U.N. INSPECTIONS OF IRAQ'S WEAPONS OF MASS DESTRUCTION PROGRAMS: HAS SADDAM WON?

HEARING

BEFORE THE

COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES

ONE HUNDRED SIXTH CONGRESS

SECOND SESSION

SEPTEMBER 26, 2000

Serial No. 106–190

Printed for the use of the Committee on International Relations

Available via the World Wide Web: http://www.house.gov/international_relations

U.S. GOVERNMENT PRINTING OFFICE

69–976 DTP WASHINGTON : 2001

For sale by the Superintendent of Documents, U.S. Government Printing Office
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U.N. INSPECTIONS OF IRAQ'S WEAPONS OF MASS DESTRUCTION PROGRAMS: HAS SADDAM WON?

TUESDAY, SEPTEMBER 26, 2000

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 10 a.m. in Room 2167, Rayburn House Office Building, Hon. Benjamin A. Gilman (Chairman of the Committee) presiding.

Chairman GILMAN. The Committee on International Relations meets today to receive testimony from two very distinguished witnesses about the serious problems our nation continues to face in dealing with Iraq. I understand Mr. Solarz is tied up in traffic but is on his way, and he should be here shortly.

Upon the conclusion of this morning's hearing, our Committee will move directly to mark up a bill that a number of my colleagues and I introduced yesterday regarding the possibility of a unilateral declaration of statehood by the Palestinians. That bill, the Peace Through Negotiations Act of 2000, is intended to underscore our very strong conviction that such a unilateral declaration would undermine the Middle East peace process and threaten U.S. national interests in the region.

But before we go to that issue, we are going to hear about another serious threat to U.S. interests in the Middle East, and that is the threat posed by Saddam Hussein and his continued efforts to thwart international inspections of his weapons-of-mass-destruction programs. The gravity of the threat posed by Saddam and the inadequacy of our nation's response to that threat has been highlighted by three articles that appeared recently in *The Washington Post*.

The first article appeared on August 30th, and in that article it was reported that in late-August our nation joined with Russia and France and the U.N. Security Council to block the new U.N. weapons inspection agency for Iraq, UNMOVIC—I hope I have the correct pronunciation of that—from declaring it was ready to begin inspections inside Iraq. The story quotes an unnamed U.N. diplomat as stating: "The United States and Russia agreed that it was not appropriate to give the impression that UNMOVIC was ready to get back into Iraq. They cautioned that this might create a climate of confrontation at an inappropriate time."

If this story is true, the effort to avoid confronting Saddam over his weapons-of-mass-destruction programs has to be a low point in

U.S. diplomacy toward Iraq. Turning off the U.N.'s new weapons inspectors at the very moment they were ready to begin their work can only demoralize the inspectors and embolden Saddam Hussein.

Indeed, the very next day, on September 1st, *The Washington Post* reported: "The United States is prepared to deploy Patriot missile-defense batteries to Israel because of growing fears of a possible attack by Iraq." Clearly, the Administration has reason to believe that Saddam was thinking about climbing out of the box in which they claimed to have put him in.

In the third article, on September 18th, *The Washington Post* reported that Secretary of Defense William Cohen had warned Saddam Hussein against renewed aggression after Iraq publicly accused Kuwait of siphoning oil from Iraqi oil fields and flew an Iraqi fighter jet across Saudi Arabian air space for the first time in a decade.

These actions by Saddam are reminiscent of his actions leading up to the Gulf War in 1990, and Secretary Cohen was right to issue his warning. The question for us today, therefore, is, why has Saddam chosen this moment to resort to some of his old habits?

Here to help us make sense on these developments are two very distinguished observers of events in Iraq. Ambassador Richard Butler has direct experience dealing with Saddam Hussein as the executive director of the predecessor organization to UNMOVIC, the U.N. Special Commission on Iraq, or UNSCOM, from 1997 to 1999. Prior to that, he was a career diplomat in the Australian Foreign Service, where he served as Australia's ambassador to the United Nations, ambassador for disarmament, and ambassador to Thailand, among other posts.

Ambassador Butler is now with the Council on Foreign Relations in New York, and we are especially eager to hear his assessment of where Iraq stands today on matters of disarmament, and what the actions taken by the Security Council last month with regard to UNMOVIC mean for the likely success of that organization.

Joining Ambassador Butler will be one of our former colleagues and a friend to all of us on the Committee, Mr. Solarz. He served nine terms in the House as a Democrat representing the State of New York and at various times Chaired our Subcommittees on Asia and Pacific and on Africa. Since leaving the Congress he has remained deeply engaged in foreign-policy issues, taking a special interest in the subject of Iraq, and I am pleased that he will be with us again.

We will hear first from Ambassador Butler, but before recognizing him, permit me to turn to our Ranking Democratic Member, the gentleman from Connecticut, Mr. Gejdenson, for any opening remarks.

[The prepared statement of Mr. Gilman is available in the appendix.]

Mr. GEJDENSON. Mr. Chairman, thank you. It should not be a surprise that Saddam Hussein is making his quadrennial appearances to coincide with America's elections, hoping that the diversion of our political process may give him an opportunity for additional mischief. I think if he thinks that is the case, he is making a terrible mistake because while I think we will not be initiating a new policy at this stage in our presidential term, it is clear the

United States will not allow Saddam Hussein to make any militarily aggressive actions in the region.

For the future, it is a more complicated situation. I think, one, we have to have a policy based in reality and it is highly unlikely, from my perspective, that people who spend their days in the hotels of London and France are going to lead a revolution to overthrow Saddam militarily. It is also clear that the West will not provide the military force to replace Saddam at this time, just as the Bush Administration decided at the end of the Gulf War not to try to remove him militarily.

I think also we have to understand that particularly the French and the Russians, sitting on a tremendous debt that the Iraqis owe them, tens of billions of dollars, have an additional incentive for engagement with Iraq. Iraq's Arab neighbors, even though I think most of them understand that Saddam manipulates the food supplies for his own political benefit, find themselves in a difficult situation as Iraqi children and others are affected by his policies, which he blames on the embargo. It is my understanding that Iraq has somewhere in the range of $10 billion in its humanitarian account that it could spend for food, but we know the games that he is up to.

And I think for us in the United States, what we have to do is, one, figure out a policy that we can get broad international support for, that we cannot lose sight of the fact that this is an individual who would still like to have nuclear, chemical, and biological weapons and the missiles to deliver them to neighbors and others around the world. And so it is not a simple task, but it is one that is going to take coordination with our allies and a sustained effort, and I thank the Chairman for holding this important hearing and look forward to hearing from both of our panelists.

Chairman GILMAN. Thank you, Mr. Gejdenson. Any other Members seeking recognition? If not, Mr. Butler, Ambassador Butler, please proceed.

STATEMENT OF AMBASSADOR RICHARD BUTLER, DIPLOMAT IN RESIDENCE, COUNCIL ON FOREIGN RELATIONS, EXECUTIVE CHAIRMAN OF THE UNITED NATIONS SPECIAL COMMISSION ON IRAQ [UNSCOM]

Ambassador BUTLER. Thank you, Mr. Chairman. I am honored and grateful to you for inviting me to be here today to address what you and Mr. Gejdenson have just recognized as a serious and continuing problem.

In my opening remarks I would propose to deal relatively briefly with three. The first of those is, what is the present situation, and how did we get there; the second is, what are its visible consequences; and, thirdly, what we might do to correct this situation.

First, the present situation and how did we get there. On the present situation, the simplest way of putting it is this: Saddam Hussein is still there. He remains determined to retain and develop a weapons-of-mass- destruction capability. He has been without the presence in his country of United Nations or international weapons inspectors, and the effort to disarm him of the weapons he created in the past has ended. That has been the situation for 2 years, and all of the evidence at our disposal, although that evidence, because

of the absence of international presence in Iraq, is somewhat inadequate, all of the evidence suggests strongly that he is back in the business of making, reacquiring, weapons-of-mass-destruction capability.

That, in a nutshell, is the present situation, and it goes without saying, it is a deeply disturbing, if not threatening, situation. Now, how on earth did we get there, when so much effort, so much time, so much money, was devoted over the last 10 years toward achieving exactly the opposite result?

Now, the answer to that question, Mr. Chairman, is necessarily a complicated and detailed one, but I am sure all of those present have a good degree of familiarity with it, so let me get to what I consider to be the two central elements in answers to the question, how did we get into this dreadful situation?

First, it is this: As pressure grew in 1998 toward some kind of end to the situation of recurrent crises with Iraq and, indeed, some end to the sanctions that have delivered considerable harm not to the regime, but to ordinary Iraqis, I took, with the approval of the security council, I took to Baghdad, in June 1998, a final list of remaining disarmament requirements, the materials and information that we needed in the missile, chemical, and biological area in order to be in a position to say to the security council that we had gotten the best possible account of Iraq's existing weapons-of-mass-destruction capability.

Note, Mr. Chairman, I am not saying that I would have been able to say to the council with absolute certainty that Iraq is disarmed, but that I hoped to be able to say to the council, the security council, that we had the fullest, most complete, best-possible account of the missiles, chemical and biological weapons for which I was responsible that it was possible to put together.

I made very clear in Baghdad, sitting across the table from Saddam's assistants, in particular, Tarik Aziz, the deputy prime minister of Iraq, I made clear to him that my short list was a list of the necessary conditions for being in a position to so report to the security council that we had an accurate account of Iraq's past weapons. I drew a distinction between the necessary conditions and the sufficient conditions. If the former were to become the latter, it would only be as a consequence of Iraq yielding to us the materials and weapons that were on my list. The quality of their answers and cooperation would be everything, and that was well understood.

Tarik Aziz told me in June that Iraq would cooperate in seeking to bring that list of materials to proper account, and he said to me, come back to Baghdad 6 weeks from now, and we will render that final account. I did so, having in the interim put to work all of the resources of UNSCOM in every field of weaponry, with intensive inspections, visits, and inquiries of Iraqi officials. But it became clear very quickly in the 6 weeks that was to be set aside for this work that Iraq was once again refusing to give us the materials and weapons we required, even on this relatively shortened list. And when I got to Baghdad, as requested by Aziz in August 1998, to try to bring that list to final account, he made clear to me that he was well aware that Iraq had refused to give us the materials we required, had refused to cooperate.

Chairman GILMAN. Who was that?

Ambassador BUTLER. Tarik Aziz. He made clear that he was well aware of that, and he said instead not only would he not give us those materials, but that our disarmament work was ended. And he placed a demand upon me to return to the security council and declare Iraq disarmed, irrespective of the fact that he had failed—that Iraq had failed to give us the required materials.

I refused to comply with his request. I said, I will not do what you ask me because I cannot because you have failed to give me the weapons and materials required. And he then declared UNSCOM's work over and shut down any further attempt by the international community to disarm Iraq and, possibly even more importantly, shut down our monitoring of ongoing Iraqi manufacturing activities in the field of weapons of mass destruction. Now, that was Iraq's decision, and that produced the situation that we have faced for the subsequent 2 years.

