

misstatements may actually have been intentional lies.

INVESTIGATING THE IRAQI WAR INTELLIGENCE REPORTS

Even now, while the jury is still out as to whether intentional misconduct occurred, the President has a serious credibility problem. Newsweek magazine posed the key questions: "If America has entered a new age of pre-emption—when it must strike first because it cannot afford to find out later if terrorists possess nuclear or biological weapons—exact intelligence is critical. How will the United States take out a mad despot or a nuclear bomb hidden in a cave if the CIA can't say for sure where they are? And how will Bush be able to maintain support at home and abroad?"

In an apparent attempt to bolster the President's credibility, and his own, Secretary Rumsfeld himself has now called for a Defense Department investigation into what went wrong with the pre-war intelligence. New York Times columnist Maureen Dowd finds this effort about on par with O.J.'s looking for his wife's killer. But there may be a difference: Unless the members of the Administration can find someone else to blame—informants, surveillance technology, lower-level personnel, you name it—they may not escape fault themselves.

Congressional committees are also looking into the pre-war intelligence collection and evaluation. Senator John Warner (R-VA), chairman of the Senate Armed Services Committee, said his committee and the Senate Intelligence Committee would jointly investigate the situation. And the House Permanent Select Committee on Intelligence plans an investigation.

These investigations are certainly appropriate, for there is potent evidence of either a colossal intelligence failure or misconduct—and either would be a serious problem. When the best case scenario seems to be mere incompetence, investigations certainly need to be made.

Senator Bob Graham—a former chairman of the Senate Intelligence Committee—told CNN's Aaron Brown, that while he still hopes they find WMDs or at least evidence thereof, he has also contemplated three other possible alternative scenarios: "One is that [the WMDs] were spirited out of Iraq, which maybe is the worst of all possibilities, because now the very thing that we were trying to avoid, proliferation of weapons of mass destruction, could be in the hands of dozens of groups. Second, that we had bad intelligence. Or third, that the intelligence was satisfactory but that it was manipulated, so as just to present to the American people and to the world those things that made the case for the necessity of war against Iraq."

Senator Graham seems to believe there is a serious chance that it is the final scenario that reflects reality. Indeed, Graham told CNN "there's been a pattern of manipulation by this administration."

Graham has good reason to complain. According to the New York Times, he was one of the few members of the Senate who saw the national intelligence estimate that was the basis for Bush's decisions. After reviewing it, Senator Graham requested that the Bush Administration declassify the information before the Senate voted on the Administration's resolution requesting use of the military in Iraq.

But rather than do so, CIA Director Tenet merely sent Graham a letter discussing the findings. Graham then complained that Tenet's letter only addressed "findings that supported the administration's position on Iraq," and ignored information that raised questions about intelligence. In short,

Graham suggested that the Administration, by cherry-picking only evidence to its own liking, had manipulated the information to support its conclusion.

Recent statements by one of the high-level officials privy to the decisionmaking process that lead to the Iraqi war also strongly suggests manipulation, if not misuse of the intelligence agencies. Deputy Secretary of Defense Paul Wolfowitz, during an interview with Sam Tannenhaus of Vanity Fair magazine, said: "The truth is that for reasons that have a lot to do with the U.S. government bureaucracy we settled on the one issue that everyone could agree on which was weapons of mass destruction as the core reason." More recently, Wolfowitz added what most have believed all along, that the reason we went after Iraq is that "[t]he country swims on a sea of oil."

WORSE THAN WATERGATE? A POTENTIAL HUGE SCANDAL IF WMDs ARE STILL MISSING

Krugman is right to suggest a possible comparison to Watergate. In the three decades since Watergate, this is the first potential scandal I have seen that could make Watergate pale by comparison. If the Bush Administration intentionally manipulated or misrepresented intelligence to get Congress to authorize, and the public to support, military action to take control of Iraq, then that would be a monstrous misdeed.

As I remarked in an earlier column, this Administration may be due for a scandal. While Bush narrowly escaped being dragged into Enron, it was not, in any event, his doing. But the war in Iraq is all Bush's doing, and it is appropriate that he be held accountable.

To put it bluntly, if Bush has taken Congress and the nation into war based on bogus information, he is cooked. Manipulation or deliberate misuse of national security intelligence data, if proven, could be "a high crime" under the Constitution's impeachment clause. It would also be a violation of federal criminal law, including the broad federal anti-conspiracy statute, which renders it a felony "to defraud the United States, or any agency thereof in any manner or for any purpose."

It's important to recall that when Richard Nixon resigned, he was about to be impeached by the House of Representatives for misusing the CIA and FBI. After Watergate, all presidents are on notice that manipulating or misusing any agency of the executive branch improperly is a serious abuse of presidential power.

Nixon claimed that his misuses of the federal agencies for his political purposes were in the interest of national security. The same kind of thinking might lead a President to manipulate and misuse national security agencies or their intelligence to create a phony reason to lead the nation into a politically desirable war. Let us hope that is not the case.

The SPEAKER pro tempore (Mr. BURGESS). Under a previous order of the House, the gentleman from Ohio (Mr. STRICKLAND) is recognized for 5 minutes.

(Mr. STRICKLAND addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

CONTROVERSY INVOLVING TEXAS LEGISLATURE

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. LAMPSON) is recognized for 5 minutes.

Mr. LAMPSON. Mr. Speaker, I find it a little astounding that I come here to

ask the question of what is happening to our government. Why are our fellow citizens withholding information from us, even from Members of Congress? Why are some of the agencies that are designed to help us seemingly working against us? It is all our government.

I am a little bit astounded at having to come here and again tell the story about what happened when the Texas legislature ran amuck, when members of that legislative body began to respond to actions there that have been reflective of what the United States House of Representatives has been, very divisive, very unfortunate, where people get to the point where they feel like they are not allowed to be a part of the process and they have to rebel against the system by looking for parliamentary procedure to try to send their point or make their point or get their message out. Fifty-five brave men and women allowed their backs to be pushed up against the wall for months and finally could take it no more and broke the quorum of the Texas legislature to stop that from happening there. And then, lo and behold, what happened following it started all sorts of things to happen that include Federal agencies becoming involved in investigations to look for missing Texas legislators.

The people of this country ought to be outraged that Federal agencies designed to protect us, designed to do good for us, were called into a political fray in the State of Texas, and since that time Members of Congress have asked repeatedly of the Department of Homeland Security, the Justice Department, and the transportation agency for information that would give us a better understanding of who played what role in this Federal Government being involved in an issue that was a political one in the State of Texas and finding funds that we know are already very short for us. We do not know how we are going to be paying for all of the many, many needs that our homeland security faces. We are very short-funded as it is.

Yet we could find the money, the time, the effort, the personnel, the equipment to track an airplane across the country of a member, a little cotton farmer out in west Texas who was going off to Ardmore, Oklahoma, and stopped off to see his mother. If he had not done that, they would have probably found him. To have agencies respond in the way that they have, there is something wrong with this picture. The people of this country truly ought to be outraged.

It has been over 3 weeks now since we began to ask formally of these agencies, give us the information that you have, show us surveillance tapes, give us tapes of phone messages. Even the Director of Homeland Security indicated that it was a potential criminal investigation that is going on and that was the excuse for not turning over some of this information at the time.

Ladies and gentlemen, it is time for us as a body, as a Congress, to stop this