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IRAQ ILLICIT ARMS GONE BEFORE WAR, INSPECTOR STATES

By RICHARD W. STEVENSON

David Kay, who led the American effort to find banned weapons in Iraq, said Friday after stepping down from his post that he has concluded that Iraq had no stockpiles of chemical and biological weapons at the start of the war last year.

In an interview with Reuters, Dr. Kay said he now thought that Iraq had illicit weapons at the end of the 1991 Persian Gulf war, but that the subsequent combination of United Nations inspections and Iraq's own decisions "got rid of them."

Asked directly if he was saying that Iraq did not have any large stockpiles of chemical and biological weapons in the country, Dr. Kay replied, according to a transcript of the taped interview made public by Reuters, "That is correct."

Dr. Kay did not respond to telephone calls and e-mail messages from The New York Times.

Dr. Kay's statements undermined one of the primary justifications set out by President Bush for the war with Iraq. Mr. Bush and other top administration officials repeatedly cited Iraq's possession of chemical and biological weapons as a threat to the United States, and the lack of evidence so far that Saddam Hussein actually had large caches of weapons has fueled criticism that Mr. Bush exaggerated the peril from Iraq.

Scott McClellan, the White House spokesman, said the administration stood by its previous assessments that Mr. Hussein had both weapons programs and stores of banned weapons.

"Yes, we believe he had them, and yes we believe they will be found," Mr. McClellan said. "We believe the truth will come out."

With Dr. Kay's departure, the administration on Friday handed over the weapons search to Charles A. Duelfer, a former United Nations weapons inspector who has expressed skepticism that the United States and its allies would find any banned chemicals or biological agents.

Dr. Kay's comments and the appointment of Mr. Duelfer, made by George J. Tenet, the director of central intelligence, appeared to be a turning point in the administration's defense of its assertions that Mr. Hussein had amassed large stores of illicit weapons that he could use or turn over to terrorists for use against the United States or other nations.

The assessment Dr. Kay provided to Reuters on Friday was far more conclusive about Iraq's weapons programs than the report he delivered to the White House and Congress in October. At that time, he said he and his team "have not yet found stocks of weapons, but we are not yet at the point where we can say definitively either that such weapon stocks do not exist or that they existed before the war and our only task is to find where they have gone."

But he also reported in October that his team had uncovered evidence of "dozens of W.M.D.-related program activities and significant amounts of equipment that Iraq concealed from the United Nations during the inspections that began in late 2002."

Although the White House stood by its statements last year that Mr. Hussein possessed stores of banned weapons, a position reiterated on Thursday by Vice President Dick Cheney, other administration officials said anonymously on Friday that the prospects that the search would turn up substantial caches of chemical

or biological weapons were much diminished.

Dr. Kay told Reuters that one of the reasons he left was that the team he headed, the Iraq Survey Group, had been diverted to some degree for use in battling the insurgency in Iraq. That diversion, he said, left him short of the resources needed to complete the job by the end of June, when the United States plans to return sovereignty to the Iraqis.

He and his team were "not going to find much after June," he said. "I think we have found probably 85 percent of what we're going to find."

Democrats said Dr. Kay's statements raised serious questions about the administration's case for war and the quality of American intelligence. "It is increasingly clear that there has been a massive intelligence failure," Representative Jane Harman of California, the senior Democrat on the House Intelligence Committee, said in a statement. "The potential threat posed by Iraq's stockpiles of chemical and biological weapons and Iraq's nuclear weapons program was central to the case for war. In light of Dr. Kay's statement, the president owes the American public and the world an explanation."

Mr. McClellan said that the Defense Department had made decisions about providing money and people to the Iraq Survey Group, but that the group had been provided with additional support.

"We appreciate Dr. Kay's service and the ongoing work of the I.S.G.," Mr. McClellan said.

"They already have confirmed that Saddam Hussein was in violation of United Nations Security Council Resolution 1441, which gave him one final opportunity to comply or face serious consequences," Mr. McClellan said, referring to the finding in Dr. Kay's interim report in October that Iraq was pursuing dozens of weapons programs and had hidden equipment from inspectors.

In choosing Mr. Duelfer to replace Dr. Kay, Mr. Tenet turned to an acknowledged expert in the field who has a reputation as a straight shooter. But the choice also highlighted divisions within the administration over the likelihood of finding banned weapons.

In an interview on Jan. 9 with PBS's "Newshour," Mr. Duelfer said that the prospect "of finding chemical weapons, biological weapons is close to nil at this point," and that the search by the United States had been more extensive than what the United Nations had been able to accomplish during the period that it was carrying out inspections in Iraq.

Mr. Duelfer, 51, served as deputy executive chairman of the United Nations Special Commission on Iraq, or Unsc, from 1993 to 2000. Before that he served in the State Department during the administration of the first Mr. Bush. He has most recently been a scholar at the Woodrow Wilson International Center, a research organization in Washington.

In the "Newshour" interview, Mr. Duelfer also said it was "quite clear" that Mr. Hussein did at one point have banned weapons.

In a conference call with reporters on Friday after his appointment was formally announced, Mr. Duelfer said that his duty as an investigator was different from his role as an outside observer and that he had not prejudged the outcome of the search.

"My goal is to find out what happened," Mr. Duelfer said. "So I think you can understand that there would be a difference between someone who is handicapping the outcome of an investigation and one who is then in charge of the investigation."

Dr. Kay had said in October that it would take him another six to nine months to complete his work, suggesting that his final report could land in the middle of the presidential election campaign. Mr. Duelfer said he did not know how long it would take to complete his work.

The top administration officials who had been most vocal in accusing Iraq of building stockpiles of banned weapons, Defense Secretary Donald H. Rumsfeld and Mr. Cheney, have stood by their positions in recent weeks. Asked during an interview on Thursday with National Public Radio whether the administration had given up on finding banned weapons, Mr. Cheney replied, "No, we haven't."

He said it would "take some additional, considerable period of time in order to look in all the cubby holes and the ammo dumps and all the places in Iraq where you might expect to find something like that."

Photo: Charles A. Duelfer replaces David Kay as arms inspector in Iraq. (Photo by Associated Press)(pg. A7)