But the second point I want to make under this heading of how did we get to where we are arises through my posing the question, why did Iraq do this? What made it think that it could get away with this? What was its thinking leading to this pattern of behavior? And the answer there is distressingly simple. Iraq felt that it could get away with this because it knew that it would have support from amongst certain permanent members of the security council, in particular, Russia, and to some extent, France and China. And it knew that under circumstances where the security council was divided on implementing its own laws with respect to Iraq, that it would be able to get away with the position that it had adopted.

That should not, however, mask, Mr. Chairman, its functional motivation in rejecting the list that I had given it, and that motivation was driven by the fact that the list was right. If we had actually gotten the materials that were on that list, we would have effectively rendered final account of Iraq's existing weapons-of-mass-destruction systems. And it was because Iraq wanted to retain those systems that it refused to comply with the request I put to it to yield remaining materials in the missiles, chemical and biological weapons area.

So, to sum this up, 2 years without further disarmament work, no monitoring of ongoing efforts to create new weapons, decisions taken by Iraq because of their functional wish to retain weapons capability, and able to be taken by Iraq because they knew they had support from amongst permanent members of the security council.

Now, my second heading: What are the consequences of this? I will mention quickly four things. One, in the interim period Iraq has clearly embarked again on the business of making more weapons of mass destruction. We cannot know exactly the orders of magnitude involved because we are not there. That is the inner logic of inspections and monitoring: You cannot know exactly what you cannot see.

But evidence available to the United States Government, to others, evidence which I have seen, although I am sure not all of that available, evidence available strongly suggests this: Iraq is back in

the business of seeking to extend the range of its missiles beyond the legal limit of the 150-kilometer range.

Secondly, Iraq has recalled its nuclear-weapons design team. And I remind the Committee that when the work of that team was stopped in 1991, they were 6 months away from producing a nuclear explosive device. They know how to make an atomic bomb. The only thing they have lacked in the past is the required, special, fissionable material. And today that raises the question of where they may be able to acquire that material, including from black-market sources. So they are back in the business of extending their missiles. They have recalled their nuclear-weapons design team.

They have, thirdly, rebuilt their chemical-warfare factories, and the same is true of their biological-warfare factories. They are simply back in business.

Secondly, the sanctions that were applied to Iraq in the first instance to seek to oblige their compliance with the council's decision that they should withdraw from Kuwait, but then more importantly, in 1991 those sanctions were tied specifically after they were expelled from Kuwait; those sanctions were tied specifically to the meeting of disarmament and monitoring requirements. Those sanctions are crumbling. Those sanctions are not doing their intended job.

It follows from the first point I have made. Iraq is back in the business of making the prohibited weapons, even though sanctions legally remain. But we see evidence all around that those sanctions are not doing their job. They are crumbling and being challenged daily, including by permanent members of the security council and, quite literally, largely through a black market, but not exclusively, partly through siphoning off food and medicines made available to Iraq under U.N. sanctions.

The Iraqi regime is now literally awash with money, and this is facilitating their work on weapons of mass destruction. The sanctions instrument is no longer effective. Its only consequence today is not to do any harm to the regime or its weapons intentions; its only consequence today is to continue to do insupportable harm to innocent, ordinary Iraqis.

My third point is that this unhappy passage of events within the security council is causing its authority to crumble.

Chairman GILMAN. Mr. Butler, Ambassador Butler, I regret that we have to recess. We are being called to the floor. We have just a few minutes, and we will return very quickly. The Committee stands in recess.

[Whereupon, at 10:25 a.m., the Committee recessed, and reconvened at 10:41 a.m. the same day.]

Chairman GILMAN. The Committee will come to order. I apologize for the interruption. Ambassador Butler, please proceed.

Ambassador BUTLER. Thank you, Mr. Chairman. I was dealing with the second part of my presentation to the Committee, that is, the consequences of the present circumstances. I mentioned that Iraq is back in business of making weapons of mass destruction and seeking to extend their holdings of those weapons. I had said that sanctions are not doing the job that they were supposed to be doing, that they are, in fact, crumbling. In the discussion period I

am sure there will be more on that subject, so I might just leave that subject in the interest of time and move on.

I had said that the third consequence is the destruction of the authority of the security council. This is a very serious matter. It is easy to find cynics or skeptics about the security council on a whole range of subjects. It is very easy to list the widely regarded failures of the security council over the last decade of the post-Cold War period in Africa, in the Balkans, and so on.

But all that aside, there is something very deeply important about the security council, which is that it is the supreme, international body charged with the maintenance and security, and under the charter of the U.N. its decisions are binding in international law. This is a very carefully crafted structure, crafted in San Francisco, after the defeat of Hitler and his allies, very carefully put together. And when it works properly, it has great value to the world, but it relies essentially on the preservation of its own authority. That authority has been challenged root and branch by the dictator of Iraq, and the council seems to be not meeting that challenge. I think that has profound consequences in a whole range of fields, and it should be deeply disturbing.

Finally, the force of the consequences I want to highlight is the implementation of Saddam's behavior for the credibility and security of the weapons-of-mass-destruction nonproliferation-treaty regimes. Now, this Administration and its predecessor, in fact, all United States Administrations I can recall in the nuclear age, for example, have said that they place great reliance on the Nuclear Nonproliferation Treaty, which in some ways is the jewel in the crown treaties on the nonproliferation of weapons of mass destruction. But there is also now the modern Chemical Weapons Convention. There is a Missile Technology Control Regime, the Biological Weapons Convention. I could go on.

This tapestry of treaties, at root, relies upon the ability of members of the treaties to believe that violations will be detected, and where necessary, the terms of the treaty will be enforced. And interestingly, Mr. Chairman, in virtually all cases under these treaties what is the enforcement mechanism? Who is the policeman on the block here? The answer is the same body, the security council.

If the security council fails in this instance from that very, very serious challenge waged by Saddam, then I contend, and I think there is evidence already for this phenomenon, I contend that the credibility of the treaties themselves will be severely challenged in other parts of the world. And I do not think that is in the interest of this country or any country concerned to ensure to future generations that we do not live in a world awash with weapons of mass destruction or, indeed, a world in which terrorists can have ready access or any access to weapons of mass destruction.

Now, Mr. Chairman, I will turn quickly to my last heading, which is, what to do about it. I am going to speak on the two things in very practical terms. As will be evident from my remarks, the problem lies, first and foremost, in the security council. It seems to me that sound, future policy by the United States would give priority attention to action by it to bring about a new consensus within the security council amongst permanent members with respect to the problems posed by Saddam Hussein, the maintenance

of the authority of the council as the key body in this field, and with respect to the maintenance of the credibility of the treaties on nonproliferation.

This must mean, first and foremost, that the Administration must make clear to Russia that its newly embarked-upon policy, redolent of the Cold War period of client statism, its newly embarked-upon policy of giving support and comfort to regimes such as the Saddam regime, is simply not acceptable, not acceptable to the United States as a nation and not acceptable as behavior fitting to a permanent member of the security council.

This is a tough call, but I believe deeply it is one that must be made. The Administration has said there are red lines with respect to Saddam Hussein. Madeleine Albright, Secretary Albright, said recently the United States would the not use force to bring about a restoration under UNMOVIC of arms-control inspection and monitoring. Now, she said, however, there are red lines which may change position. If Iraq reinvaded Kuwait or made a move on a neighbor, if Iraq threatened the Kurds, or if Iraq was seen to be developing serious weapons of mass destruction, could I say, as an aside, I wonder how we are going to know that without inspections? Are they going to send us a telegram saying we are developing weapons of mass destruction?

But leaving that aside, there are three stated United States red lines. Mr. Chairman, where is the fourth red line? Where is the red line that says we will not tolerate from permanent members of the security council a departure from their responsibility to enforce their own law to maintain nonproliferation of weapons of mass destruction, and instead to pursue what they consider to be their narrow and national interests, whether, as you pointed out, it is based on the money they think Iraq owes them or some notion of wanting to twist the United States' tail, now that it is the sole superpower, or whatever reasoning? It seems to me this should be another red line, that it should be made clear to permanent members of the security council that there is a duty that all share to see that the law is obeyed. I do not think that task has been adequately pursued, and that is my first recommendation.

Now, secondly, with respect to sanctions, as I said earlier, they clearly do not work or get the job done in their present form. Let us be clear, Mr. Chairman, as we discuss sanctions, who is responsible for them. There is a lot of talk of goodwill, well-intentioned people that say the security council is responsible for them, that we in the West are somehow using sanctions as our own weapons of mass destruction against the ordinary Iraqi people.

I reject that contention because it ignores the functional responsibility that is held for sanctions, and that is held by none other than Saddam Hussein. He has always had the ability to see sanctions relieved by simply handing over the weapons as the law required. Had that been done, it would have been my duty to say immediately to the security council it is over, and the council is pledged under its own law to then remove sanctions.

So let us be clear about whose responsibility it is. And when it gets down to the actual impact of sanctions on ordinary Iraqis, let us be clear, too, that a portion of that impact derives from Saddam's own manipulation of the food and medicines that are

supplied to Iraq. In the one part of Iraq where his rule does not prevail, but which is provided with food and medicine under the oil-for-food arrangements, namely, in the Kurdish North, their standard of nourishment, their standard of infant mortality, et cetera, their overall living conditions are very considerably better than in the parts of Iraq where Saddam is fully in control, and that tells its own story. But having made those points about the real reason for sanctions having the impact that they do on ordinary Iraqis, let me say that I do believe that the sanction instrument, because it is not doing its job, needs to be reviewed.

Mr. Chairman, this is not a commercial, but let me say, I have written a book on my experience in dealing with Iraq, and it is called The Greatest Threat, and that refers to the weapons involved. But the subheading is Iraq: Weapons of Mass Destruction and the Crisis of Global Security.

Now, Mr. Chairman, I do not know what else to call it but a crisis. One of the main instruments of the security council is sanctions. That is the main, nonmilitary instrument to bring about compliance with the law. It is not working. The security council's ability to enforce the law under Article 42 of the charter by military means is clearly out of the question, given the state of affairs in the security council. I do not know what to call that, Mr. Chairman, other than a crisis in the collective management of global security.

But with respect to the sanctions part of that, I believe, and this is my second recommendation, and last, I believe the United States should raise with the security council the question of how to adjust sanctions on Iraq to ensure that they target the leadership and that they continue to present the importation of military goods into Iraq and relieve, as it were, as far as possible, ordinary Iraqis from, the domestic civil sector, from the impact of sanctions. It should not be beyond our wit to design targeted sanctions of that kind.

I do not suggest that that is a panacea because, sadly, I believe it is entirely possible that if the Russians got what they want tomorrow and that sanctions were removed in toto, taken away completely, that the idea that you would see an immediate increase in the welfare of ordinary Iraqis would be fulfilled. I strongly doubt that that would occur. I think Saddam would say our first task now is to rebuild the nation, meaning the military. And that is why I say a correct approach to get out of this crisis of security management and make sanctions do whatever job they can better would be to insist that they remain targeted on the importation of military goods.

Now, in my final remark, let me say something that is not widely understood. In such a new sanctions regime it would be crucial that a part of the package would be that Iraq would have to accept the restoration of monitoring on its weapons-related industries. And what is not widely known today, Mr. Chairman, is that the present circumstances are worse than dreadful because not only is Iraq defying the law and preventing the monitoring system that we had built over 8 years from doing its job, but under this present situation of stand-off Iraq is not even accepting the regular inspections that it is supposed to have under the treaties of which it is a partner, namely, the Nuclear Nonproliferation Treaty or the

Chemical Weapons Convention, which it has not ratified but which does provide for an inspection of chemical-related facilities.

