threat. I trust the President to five

1 this Congress the true information and if he
2 believes based on the evidence that he has that the
3 nation is facing an imminent threat, then I want to
4 vote for this resolution and essentially give him
5 the final say.

6 Leaving aside the issue of the fact that
7 Congress doesn't allow the President to have that
8 final say, the fact is that that's where many
9 members of Congress where in October 2002, saying
10 they trusted the President. Faced with the Downing
11 Street minutes, those members of Congress who voted
12 for the October 2002 resolution now must face the
13 potential reality that they were duped, that they
14 were deceived, that they were misled. And we must
15 pursue an investigation to wherever it may lead to
16 determine whether or not the President engaged in

1 deceiving and misleading the United States Congress
2 and the American people about the basis for this
3 war.

4 MR. CONYERS: Thank you very much.

5 MS. : [Inaudible.]

6 MR. CONYERS: If it's only a request,
7 because I have a nonconstitutional obligation to
8 bring this to a close because a lot of people are
9 waiting for us to get down to the White House.
10 Very, very briefly.

11 MS. : Thank you, Mr. Chairman.
12 Of all the witnesses, let me first thank you. The
13 people who lost today were the American people who
14 did not get a hearing that was documented beyond
15 the media that is here.

16 I make a formal request that if the
17 Chairman of the Senate Judiciary Committee is
18 within the hearing of this room and the House
19 Judiciary Committee Chairman is within the hearing
20 of this room, that we begin immediately beyond the
21 resolution of inquiry to hold hearings on these
22 issues, that families can come forward, CIA

1 representatives can come forward, Mr. Bonifaz,
2 Mr. Ambassador, can come forward and begin the
3 investigatory part, the laying of the groundwork,
4 to start the process understanding how we will next
5 proceed. The American people deserve that from us,
6 and, again, my apologies.

7 MR. CONYERS: [Inaudible] because we have
8 a lot of work to do as a result of this first
9 panel.

10 MS. : Thank you, Mr. Chairman.

11 MR. CONYERS: Our heart-felt thanks go out
12 to everyone in this room starting with the panel,
13 the members of Congress, the media, the literally
14 millions of people who are watching, listening and
15 will be working with us as we move from here.

16 But let us recognize all the persons here
17 who like Ms. Sheehan have suffered this terribly
18 hurtful loss of a personal family member as a
19 result of this war. We want to recognize you as
20 well. We recognize her, but there are others we
21 happen to know are in this room who have gone
22 through the same pain.

23 MR. MITCHELL: My name is Bill Mitchell
24 from--California. My son Sergeant Mike Mitchell,
25 was killed in the same battle as Casey Sheehan.

1 MR. CONYERS: Thank you very much. Are
2 there others?

3 MR. ZAPPALA: My name is Al Zappala and my
4 Sergeant Sherwood Baker was killed in Baghdad,
5 April 26, 2004. He was providing security for the
6 team that was supposedly looking for weapons of
7 mass destruction.

8 MR. CONYERS: Thank you.

9 MR. KEYES: [Inaudible] today to witness
10 this meeting, I congratulate you all on your
11 actions today. I attended Parliament in
12 Westminster a few months ago. My name is Reg Keyes
13 (ph). I'm sorry. I lost my son on the 24 June,
14 2003, and there is a similar cross-party of MPs in
15 Parliament taking a similar action to yourselves
16 and I applaud your actions, and on behalf of the
17 British families that have suffered, thank you all
18 very much.

19 MR. CONYERS: We're so happy to know that.

1 We're grateful to all of you who have come. Is
2 there one other person? I'm sorry. Yes, sir.

3 MR. ZAPPALA: My name is Dante Zappala and
4 this is my brother Sherwood Baker. He died on
5 April 26, 2004. As my father stated, he was
6 working for the Iraq survey group who was looking
7 for weapons of mass destruction. On his behalf I
8 just want to thank you for investigating the truth.

9 MR. CONYERS: Thank you very much. This
10 is the beginning of our work.

11 MS. MILLER: I'm sorry. My name is
12 Dede Miller (ph)--California. Casey Sheehan is my
13 nephew.

14 MR. CONYERS: Thank you. Is there anyone
15 else?

16 Let's meet at the horseshoe of the Rayburn
17 Building to begin to get over there. We're not
18 going to march over to the White House. We're
19 going to get to the Lafayette Park right across
20 from the White House where there are many people
21 waiting for us and deliver--how many petitions and
22 signatures asking--

23 MR. : 560,000.

24 MR. CONYERS: 560,000 Americans have
25 already joined us asking--

1 [Applause.]

2 MR. CONYERS: Asking the President to
3 respond to a letter signed by now 104 members of
4 Congress.

5 [Applause.]

6 MR. CONYERS: 122 members. So it's been
7 my privilege and honor to be so humbled by all of
8 your contributions. Let us now resolve to continue
9 the even more difficult part of sorting out all of
10 the dozens of recommendations of high quality that
11 have been made here that is now incumbent upon us
12 to discharge.

13 I unlike some Chairmen ask that this
14 meeting be adjourned by unanimous consent.

15 [Applause.]

16 [Whereupon, the hearing concluded.]