So I say that as a footnote because actually it demonstrates that the circumstances we face are even, as I said, worse than dreadful, in that the regular inspections, let alone the special ones, are now not taking place in Iraq.

So there are my two proposals, Mr. Chairman, one within the hard-edged context of relations amongst the permanent members of the security council where I believe the United States must stand up and demand correct behavior, and the other, a new look at sanctions to ensure that they do their real job. The sharp end of the stick there must be to prevent importation of military-related goods. And there are my two proposals. I thank you for your attention.

Chairman GILMAN. Well, thank you, Ambassador Butler, for your very eloquent analysis of what we are faced with, and it certainly is a crisis.

We are now pleased to recognize and to welcome back to our Committee a former Congressman, Steve Solarz, who served nine terms in the House and represented the State of New York and at various times Chaired our Subcommittees on Asia and Pacific and on Africa. And since leaving the Congress he has remained deeply engaged in foreign-policy issues, taking a special interest in the subject of Iraq. It is a pleasure to welcome you back, Mr. Solarz. Please proceed.

STATEMENT OF THE HONORABLE STEPHEN J. SOLARZ, FORMER REPRESENTATIVE IN CONGRESS

Mr. SOLARZ. Thank you very much, Mr. Chairman. It is good to be back before this Committee, although I must say, if I had my druthers, I would probably prefer to be on the other side of the witness table. Nevertheless, it is good to be with you and some of my old friends on the Committee.

I also consider it an honor to be asked to testify together with Ambassador Butler whose book on his experiences dealing with the effort to eliminate weapons of mass destruction in Iraq I have read and which I heartily commend to you. It is an extremely persuasive indictment of the mendacity and duplicity of Iraq in attempting to cover up its weapons-of-mass-destruction program, of the shamelessness of several members of the security council that appear more interested in getting sanctions lifted against Iraq so they can continue to do business with it than they are in forcing Iraq to disgorge its weapons of mass destruction, and of the Fecklessness of the U.N. bureaucracy, which is clearly more interested in avoiding controversy than in seeking the implementation of relevant, security-council resolutions against Iraq.

Mr. Chairman, before I go any further, let me just say for the record so there should be no misunderstanding, as I think you know, I have been engaged by the government of Turkey, together with some of my other former colleagues, to represent its interests here in Washington, and I want to say that my testimony today reflects purely my own views about the situation in Iraq and what we ought to do about it, and I have neither vetted my testimony

with any officials of the Turkish government, nor did I have any intention of doing so. I speak today solely for myself.

Ambassador Butler has explained at length how we got where we are. I want to focus my testimony on what we should do about it. I think that the continued existence of an unrepented and unreconstructed Baathist regime in Iraq, which is presumptively reconstituting its inventory of weapons of mass destruction, poses two fundamental questions for American policy. First, to what extent does this constitute an unacceptable threat to vital American interests; and secondly, what should we do about it?

The answer to the first question, I think, is very clear. The butcher of Baghdad, who remains in power 10 years after Desert Storm, long after George Bush and Margaret Thatcher are out of power, and Francois Mitterrand and Hafiz Al-Assad are dead, is clearly biding his time, waiting for an opportune moment to wreak vengeance against those who were responsible for thwarting his hegemonic ambitions in the past and who are presumably prepared to thwart them in the future.

Indeed, as we meet, threats are emanating almost daily from Baghdad against Kuwait and other countries in the region, strikingly reminiscent of the threats which the Mesopotamian megalomaniac was hurling a decade ago before the invasion of Kuwait. We must not forget that this is a man who has gone to war twice in the last decade, first against Iran and then against Kuwait, and who has used weapons of mass destruction not only against his enemies, but against his own people as well.

To believe under these circumstances that Saddam Hussein does not pose a very serious threat to vital American interests, it seems to me, would be the height of naivety. The more difficult question is, what realistically can be done about it?

Recognizing the extent to which Saddam does pose a serious threat to the United States, both the Congress and the executive branch of our government have embraced the Iraq Liberation Act, which was passed to a large extent due to your leadership, Mr. Chairman, and which is based on the notion that the best way to protect our interests vis-a-vis Iraq is to work for the destabilization and eventual overthrow of the regime.

The Iraq Liberation Act, as you know, calls for the disbursement of up to $97 million in excess military equipment to the Iraqi opposition, and it is premised on the incontestable proposition that a peaceful transition from a malign dictatorship to a benign democracy in a country like Iraq is a political oxymoron. And it was also based on the assumption that to wait for a military coup in a country whose military is riddled by several secret services, where you have a leader who does not hesitate to tortue and execute anyone he even suspects of conspiring against him is to put our faith in miracles.

Yet 2 years after the passage of this historic legislation not a single bullet has been transferred to the Iraqi opposition. It is true, to be sure, that we have provided fax machines and computers to the Iraqi National Congress, but I would suggest that the transfer of office equipment, no matter how sophisticated it may be, is unlikely to either discomfort or depose Mr. Hussein. I think it is fairly clear that, despite his rhetorical embrace of the Iraq Liberation

Act, President Clinton appears to have no intention of utilizing the authority contained in this legislation to provide the arms and military training to those Iraqis who are willing to lay their lives on the line for the freedom of their country.

Much will depend on the willingness of the next Administration to implement this legislation, but it will also depend, and I think it is very important for us to recognize this, on the cooperation of those countries which are contiguous to Iraq, such as Turkey, Jordan, and Kuwait, to provide the sanctuaries and to facilitate the flow of arms without which the Iraq Liberation Act would be a dead letter and without which the prospect for an effective, indigenous opposition to the Baathist regime in Baghdad will remain an illusion rather than a reality.

Right now, the truth is that none of the countries territorially contiguous to Iraq are prepared to provide the kind of cooperation the implementation of the ILA would require. In the absence of a convincing demonstration by the United States that we are determined to bring Saddam down and that we will, if necessary, be prepared to use American military power, including ground forces, if necessary, to achieve this objective, I do not think that we can realistically expect the cooperation of the contiguous countries because they have little faith in the ability of the Iraqi opposition on their own to achieve this objective, and they do not want to put themselves in a position where they are further exposed to the wrath of Saddam Hussein without being reasonably confident that this effort will succeed in bringing him down.

I should also add that if there is going to be any hope in securing the cooperation of the contiguous countries, it will be essential first to induce the Iraqi opposition to reaffirm its commitment to a unified [albeit federal] Iraq, and to make it clear that as a matter of functional policy the United States would oppose the establishment of a separate Kurdish state in northern Iraq or a separate Shia state in southern Iraq.

I think we need to recognize, Mr. Chairman and Members of the Committee, that right now, by virtue of the fact that we have a declared policy of attempting to bring down the regime in Iraq but lack a concrete policy with any credible prospect of achieving that objective, that we are paying a very heavy price in terms of our credibility in the region. Credibility, after all, is the coin in which great powers conduct their affairs, and our ability to persuade other countries, particularly in the Middle East, to act in ways that promote our values and protect our interests depends on the extent to which they have faith in the credibility of our commitments and the seriousness of our threats.

When we declare as a matter of policy that we want to bring the regime in Baghdad down but do not do anything to practically achieve that objective, I think we inevitably diminish our credibility and will end up paying a very heavy price for it.

Now, the Administration has argued that were we to provide military assistance to the Iraqi opposition, that we would simply be inviting "another Bay of Pigs" for which we would be held morally responsible. And I can only say, Mr. Chairman, that if this were the criteria which we had used in the 1980's before deciding whether to provide assistance to the Mujahadin in Afghanistan or the

Contras in Nicaragua or the noncommunist resistance in Cambodia or UNITA in Angola, we never would have helped any of those indigenous movements either.

I believe we ought to be prepared to provide air cover and air support for an indigenous Iraqi opposition, and I think we also, if necessary, ought to be prepared to use our own ground forces because, unless we are prepared to do that, we are never going to get the cooperation which will enable us to help the indigenous Iraqi opposition. But even if we were not prepared to provide that kind of assistance, the moral responsibility for whatever casualties might result from an opposition to which we provided military assistance rests with the men and women who are willing on their own initiative to take up arms for the freedom of their own country.

Now, our current policy, which is apparently based on the belief that even if Saddam does reconstitute his weapons of mass destruction, we can keep him in his box, as the secretary of state has said, because of the threat of retaliation if he uses his weapons of mass destruction or even conventional military power alone, seems to me based on a number of very dubious assumptions. For one thing, it is very clear the existing sanctions regime is utterly unraveling. Russia and France and now India are talking about resuming flights to Iraq.

It is obvious from Ambassador Butler's testimony that Saddam is reconstituting his weapons. We know Saddam is capable of massive miscalculations, and I think to rest on the assumption that he will continue to be deterred in the future is to put our faith in wishful thinking.

So I think Saddam does pose a serious threat to vital American interests. Some of you may recall that 3 years ago Secretary of Defense Cohen appeared on national television and held up a five-pound bag of sugar and said, if this was filled with anthrax, it could kill half the people in Washington, DC. I think this is a threat which the American people can understand and to which, with forceful presidential leadership, they can respond.

I realize that from a political point of view it would be almost impossible right now to muster the support in the Congress and the country that would be needed for the reintroduction of American military power in the Persian Gulf for the purpose of bringing Saddam down in collaboration with the Iraqi resistance and whatever members of the coalition were willing to join with us in a renewed effort to eliminate this threat to the peace and stability of the region.

But I am convinced that if and when we obtain hard evidence, and I assume that sooner or later we will, that Saddam is reconstituting his weapons of mass destruction, which there is every reason to believe he is doing, that at that point if the president went to the Congress and the country, showed them the evidence that we have, that it would be possible to muster the political support which would be necessary for such an endeavor.

Finally, Mr. Chairman, I think that both the Congress and the next Administration will have to confront some very hard realities. If, in fact, we believe, as I do, that the only way to stop the Iraqi regime from rebuilding its weapons of mass destruction is to re-

move the regime that is producing them, because it is obvious they have no intention of permitting U.N. inspectors back in under circumstances where they can really do their job, then in order to achieve that objective, we have to understand that it cannot be done on the cheap.

The Iraq Liberation Act, which I strongly support and which I commend you for adopting, can only be effectively implemented with the cooperation of other countries in the region, and that cooperation can only be obtained if we are prepared to put our military where our mouth is. Thank you very much.

[The prepared statement of Mr. Solarz is available in the appendix.]

Chairman GILMAN. Thank you, Mr. Solarz, and thank you, Ambassador Butler, for your extensive analysis of this very critical issue.

Let us proceed now with some of the questions. Ambassador Butler, do you believe that Saddam has used the nearly 2 years that the U.N. weapons inspectors have been out of Iraq to begin reconstituting the weapons of mass destruction, and which of those weapons programs should we be especially concerned about?

Ambassador BUTLER. Mr. Chairman, I do believe that he has used this 2 years to that effect. In thinking about this, I must say I am reminded of the classic test that is put when someone is alleged to have committed a crime such as murder: Did the person have the motive, the means, and the opportunity? Well, Mr. Chairman, the motives of Saddam Hussein have always been abundantly plain, and they have not changed.

May I say, I strongly support for this reason the moves that are now afoot to have him indicted as a person who has committed crimes against humanity?

Secondly, the means. The means are well established. They know very well how to make an atomic bomb. They know very well how to make their missiles breach the limit and fly longer. In the last technical conversation I had in Baghdad it was about precisely that. I asked the minister in charge of missiles to stop illegal work that they were then commencing to create virtually new Scuds, and he said, we will not.

And there is evidence that they have been about that business in these 2 years, and the United States Administration has itself put into the public arena that it has observed from the sky the reconstruction of Iraq's chemical and biological weapons plants. You cannot know exactly what is happening inside those buildings unless you can be on the ground. Again, that is the logic of inspections.

So, the third condition, motive, means, and now opportunity, has been deliciously filled for him by 2 years' freedom from inspection or monitoring and finally, given his track record of use of these weapons, there is a saying that says Saddam has never had a weapon that he did not use, including on his own people. I deeply believe, Mr. Chairman, the answer to your question is yes, and it would be utter folly for us to assume anything else.

Chairman GILMAN. Ambassador Butler, you recall that in 1998 there were suspicions here in the Congress that the Administration was urging UNSCOM to proceed cautiously in dealing with Iraq

and was counseling you to avoid confrontations with Saddam over his obstruction of UNSCOM inspections. Were those suspicions well founded, and were you being restrained at all by our own nation?

Ambassador BUTLER. No. They were not well founded, and I was not so restrained. As Executive Chairman of the commission, it was my responsibility to determine what objects should be inspected when and by what teams and using what methods. I occasionally sought counsel from a number of members of the security council.

Bear in mind, I worked for the council, not for Kofi Annan, not for the secretary general of the U.N. I was the head of a suborgan of the security council, a unique position, so I sought counsel from a number of members of the security council on an informal basis as I did my work, and very often I found their advice and views helpful.

Sometimes I profoundly disagreed with them, including with views put forward by the United States. But I want to say this on the record: At no stage did I ever feel that the United States' representatives crossed the line that they should not have crossed between having the right to put their views to me and, on the other hand, accepting my unique responsibility for making the operational decisions, and those are the facts.

Chairman GILMAN. Do you see any parallels between your experiences with the Administration in 1998 and what the press tells us the Administration is now doing to UNMOVIC?

Ambassador BUTLER. Mr. Chairman, that question lacks a little bit of specificity. When you say "what the press tells us," there have been various press reports, but I mean that respectfully. We could talk at great length about this.

Chairman GILMAN. Well, the contention is that they are holding back UNMOVIC's movements forward.

Ambassador BUTLER. I have been concerned about a number of aspects of UNMOVIC. First, it has been given the right mandate, that is, to—UNMOVIC has the right mandate. It has been told to bring to final account the weapons of the past and to construct a new, comprehensive monitoring system.

By the way, Mr. Chairman, that bringing to account the weapons of the past is exactly the same list as the one I gave to Iraq in June 1998. It is still there. Now, but that is where the similarities between UNMOVIC and the operation I led end. It has the same mandate, but nothing else is the same. It has a different political responsibility. The head of UNMOVIC works for the secretary general. I did not. I worked under the security council. He has less independence. He is not able to recruit staff in an independent way as I did. He is much more subject to continual riding of shotgun on him, political direction, by members of the security council, and in that context I call attention to this.

Again, something that has been overlooked, and I want to put it on the record: On the 14th of April, last year—sorry—14th of April 2000, the Russian ambassador wrote a letter to the security council saying, we may have agreed to UNMOVIC getting under way, but we tell you—this is in writing—look it up—we tell you that we will not approve of any arms-control or monitoring arrangements of which Iraq does not approve. That sounded to me awfully like a

Russian letter putting the fox in charge of the chicken coop. That is not the way we operated under UNSCOM.

So I have grave doubts that if Iraq changes its present position and lets UNMOVIC into Iraq, that it will be permitted to do anything like a satisfactory job. That is not to say a disrespectful word to Dr. Hans Bleeks or his staff. I think they are professionals. They would want to do a good job, but whether Iraq and some of the members of the security council will allow them to do so is another matter.

Finally, there was a report—this gets to the core of your question, Mr. Chairman—there was a report that Dr. Bleeks, the head of the new organization, had drafted a report to the security council saying that he was ready to commence inspections but that within a small private meeting of the commission of advisers he had been asked to amend that and slow it down and that the United States representative present that day had not objected to that position as advanced by Russia, France, and China.

I was not present during that meeting, and I do not know if those media reports on that are a fair representation of what happened. You will have to ask the Administration about that, but that is what I think you were referring to. But I do know this, that last Friday, when the security council, in full session, took Dr. Bleek's report that indicated in this modified version that he was more or less ready to start, there was a resounding silence. Where was the council saying good and turning to Iraq and saying, "He is ready. Are you?" Not a word. And I think that is a matter of grave concern.

[The prepared statement of Mr. Butler is available in the appendix.]

Chairman GILMAN. Thank you, Ambassador Butler. One more question of you: To the best of your knowledge, is Saddam developing viral agents that would be weapons capable?

Ambassador BUTLER. Viral agents? You said V–I–R–A–L?

Chairman GILMAN. Yes.

Ambassador BUTLER. I do not know that degree of detail today. I will rest on what I said earlier. What we have known of the past and we know of is motive means an opportunity. It would be folly to assume that he is not doing just that.

Chairman GILMAN. And, Mr. Solarz, has the Clinton Administration been serious about its professed policy toward Iraq of regime change?

Mr. SOLARZ. No. I do not think it has, but let me say that I am not convinced that the Congress has been fully serious either, in the sense that it did adopt the Iraq Liberation Act, for which I applaud the Congress and particularly those on this Committee, like yourself, Mr. Chairman, who supported it. But I do not think there has been a real appreciation on the part of the Congress and those who support the Iraq Liberation Act, that this cannot possibly be achieved without the cooperation of countries like Kuwait, Turkey, and Jordan, who are very dubious about the ability of the Iraqi opposition to achieve this on their own and who will only be willing to cooperate if the United States makes it clear that we are serious about this and we are in it all the way, and that we will do whatever needs to be done to succeed, including the use of American

military power and even of American ground forces, if that is necessary. And if we are not prepared to do that, then I think there is little hope of——

Chairman GILMAN. And if that is demonstrated, do you think that those countries, Kuwait, Jordan, Turkey, would agree to support this policy?

Mr. SOLARZ. I certainly think at least one of them would, Kuwait. I would hope the others would also. I would put it this way. I think that a demonstration of our resolve is an absolutely necessary condition for securing their cooperation. I think there is a reasonably good chance they would cooperate, but without that demonstration of resolve, there is no hope whatsoever.

Chairman GILMAN. Well, I want to thank both of our panelists for focusing attention on this critical issue. Mr. Gejdenson.

Mr. GEJDENSON. Thank you. Mr. Solarz, there is nobody in this town or any other town that I respect more for their knowledge and ability to articulate a message. There is no one whose knowledge of foreign policy that I have greater respect for.

Mr. SOLARZ. I am getting nervous now.

Mr. GEJDENSON. No, no, no, but I think here, you know, we have parted company. I do not know any country on this planet that has demonstrated the resolve against Saddam Hussein that we have. In the Security Council our closest friends and allies abandon us regularly on this. You know, when you say there are countries in the region who would join us in military action, virtually every country in the region's major papers, often assumed to be arms of the government, have editorials attacking us for sustaining the present embargo. About the only place we do get some support is for an indictment, which is a noble cause.

You know, it seems to me that the hope that people who spend their days in the lobbies of the hotels in London and France are going to lead a revolutionary effort in Iraq just absolutely argues against everything we have seen in history, and the last time we encouraged people to rise up, the Bush Administration let Saddam Hussein slaughter them. So the history here is not good. The indication from the people in the region is they do not want to do anything. Our Security Council members, two of them, now have sent planes into Iraq—never mind about supporting armed resistance.

I come to the conclusion that Americans do not want to see their boys in there with airplanes and tanks knocking out Iraqi ground forces moving in on armed resistance. We are back to the Contras here.

Mr. SOLARZ. Mr. Gejdenson, let me say at the outset that my affection and respect for you, which is enormous, is in no way diminished by our disagreement on this issue. But we do have a genuine disagreement on this issue, and let me tell you why.

First of all, with respect to the attitude of the countries in the region, there is no doubt in my mind that without exception they would all be delighted if Saddam were to vanish tomorrow. They recognize that he is a serious threat. In a way, he is more of a threat to them than he is to us simply because they are in his neighborhood. But at the same time they do not want to poke a stick into a hornet's nest unless they are convinced that by doing so they are going to kill the hornets.

Mr. GEJDENSON. What do you base your assumption on? They are not happy with the embargo, and a lot of us are not happy with the embargo. I think the assessment is right. It is hurting the people. It is not hurting Saddam. But in every confrontation we basically have to drag them along kicking and screaming, and we have to do all of the work. Where is your sense that they want to engage this?

Mr. SOLARZ. Well, I have met with the leaders of those countries. I have been there, and it is very clear to me that they view Saddam as a very, very serious threat. The problem they have is that given what appears to them to be our unwillingness to commit the kind of military power that would be needed to bring the regime down, they fear that the current policy achieves nothing in terms of eliminating the regime——

Mr. GEJDENSON. Not to interrupt you, but, you know, none of them believe that Mr. Chalabi and his friends could ever be capable enough to remove Saddam Hussein, not one of them. I talked to every intelligence person in the region, virtually. I have talked to every head of state in the region, virtually. They all tell me that these guys are not on the level as far as a military threat, and I think you have to agree, we are not going to use our force to stop Saddam's tanks, just like George Bush did not.

And let me just ask you one more. I hate to cut you off, but you are so smart, I have to be on top of every one of your statements, or I will get in trouble with you. The Turks do not want an independent Kurdish state. They are not going to do anything that takes Saddam Hussein's boot off the back of the Kurds because then they have got a Kurdish problem.

Mr. SOLARZ. As I made clear in my testimony, I agree with you that none of the countries in the region think that the Iraqi National Congress, on its own, even with American arms, can overthrow Saddam Hussein, which is precisely why they are unwilling to cooperate in an effort to provide military assistance and sanctuaries to the Iraqi opposition. But if they believe that the United States was prepared to commit its military power to the achievement of this objective—let me just finish—then I think there is a good chance they would be willing to cooperate.

Now, you say, isn't it obvious that we are not prepared to, in effect, reengage in a military effort to bring down the regime in Baghdad? And my answer to you is, as I said in my testimony, at the moment you are absolutely right. If the president were to get on national television tomorrow and make a speech saying that he is reintroducing American ground forces into the region, and we are soon going to commence an effort to overthrow the regime there, and there might be American casualties, it would be met with apathy at best and incredulity at worst.

But I also believe that the American people are unprepared to accept the existence of weapons of mass destruction in the hands of someone like Saddam Hussein. That is why Secretary Cohen said on national television, holding up a five-pound bag of sugar, that this could kill half the people in Washington, DC, if it was filled with anthrax.

And at the point at which we acquire unimpeachable and unmistakable evidence that, in fact, Saddam is rebuilding his weapons of

mass destruction, and I think it is only a matter of time before we do so, under those circumstances I think the American people and the Congress would be prepared to support, particularly if some other countries were willing to join us, and I think a number would, an effort to eliminate that threat by bringing down the regime. The alternative, Mr. Gejdenson, is to accept an Iraq which has a growing arsenal of weapons of mass destruction, where, based on Saddam's previous track record, it is only a matter of time before he uses them again.

Mr. GEJDENSON. Well, Mr. Solarz, I tell you—again, I go back to my fundamentals here—we can barely keep peace-keeping troops in Kosovo. We have a situation where all of our allies seem to be abandoning us in any serious confrontation with Saddam Hussein. There is no regional power that I have spoken to that thinks that the resistance has any ability without a massive, American military force. When we had a massive, American military force, international force, on the ground, the Bush Administration chose not to remove Saddam Hussein. When you add all of these things up, this is, you know, more hope and prayers than substance, you are basing your assessment on.

Mr. SOLARZ. If I can make one other point here, Mr. Gejdenson. The Administration itself has said that the acquisition of weapons of mass destruction by Saddam is a red line and that we would retaliate militarily, although they have not said for what purpose and against what targets. As Ambassador Butler has pointed out, chemical and biological weapons can be made in facilities half the size of this hearing room. It is almost, by definition, impossible to eliminate them by surgical air strikes.

So I would suggest that if, in fact, the acquisition of weapons of mass destruction by Saddam Hussein is a red line, if we believe, as I do, that it poses an unacceptable threat to vital American interests and to our friends in the region, then we need to recognize that the only way to prevent the acquisition of weapons of mass destruction by Saddam is to eliminate the regime which he heads. And in order to eliminate the regime which he heads, I agree with you, the use of American military power would be necessary.

Now, you point out, quite rightly, that it is difficult to sustain support for a much more limited and benign military presence in Kosovo. But the difference between Kosovo and Iraq is that even in a worst-case scenario Mr. Milosevic does not threaten the United States or our allies with weapons of mass destruction. Saddam Hussein does, and I think the American people can recognize that distinction and respond to it.

Mr. GEJDENSON. Thank you, Mr. Chairman.

Chairman GILMAN. The gentleman's time has expired. Thank you, Mr. Gejdenson. Mr. Rohrabacher.

Mr. ROHRABACHER. Yes. I would remind Mr. Gejdenson, when he said we are back to the Contras, that the Contras won, and the fact is that the Sandinistas were defeated, and you have democratic elections in Nicaragua, and, quite frankly, had there not been so much opposition to the strategy of the Contras by certain American elements, we would have probably won a lot sooner in Nicaragua. And the Sandinistas have still continued to lose every election

whenever there is a free election in Nicaragua because they were never popular. Saddam Hussein is not popular.

I remember all of the experts telling us, when I was in the Reagan White House, the Mujahadin do not have a chance to defeat the Russians, and guess what? The Russians left. The people of Iraq——

Mr. GEJDENSON. Will the gentleman yield?

Mr. ROHRABACHER. I certainly will.

Mr. GEJDENSON. The Contras did not win the war. The Sandinistas lost the election, but on a better note, we might have been better off if the Russians stayed in Afghanistan and the Mujahadin——

Mr. ROHRABACHER. One moment, Steve, reclaiming my time. I think this body lost a great asset when Steven Solarz left this Committee and left the House of Representatives, and he has my great respect. I do not believe that we can muster public support behind any type of ground effort against Saddam Hussein. I just do not believe that is possible. But I do have more faith that the people of Iraq and others through other means could get rid of Saddam Hussein. And I am going to ask the question, unless you get to that, but I have to put a couple of things on the record here as well.

Mr. Butler, you are saying that the sanctions do not work except to hurt the people of Iraq. Is that right?

Ambassador BUTLER. Uh-huh.

Mr. ROHRABACHER. There have been a lot of people asking me to oppose the sanctions because of that, and my reaction has been that that is the only real leverage we have except American military action. What is the other formula?

Ambassador BUTLER. Thank you, Mr. Rohrabacher. Let me, Mr. Chairman, reiterate and perhaps expand in a very brief way what I said about sanctions. Sanctions were imposed upon Iraq as the means of bringing about its compliance with the security council's demand that it leave Kuwait, that it get out of Kuwait.

Mr. ROHRABACHER. Right.

Ambassador BUTLER. When it refused to obey that command and was obviously unmoved by the sanctions introduced to back it up, a force was put together, and it was militarily removed from Kuwait. So there was the first instance where sanctions did not quite do their job.

Secondly, when Iraq was removed from Kuwait, the sanctions were then maintained and, in fact, extended and connected to disarmament performance. I am making the simple and obvious point that as Saddam has been able to evade his obligations to be disarmed and to be monitored that he does not make weapons of mass destruction in the future, the sanctions in that sense have not done their job in bringing about compliance with the disarmament law.

Mr. ROHRABACHER. What is the other side of the coin, then? What is your solution, because obviously——

Ambassador BUTLER. Okay. Sanctions are now also crumbling because of Iraq's success in the black market and now because Iraq has been supported in its avoidance of sanctions in pulling down the edifice of sanctions by no less than Russia and France and possibly two dozen other countries whose businessmen are filling the hotels of Baghdad right now.

I welcome the opportunity to reiterate what I propose to be a solution to this. It is what I called my fourth red line. Steven Solarz was talking about direct military action. I think that is one possible approach, but I had actually mentioned this fourth red line, which is to go to the Russians and make clear to them that it is not acceptable to the United States for it to behave in the way that it is toward Saddam.

Mr. ROHRABACHER. Okay. Now, Mr. Butler, I have to believe that our Administration has done that.

Ambassador BUTLER. Oh, do you?

Mr. ROHRABACHER. I have to believe that our Administration has gone to the Russians and said, we do not accept what you are doing in Iraq. Steve, let me ask——

Ambassador BUTLER. Sorry. Could I just——

Mr. ROHRABACHER. I only have 5 minutes, and I have got to give Steve the last word on this.

Ambassador BUTLER. Okay.

Mr. ROHRABACHER. But let me just say, it seems to me in the very beginning, at the very first briefing I had on this, on Saddam Hussein and the war that we were about to conduct with Iraq—I remember that briefing—it was in the secret room there in the Capitol that we all get briefed in—I remember going to Dick Cheney and Colin Powell and telling them, do not start this unless you are committed to finishing it, and finishing it means Saddam Hussein is dead, dead. Kill Saddam Hussein. I told them that, and very emphatically, I think that is what we still have to do, frankly, to get this over with. Steve, you have got the last word.

Mr. SOLARZ. Just very briefly, Mr. Rohrabacher, you mentioned both Afghanistan and Nicaragua as examples of where we helped indigenous freedom movements achieve their objectives. We have to keep in mind that in the case of Afghanistan we could not have done what we did without the cooperation of Pakistan and in the case of Nicaragua we could not have success without the help of Honduras. If we are going to help the Iraqi opposition, we need the help of a contiguous country that is willing to assist in the effort in terms of avoiding sanctuaries and facilitating the flow of equipment. And in order to get that help, we have to be prepared to make a commitment which apparently you feel we are not prepared to make.

I can only say that if, at the end of the day, it is the conclusion of you and your colleagues and of the next president that we are not prepared to use American military power in combination with the Iraqi resistance to overthrow the regime, then it would be better in terms of preserving American credibility to abandon that objective and to rely on containment alone, because we pay a very heavy price in the erosion of our credibility when we establish a national objective and then do nothing to effectively implement it.

Mr. ROHRABACHER. One last thought, and that is the people of Iraq are not our enemy. Saddam Hussein is a brutal dictator. They know how monstrous he is, and, of course, we would applaud anyone within that society, whether the Iraqi military or whatever, of getting rid of this problem for both our peoples.

Chairman GILMAN. Thank you, Mr. Rohrabacher. Mr. Ackerman.

Mr. ACKERMAN. Thank you very much, Mr. Chairman. We miss you, Steve, and I think that your testimony today is ample reason why. I would just like to point out to my colleagues who might not have been here during much of Chairman Solarz's tenure that he had so many accomplishments in the arena of international relations.

He is probably the person most singularly responsible for the downfall of Ferdinand Marcos and so many other things. Certainly, when the final chapter might be written about the history of the Persian Gulf War, I think all historians will acknowledge that it was the leadership of Steve Solarz, who in a nonpartisan way went to the White House and told President Bush that there would be, although a minority, certainly enough of us Democrats who would be willing to act in a nonpartisan fashion should he choose to avoid the constitutional crisis of intervening absent bringing the matter to the House of Representatives and was able to convince the president of the United States that if he did that, that we would act in a nonpartisan way.

And certainly those who were either in the House or watched it on television, it certainly was one of the finest several days in the history of this Congress, listening to the debate that had nothing to do with the petty politics that overtakes us today as to who scores more points for or against an Administration, but a genuine intellectual debate on foreign-policy matters as to what was in the best interests of the United States. And we certainly miss that kind of thing.

I have a question, Steve, listening to your remarks and reading some of your testimony. You seem to be rather hawkish on going back, if I could use that term for someone who started out as an absolute dove.

Mr. SOLARZ. When it comes to Iraq, I am not a hawk; I am a vulture.

Mr. ACKERMAN. And your appetite is vociferous.

First, let me ask this question, piggy-backing on something that our colleague from California said. Was it a mistake not to stay the extra couple of weeks after the president so capably put together the international coalition? And I know the argument that those who were fearful that the coalition might fall apart was out there, but was it not a tragic mistake not to continue on until the regime was brought to its knees?

Mr. SOLARZ. First, thank you for your very kind comments. I am really quite touched, and I mean that sincerely, Mr. Ackerman. It is certainly tempting, in retrospect, with the benefit of hindsight, to say that we should have stayed the course and gone to Baghdad, and I suspect if we had, we would have been greeted as liberators, not fought as potential occupiers. But let me say that I think the real mistake was not in refraining from marching to Baghdad because that would have utterly unraveled the coalition. The real mistake was, when the Infitada or the uprising arose in Iraq in the immediate aftermath of Desert Storm, in not using our air power to ground Saddam's attack helicopters and to eliminate his armor and artillery. We stood by and did nothing while Saddam's Republican Guard and regular military formations slaughtered the Iraqi people who rose up against him. And I have no doubt that if we

had been willing to use our air power to ground his attack helicopters and destroy his armor and artillery, the balance of power would have shifted against the regime, and the opposition would have prevailed.

I remember several years ago I was on a panel at the centennial of Stanford University with former Secretary of State Schultz discussing the Gulf War, and Secretary Schultz made, I thought, a brilliant point. He said, at the end of the war General Schwartzcoff agreed to let the Iraqis use their helicopters presumably for the purpose of communicating with their units in the field. And when it became clear they were using the helicopters to kill the Iraqi opposition, and Schwartzcoff was asked about this, he said, well, he was snookered by the Iraqis who deceived him. And Secretary Schultz said, I never understood why he simply did not unsnooker himself. We won, they lost, and we could easily have said that we had not given them permission to use these helicopters to suppress an indigenous uprising.

Mr. ACKERMAN. The concern that existed then, that we would lose the coalition, and accepting that as a legitimate concern, seems to fly in the face of the suggestion that we used both air power and commit to using ground forces, if necessary, absent putting together a coalition today. It seems to me that forming a coalition today would be a lot more difficult absent Saddam invading yet again one of its neighbors.

How do we reconcile that? If we take a unilateral action—I know that you recall in 1981 the Israelis did that and were condemned by the United Nations and us as well. Luckily, they did that; otherwise, we might not have been so lucky in the last war.

Mr. SOLARZ. Well, I shudder to think what would have happened if the Israelis had not destroyed the Osirak reactor. You put your finger on a very serious problem. There is no question that it would be very difficult to reassemble the coalition.

In fact, I would go so far as to say that it would be impossible to reassemble the exact coalition which existed then, but I do not think it would be impossible to put together perhaps a lesser coalition of countries that would share our view that the possession of weapons of mass destruction by Saddam Hussein is unacceptable and in violation of very important security council resolutions. Keep in mind——

Mr. ACKERMAN. Let me just follow up on that, if I can, on the foreign-policy issue. If we were to do that, does it not set a precedent that maybe should be set, I do not know, that we can, with coalition partners or absent them, based on pre-emptive rationale, move in against any country that is developing weapons of mass destruction without them taking an aggressive act against some neighbor?

Mr. SOLARZ. It is quite true that Iraq is not the only country that has weapons of mass destruction, but it is true that it is the only country since the end of the Second World War that we know for a fact has used those weapons not just once, but twice, not just against its enemies, but its own people. By twice, I mean in two separate contexts.

Mr. ACKERMAN. The two-strikes-and-you are-out policy.

Mr. SOLARZ. Right. You know, people here recall the use of chemical weapons by Iraq against the City of Halabga in northern Iraq as part of Operation Anfal. What most of them do not remember is that Saddam used chemical weapons on numerous occasions in northern Iraq against his own people, and I think this is what distinguishes Iraq from other countries.

It is always preferable in situations like this to have the imprimatur of a security-council resolution, but under circumstances where it is not obtainable, if we believe that vital American interests are at stake, I believe we should be prepared to act without it, particularly if there are other countries that are willing to join with us, and in this case I think there would be some other countries. I think the U.K, for example, would be willing to participate. I think Kuwait would be willing to participate. I suspect, with vigorous American diplomacy, we could get a number of other countries to join with us as well.

Chairman GILMAN. The gentleman's time has expired.

Mr. ACKERMAN. Thank you.

Chairman GILMAN. Mr. Bereuter.

Ambassador BEREUTER. Thank you very much, Mr. Chairman. I heard your testimony. I appreciate it very much, gentleman. I was not here for all the question period, but I do have a question. I will start with our distinguished former colleague, Mr. Solarz, and ask you to comment, too, Mr. Butler, if you wish.

When the Clinton Administration launched Operation Desert Fox in the end of 1998, it claimed that the loss of U.N. weapons inspectors would be more than offset by a degradation which would be inflicted on the Iraqis' weapons capabilities, a degradation by our air strikes. Few would have imagined that it would be 2 years before the U.N. would be ready to resume inspection. In retrospect, Mr. Solarz, do you think it was a mistake for the Administration to have launched Operation Desert Fox, given the outcome?

Mr. SOLARZ. I think it was a mistake, Mr. Bereuter, for the United States not to respond to the eviction of the U.N. inspectors by taking the position that unless they were immediately permitted to return under circumstances where they could go where they wanted and look at what they wanted to look at, that we would endeavor to take sustained military action, not simply for the purpose of punishing the regime, but for the purpose bringing it down.

I think that afforded us a pretext or a justification which would have enabled us to have responded in a much more robust and vigorous fashion not for the purpose of simply making a point, but for the purpose of solving the problem, which in this case, I think, clearly requires bringing down the regime, which obviously is not prepared to agree to any kind of inspections which will obligate it to divulge or disgorge its weapons of mass destruction.

Mr. BEREUTER. Thank you. Ambassador Butler, would you care to comment on whether, retrospectively, this is a good idea? What would you say about the degradation of the weapons systems that has taken place and how important is that vis-a-vis the progress you say has been made on moving ahead with missile extension and weapons development?

Ambassador BUTLER. In November 1998, when Iraq cut off our work, it was about to be bombed, and you will recall that President

Clinton called that off at the last hour. Iraq then solemnly promised to resume full cooperation, and I was given the job of reporting to the council after an elapsing period of time whether or not that had happened. A month later, I reported the truth, which is not only had that not happened, but they had imposed new restrictions on us. As a consequence of that report, the United States and the United Kingdom decided to take military action that became Desert Fox. Desert Fox, it was then said, would degrade Iraq's weapons-of-mass-destruction capability. Two years later, I do not believe it had that effect.

What has happened is that inspection and monitoring has been cut off. I said then, Mr. Bereuter, that the reason, if there was a justification for bombing Iraq at that time, it was because they had cut off the inspection and monitoring. It followed logically that what must happen at the end of that bombing, if it is to have been successful, is that that inspection and monitoring is the first thing that must be restored. That has not happened.

Mr. BEREUTER. Ambassador, thank you. One of your former subordinates in UNSCOM, Scott Ritter, has argued that UNSCOM's efforts were misguided, and more importantly, that "basically," a quote, "we need not worry about Saddam's weapons program because he has been qualitatively disarmed for a very long time." What do you make of Mr. Ritter's claims?

Ambassador BUTLER. I find them deeply sad. They are utterly without truth or foundation. The notion of qualitative disarmament in this context is meaningless. What I find sad about it is that a man who was once a very able inspector has, for reasons that are beyond my ability to discern, decided to enter into this kind of justification of the present circumstances that I find sad and wrong.

Mr. BEREUTER. Well, he certainly has not been qualitatively disarmed for the long term, has he?

Ambassador BUTLER. The concept has no meaning, but the answer, quite simply, is absolutely not.

Mr. BEREUTER. Thank you, gentlemen, very much for your testimony on this important issue. Thank you, Mr. Chairman, for holding the hearing.

Chairman GILMAN. Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Chairman. I would first like to comment on the sanctions because so much of the world seems fooled by Saddam. He has taken tens of millions of people hostage. He kills them through starvation and the deprivation of medical care, and then he garners sympathy not only for those he kills, but for himself. I think the record of this hearing needs to report that Iraq is exporting food, both food that it grows itself and food that it acquires through the U.N. program, that it has exported medicine, and the branding of that medicine indicates that it has now been re-exported.

And one can only shudder to think of how little of its oil revenue Iraq would devote to food and medicine if Saddam was able without legal restriction to devote all of his oil revenue to the production of weapons. This is a man who may need no one in his country except his own military and his own political supporters. In the absence of the current regime of control over the revenues of Iraqi oil

exports, the Iraqi people would be suffering an awful lot more than they are today.

I would like to pick up on Mr. Solarz's approach that we should be providing more than fax machines to the Iraqi opposition. And I agree with him in part because it is critical to our national security that we stop Saddam from developing weapons of mass destruction, but, Ambassador Butler, if Saddam, perhaps in fear of a level of action that far exceeds what we are doing now, somehow Mr. Solarz was directing our activities instead of those with a lot less willingness to take action, if he agreed to reinstitute that the inspection regime, could that regime provide assurance to the American people that Saddam was not developing weapons of mass destruction, at least nuclear weapons?

Put another way, is there anything other than the fall of Saddam that can allow people of the United States to feel that there is not going to be a maniac in Baghdad with nuclear weapons in 15 years?

Ambassador BUTLER. Well, taking your second question first, I think the answer is that the Iraqi people have suffered too much under him, and the world has been too gravely threatened for it to be tolerated much longer. I do not know whether Steven Solarz's suggestion is the only way to do this, but my direct answer to your question is that it would be better for all concerned for Saddam to be no longer in charge of the government of Iraq.

Mr. BEREUTER. Clearly, that would be better, but if under duress Saddam were to consent to the reinstitution of an inspections regime——

Ambassador BUTLER. I would like to come to that, yes.

Mr. BEREUTER. Okay. Go ahead.

Ambassador BUTLER. You asked specifically with respect to nuclear weapons. I think we have to be very honest with ourselves about what arms control and monitoring can and may not achieve. If you have got an utterly determined criminal, which I think is probably a fair description of Saddam, at the head of a government who is utterly determined to break the law, then it is hard to be completely assured that they will not be able to do so.

What arms-control monitoring does is tells you that that is what is happening. On the whole, it can do that. If you ask of it to prevent a criminal or insane personality from behaving according to their own decisions, then you are asking too much of it. But the chances are exceedingly good that with an adequate monitoring system in Iraq, that we would have notice that such behavior was taking place. We would then be in a position to take action to prevent it from going further.

And finally, absent such inspection now, we are in the worst possible situation. Every day that passes means that clandestine behavior can take place and, I strongly suspect, has been taking place.

Chairman GILMAN. The gentleman's time has expired. Mr. Sanford.

Mr. SANFORD. I thank the Chairman. I have come to the conclusion that the no-fly zone over Iraq is just a total waste of money. Do you all agree? I would ask whoever wants——

Mr. SOLARZ. I am sorry. Would you repeat the question?

Mr. SANFORD. I have come to the conclusion that the no-fly zone over Iraq is a total waste of U.S. taxpayer money. Do you agree or disagree?

Mr. SOLARZ. No. I do not agree because were we to eliminate the no-fly zone, I think it would be an open invitation for Saddam to re-establish his military control over the rest of the country.

Mr. SANFORD. You are saying he does not militarily control the country now?

Mr. SOLARZ. Well, he does not militarily control northern Iraq, and that provides a certain measure of freedom, as it were, and safety for a substantial number of Iraqis who live in northern Iraq.

Mr. SANFORD. Are you saying that there is not repression in northern Iraq?

Mr. SOLARZ. Pardon?

Mr. SANFORD. There is not repression in northern Iraq?

Mr. SOLARZ. Well, Iraq, in effect, the regime is not present in northern Iraq to some extent because of the no-fly zone, and I think that if we were to eliminate the no-fly zone, it would be an open invitation to Saddam to send his forces into the north and, in effect, resubdue the entire Kurdish population.

Mr. SANFORD. Then let us take that logic, then, and apply it to the southern no-fly zone, too. Then you would say that the no-fly zone over southern Iraq is a waste of money?

Mr. SOLARZ. No. I would not say it is a waste of money there because I also think that it constitutes some deterrent against Saddam threatening his neighbors. Keep in mind, just within the past week or so an Iraqi plane not only violated the no-fly zone; it overflew Kuwait and, I think, even Saudi air space, and we did absolutely nothing.

Mr. SANFORD. Wait. Let us back up here, though. If you actually look at the 1999 numbers, there were 600—that is one breach—there were 16 breaches in 1999 that were in the no-fly zone. And so, in essence, about two times a day he is going out there with aircraft and breaching the no-fly zone in current form. And that is, it just seems to me basically press-release foreign policy, wherein you have two breaches a day. We do not fly every day, as you know, over there. Boys in F–16's will leave Turkey tomorrow morning or the morning after—I do not know which morning they are going to get up, but, you know, a couple of days a week, go up over the mountains of Iraq, refuel, and go down, for instance, in the northern no-fly zone, but it is not a regular event.

Mr. SOLARZ. In my view, the problem is not that we are doing too much; it is that we are doing too little, and I think one has to view——

Mr. SANFORD. So then I am just taking the logic that you have been using throughout the hearing, which is for more, so in its present policy it would be a waste of money.

Mr. SOLARZ. Well, I think that we have to distinguish between whether we want to bring down the regime or whether we simply want to contain it. I have argued, of course, that containment is a very dubious proposition with someone like Saddam.

Mr. SANFORD. Which is why I thought you would not naturally agree with the idea that the no-fly zone is a waste of money because that is basically what you have been arguing.

Mr. SOLARZ. Right. But I will tell you what would concern me, and there is a good deal of technical merit to your line of argument, and I have to confess, it is one I had not considered before, and I will reflect on it. But I will tell you instinctively what concerns me about it, and that is that if, in effect, we end up with a policy of containment, which is more or less what in practice we have now, doing something like eliminating the no-fly zone inevitably will diminish credibility——

Mr. SANFORD. Let us not even call it that, though. Let us call it the sometimes no-fly zone except for two times a day when we breach it.

Mr. SOLARZ. It would be seen as a victory by Saddam. It would be seen as a further diminution of American resolve, and given his capacity for miscalculation——

Mr. SANFORD. But the very logic that you have been using has been if we are going to do something, let us really do it because if we say we are going to do something and really do not do it, then we really hurt our standing around the world and particularly in that region of the world.

Mr. SOLARZ. Well, that has been the logic of my argument. That is with respect to the stated objectives of the Iraq Liberation Act, which calls for the destabilization and removal of the regime. The stated purpose of the no-fly zone is not to bring down Saddam, but, in effect, to deter him from the extension of his military power.

Mr. SANFORD. And, again, I would just say, and I just want to say for the record, it strikes me, because we had an undersecretary from the Administration testify a couple of months back, and I said, what exactly is the policy? They said, well, basically as long as Saddam is around, we are going to be around. And I said, that is very unsettling for me because in my home state of South Carolina Strom is 2 years out, basically a year and a half out, from making a hundred. If this guy has that kind of longevity, you are looking at a billion, one, billion, two, a year over another 50 years essentially, and $50 billion of taxpayer expense on something that I think we would both agree has very, very limited——

Chairman GILMAN. The gentleman's time has expired. Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. Let me thank our two witnesses for your very insightful and thorough presentation. A couple of questions I would just like to ask with regard to the whole issue of delinking military and economic sanctions as we look at a reexamination of our policy.

We held hearings, I believe, earlier this year looking at what the impact of economic sanctions has been with regard to food and medicine, especially with regard to children, and the numbers are staggering. The humanitarian concerns, of course, are equally as important as our national-security concerns, and they should be. And somehow there are many of us who believe that strengthening military sanctions would make sense at the same time that we delink the economic sanctions from the military sanctions.

What is your take on that, and how in our re-examination of our policy toward Iraq should we view economic sanctions and its impact on the people and what it is or is not doing?

Mr. SOLARZ. It is a very good question and a very thoughtful one, and let me say that I do not believe we should wage war on chil-

dren or on sick or elderly people. But in the case of Iraq my impression is that the main reason that there may be some who are suffering as a consequence of the sanctions has far more to do with Saddam Hussein than it does with the sanctions. For example, as, I think, has already been pointed out, Saddam has several billion dollars available for the purchase of food and medicines which he is not using for that purpose.

In northern Iraq, which, in effect, is not under Saddam's control, in spite of the sanctions the children are not dying, and people are getting the medicines they need. There is a system for the distribution of food and medical supplies. The problem with eliminating the sanctions, in my view, is that given the nature of Saddam's regime, which clearly does not care a whit for the welfare or well-being of its own people, is that it would in no way, in my view, result in the sudden availability of food and medical supplies which the country is not able to now obtain because it can obtain them if it wants to. Saddam will use the resources he is able to get once the sanctions are lifted primarily for rebuilding his conventional military power and expediting the reconstitution of his weapons of mass destruction, and it would be a further indication that the resolve of the international community to contain Iraq had eroded further.

So I suppose my answer to your question is that I have absolutely no faith whatsoever that the lifting of sanctions would help those who are suffering in Iraq, and the main reason is that the explanation for their suffering, to the extent that they are suffering, has everything to do with Saddam and his regime, which already has available resources—they are now pumping more oil than they did before the Gulf War—and not the sanctions themselves.

Ms. LEE. No. I agree, but also I am wondering, though, has the imposition of sanctions taken this to another level in terms of the pain and suffering of the Iraqi people, especially children? We know that, you know, Saddam Hussein has done what he has done and will continue to until he is gone, but are we participating in a process that is creating more pain than would be the case had we not imposed the sanctions?

Mr. SOLARZ. This is the impression which the Iraqi regime has assiduously attempted to create, and I must say, with considerable success, abetted in particular by those countries that are interested in profiting economically from the lifting of sanctions, not to sell food to Iraq, but to sell arms and other things that he can use for aggressive purposes.

No. I think people are suffering because Saddam is not interested in feeding them or taking care of their health. He is interested in establishing his hegemony over the entire region. He has tried to do that twice now in a decade, first against Iran, then against Kuwait.

You know, finally, let me just say that, in answer to your very thoughtful question, all Saddam would have to do to get the sanctions lifted is to agree to let the inspectors back in and go where they want and need to go to determine if he is complying with his obligation not to build weapons of mass destruction, but he refuses to do so.

Why does he refuse to do so? It is obvious. Because he believes for his political and strategic and military purposes, he needs chemical and biological and perhaps nuclear weapons as well. And let me just say here in conclusion, if I might, that Mr. Sherman, who I see is not here now, said that what would happen if he had nuclear weapons in 15 years.

The fact of the matter is, and I think Mr. Butler would agree with this, that if Saddam succeeded in obtaining fissile material on the black market, which is certainly a possibility, given what is happening in Russia, he has the know-how and the technical means to make nuclear weapons now, not 15 years from now.

And lastly, with respect to how much faith we should have in the efficacy of inspections, if he could be persuaded to let the inspectors back in, it is important to remember that before the Gulf War the International Atomic Energy Agency had inspectors in Iraq monitoring Iraq's nuclear program, and it turned out after the Gulf War was over that Saddam had not one, but three separate nuclear-weapons programs, of which the IAE inspectors were utterly oblivious.

So I have absolutely no faith, even if inspectors were permitted back in, that they could succeed in doing the job, and I come back to the view that if we really believe that the acquisition of weapons of mass destruction by Saddam Hussein poses an unacceptable threat to us and our friends in the region, the only way to solve the problem is to remove the regime that is intent on making them.

Ms. LEE. Thank you very much.

Chairman GILMAN. The gentlelady's time has expired. Mr. Lantos.

Mr. LANTOS. Thank you, Mr. Chairman. I know we need to move on to a markup. I want to express my admiration for Ambassador Butler and my distinguished former colleague, Congressman Solarz, for their steadfast leadership on this issue, and I yield back the balance of my time.

Chairman GILMAN. Thank you, Mr. Lantos. Any other comments to be made? If not—Mr. Crowley. I am sorry.

Mr. CROWLEY. I am sorry that I missed your testimony, but in going through your statement, Mr. Solarz, is it my understanding that you believe—first, let me preface it by saying that there has been a movement afoot here amongst many Members to pull back on the sanctions, and myself and Congressman Sweeney, in a bipartisan effort, have reached out to our colleagues to ask them to keep those sanctions imposed.

My question to you is, is it your belief that the sanctions alone are not working and that more needs to be done?

Mr. SOLARZ. I think it is obvious on the face of it that the sanctions alone are not working. The main purpose of the sanctions, the primary justification, was to induce and pressure Iraq into complying with relevant U.N. resolutions, originally not just those requiring it to give up its weapons of mass destruction, but also to pay reparations to Kuwait and other countries that suffered and to disclose what happened to several hundred Kuwaitis who were missing, who were presumably kidnaped by the Iraqis when they departed from Kuwait. He has not complied with any of those reso-

lutions, so if that is the purpose of the sanctions, the sanctions, at least so far, are obviously not doing the job.

The problem with lifting them is that not only would they not induce him to suddenly begin to comply, since he would feel he has been vindicated, but it would give him the additional, unfettered use of resources that he will use not to feed his starving people or to buy medicines to give to those who need them, because he has several billion dollars to do it how. He will use that money to rebuild his military power, and that would pose a very serious threat to our interests and our friends in the region.

Mr. CROWLEY. And just for the record, and if someone else has already done this, neither yourself nor Ambassador Butler are in favor of lifting the sanctions. Is that correct?

Mr. SOLARZ. That is correct.

Ambassador BUTLER. That is correct.

Mr. CROWLEY. Thank you.

Chairman GILMAN. The gentleman's time has expired. Just a 2-minute closing statement by either of our panelists. Ambassador Butler.

Ambassador BUTLER. Thank you, Mr. Chairman. I am very grateful to have been included in this exchange. I think it has been extremely useful. I will make, in conclusion, four very quick, summary points. What I think has been elucidated here today is that the problem remains the same. It is the existence of Saddam Hussein at the head of the government of Iraq.

Secondly, the prime victims of him is actually the Iraqi people through his manipulation of sanctions and now the demonstration that he has given that even if sanctions were to be suddenly alleviated tomorrow, that he would not make the benefits of that available to ordinary Iraqis.

Thirdly, the threat that he poses through reacquiring weapons of mass destruction is growing each day.

And, finally, the solution to that problem, I think, lies through the security council and through the United States insisting to its Russian colleagues that it is simply no longer prepared to tolerate its breaking of consensus on the implementation of the council's own laws with respect to Iraq and instead preferring to return to a Cold War situation where Russia is, in fact, patronizing a rogue state, a person who should be indicted for having committed crimes against humanity, a person who is threatening by his own actions the stability of this world, especially through a breakdown of the treaties on the nonproliferation of weapons of mass destruction.

Chairman GILMAN. Thank you, Mr. Ambassador. Mr. Solarz.

Mr. SOLARZ. Mr. Chairman, I basically said what I have to say. I will only conclude by indicating that I wish that we could solve the problem simply by telling the Russians that their attitude toward Iraq is unacceptable, but I fear that even were we to do that, and I assume we are, that I doubt it would solve the problem. The Russians do a lot of things we find unacceptable in Chechnya and elsewhere, and we make our views known, but they then go about doing what they think is in their interest.

I think we need to recognize that much more will be needed than vigorous diplomatic representations in Moscow. And what I ask you and my former colleagues on the Committee and the new Members

of the Committee who came after I left is to ask yourself some very hard questions about what we really need to do to deal with this problem.

I fear that if we continue along the path we have been pursuing, that the time will come—I do not know if it is next year or the year after or 5 years from now—when Saddam, armed with weapons of mass destruction, renews his aggression against other countries in the region under circumstances where it will be much more difficult and dangerous to deal with him than it would be if we took resolute action now.

Chairman GILMAN. Thank you very much, Ambassador Butler, Mr. Solarz, for your very precise analysis of this crisis, and we appreciate your taking the time to be with us.

[Whereupon, at 12:21 p.m., the Committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS FROM NEW YORK, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

The Committee on International Relations meets today to receive testimony from two very distinguished witnesses about the serious problems our nation continues to face in dealing with Iraq.

Upon the conclusion of this morning's hearing, we will move directly to mark up a bill that I and a number of my colleagues introduced yesterday regarding the possibility of a unilateral declaration of statehood by the Palestinians. That bill, the "Peace Through Negotiations Act of 2000," is intended to underscore our very strong conviction that such a unilateral declaration would undermine the Middle East peace process and threaten U.S. national interests in the region.

But before we get to that issue, however, we are going to hear about another serious threat to U.S. interests in the Middle East, the threat posed by Saddam Hussein and his continued efforts to thwart international inspections of his weapons of mass destruction programs.

The gravity of the threat posed by Saddam, and the inadequacy of our nation's response to that threat, has been highlighted by three articles that appeared in the Washington Post within the past month.

The first article appeared on August 30th. In that story, it was reported that in late August the United States joined with Russia and France in the U.N. Security Council to block the new U.N. weapons inspection agency for Iraq—UNMOVIC—from declaring it was ready to begin inspections inside Iraq. The story quotes an unnamed U.N. diplomat as saying "The U.S. and Russia agreed that it was not appropriate to give the impression that [UNMOVIC] was ready to go back into Iraq. . . . They cautioned that this might create a climate of confrontation at an inappropriate time."

If this story is true, the effort to avoid confronting Saddam. over his weapons of mass destruction programs has to be a low point in U.S. diplomacy toward Iraq. Turning off the U.N.'s new weapons inspectors at the very moment they were ready to begin their work can only have demoralized the inspectors and emboldened Saddam Hussein.

Indeed, the very next day, on September 1st, the Washington Post reported that the United States was preparing to deploy Patriot missile defense batteries to Israel because of growing fears of a possible attack by Iraq. Clearly, the Clinton Administration had reason to believe that Saddam was thinking about climbing out of the box in which they claim to have put him.

In the third article, on September 18th, the Washington Post reported that Secretary of Defense William Cohen had warned Saddam Hussein against renewed aggression after Iraq publicly accused Kuwait of siphoning oil from Iraqi oilfields and flew an Iraqi fighter jet across Saudi Arabian airspace for the first time in a decade. These actions by Saddam are reminiscent of his actions leading up to the Gulf War in 1990, and Secretary Cohen was right to issue his warning. The question for us, however, is why Saddam has chosen this moment to resort to his old habits.

Here to help us make sense of these developments are two very distinguished observers of events in Iraq.

Ambassador Richard Butler has direct experience dealing with Saddam Hussein as Executive Director of the predecessor organization to UNMOVIC—the U.N. Special Commission on Iraq, or UNSCOM.—from 1997 to 1999. Prior to that he was a career diplomat in the Australian Foreign Service, where he served as Australia's ambassador to the United Nations, ambassador for disarmament, and ambassador

to Thailand, among other posts. He is now with the Council on Foreign Relations in New York. I am especially eager to hear his assessment of where Iraq stands today on matters of disarmament, and what the actions taken by the Security Council last month with regard to UNMOVIC mean for the likely success of that organization.

Joining Ambassador Butler is one of our former colleagues, and a friend to all of us here on the Committee, Steve Solarz. Steve served nine terms in the House of Representatives as a Democrat representing the great state of New York, and at various times he chaired our subcommittees on Asia and the Pacific and on Africa. Since leaving the Congress he has remained deeply engaged in foreign policy issues, and he has taken a special interest in the subject of Iraq. It is a pleasure to see you again here in our hearing room, and I hope you can give us some suggestions about what more we in the Congress should do about Iraq.

We will hear first from Ambassador Butler, but before recognizing him, I will turn to our Ranking Democratic Member, Mr. Gejdenson, for any opening remarks he may have. Mr. Gejdenson?

PREPARED STATEMENT OF THE HONORABLE STEPHEN J. SOLARZ, FORMER REPRESENTATIVE IN CONGRESS

Mr. Chairman, I appreciate the opportunity to appear before your Committee. I commend you for holding this hearing and for your own prodigious and productive efforts to focus attention on the continuing threat to vital American interests posed by an unrepentant and unreconstructed Baathist regime in Iraq.

It has been almost a decade since the United States and its coalition allies liberated Kuwait from the clutches of the Mesopotamian megalomaniac who continues to rule the roost in Baghdad. Since the triumph of coalition forces in 1991, George Bush and Margaret Thatcher are out of power, and Francois Mitterand and Hafiz Al-Assad are no longer among the living. But Saddam Hussein, despite all expectations to the contrary, remains in power, biding his time, waiting for an opportune moment to strike once again in his effort to wreak vengeance against those who opposed his efforts to dominate the region in the past and who constitute a continuing obstacle to the fulfillment of his hegemonic ambitions in the future.

As we meet here in this historic hearing room, the "Butcher of Baghdad" is once again rattling his cage. Dire threats, almost identical to those he issued a decade ago, are emanating daily from Baghdad. At the same time, the sanctions regime is demonstrably unraveling, Iraq is pumping more oil than it did a decade ago, and with UN inspectors having been barred from Iraq for almost two years, it must be prudently assumed that Saddam is well on the way to reconstituting his arsenal of chemical and biological weapons. If he has been able to obtain fissile material on the black market it is even possible that he is in the process of producing nuclear weapons, since the knowledge of how to make these weapons of mass destruction, and the means by which to do so, were not destroyed during the Gulf War.

Recognizing the threat still posed by Iraq our government, in both its legislative and executive branches, has called for the replacement of the Baathist bullies in Baghdad by a broadly based democratic government that would be willing to renounce aggression against its neighbors, respect the human rights of its own people, and fulfill its international obligations.

The instrument for the achievement of this objective has been the Iraq Liberation Act, which was enacted by the Congress and signed into law by the President in the fall of 1998. It calls, as you know Mr. Chairman, for the transfer of up to $97 million in excess military equipment to the Iraqi opposition, as part of an effort to destabilize and overthrow the existing Iraqi regime. It is premised on the incontestable proposition that a peaceful transition from a malign dictatorship to a benign democracy is, in an Iraqi context, a political oxymoron, and that to wait for a coup in a military riddled by several secret services under a leader who doesn't hesitate to torture and execute those he suspects might be plotting against him is to put our faith in miracles.

Yet two years after the passage of this landmark legislation, for which you deserve much of the credit, Mr. Chairman, not a single bullet has been given to the Iraqi opposition. We have, as I understand it, offered them computers and fax machines, but Saddam is unlikely to be cowed, let alone deposed, by the transfer of office equipment, no matter how technologically advanced it might be. Despite the rhetorical embrace of the Iraq Liberation Act by President Clinton when he signed the bill in the fall of 1998 it appears that he has no intention of utilizing the authority contained in the act to provide arms and military training to those Iraqis who are willing to lay their lives on the line for the freedom of their country.

Much will depend on the willingness of the next Administration to adopt a more robust policy toward Iraq and to pay more than lip service to the ILA. Yet even if the new Administration is willing to actively implement the ILA, its ability to do so will depend on the cooperation of those countries, such as Turkey, Jordan, and Kuwait, which are geographically contiguous to Iraq. Without a willingness by those countries to provide sanctuaries and facilitate the supply of arms, the prospect of an effective indigenous resistance will remain an illusion rather than a reality.

Right now, the truth is that without exception these countries are skeptical about the viability of such a strategy and will not be willing to provide the necessary cooperation it requires in the absence of a convincing demonstration by the United States that it is determined to bring Saddam down and will, if necessary, be prepared to use American military power, including ground forces should they be required, in support of an armed Iraqi opposition. These countries, which rightly or wrongly believe that the Iraqi opposition cannot bring down the Baathist regime on their own, do not want to expose themselves to the further wrath of an enraged Saddam unless they are convinced that by doing so they can be confident he will no longer be in a position to retaliate against them. To calm their fears about what might happen to Iraq should Saddam fall, it will also be necessary to persuade the opposition to reaffirm its commitment to the preservation of a unified (albeit federal) Iraq and to make unmistakably clear our own determined opposition to the creation of a separate Kurdish state in the North or an independent Shia state in the South.

Our failure to develop a realistic strategy for the overthrow of Saddam has put us in a position where we have a publicly proclaimed policy—regime change in Iraq—but no credible means or method of achieving it. This yawning gap between our stated policy and our actual policy is exacting a heavy price in our credibility and will continue, to our eventual regret and inevitable disadvantage, to erode our credibility in the future.

This is not a matter to be lightly dismissed. Credibility is the coin in which great powers conduct their affairs. Our ability to influence others to act in ways that protect our interests and promote our values, particularly in the Middle East, depends on their perception that the United States has the ability and resolve to meet its commitments and carry out its threats. To the extent that Saddam remains in power, and continues to defy the relevant resolutions of the UN on weapons of mass destruction and other matters, it underscores the irrelevancy of our rhetoric and the futility of our policy. We will almost certainly end up paying a heavy price for it.

In defense of its refusal to provide the Iraqi opposition with the arms called for in the Iraq Liberation Act, the Administration says it does not want to be responsible for "another Bay of Pigs." Neither, it contends, does it want to be held morally accountable for the loss of life such a policy would inevitably entail. The clear implication of the Administration's position is that the Iraqi opposition cannot succeed on its own and that by providing it with arms we would be setting the stage either for the reintroduction of American armed forces or the ignominious defeat of an Iraqi opposition we had failed to back up with a use of military power we're not prepared to contemplate.

Leaving aside the extent to which we should be prepared to use American military power in support of the Iraqi opposition, both as a way of securing the support of contiguous countries and of assuring the success of such an endeavor, I can only say that if this had been our approach in the 1980's we never would have provided assistance to the Mujahadin in Afghanistan, the non-communist resistance in Cambodia, the Contras in Nicaragua, or UNITA in Angola. In none of these cases were we prepared to commit American military forces, either in the air or on the ground, but that didn't stop us from providing assistance to men and women who were fighting for freedom in a cause we clearly believed was in our own national interest. If there were casualties on the part of those who were the beneficiaries of our assistance we didn't feel then, and we shouldn't feel now, that we were morally culpable for not having committed our own military forces to the battles they were waging on their own.

The next Administration, and the Congress, recognizing these realities, will have to decide whether we should continue to pursue a policy of containment plus regime change in Iraq or whether we should switch to a policy of containment alone. A policy of pure containment would have the virtue of enabling us to avoid the erosion in our credibility which has been the inescapable consequence of our failure to do what needs to be done to bring about a change in the Iraqi regime.

The problem with a policy of containment alone is that it implicitly concedes the ability of Saddam to reconstitute his weapons of mass destruction, assumes that sanctions will remain in place indefinitely, and is premised on the belief that Saddam will continue to "remain in his box," as the Secretary of State has put it, be-

cause of the threat of American military retaliation if he should once again invade his neighbors or use his weapons of mass destruction.

To say that this is a policy based on a foundation of shifting sands would be to endow it with a solidity it manifestly lacks. There can be little doubt that Saddam is already rebuilding his depleted stocks of chemical and biological weapons and is trying to obtain the fissile material he needs for nuclear weapons as well. Why else would he exclude UN weapons inspectors from Iraq when all he would have to do to get the sanctions lifted is to let them back to do their job, if he has nothing to hide from their determined eyes? Furthermore, the willingness of the international community to maintain sanctions indefinitely, and of Saddam to refrain from renewed acts of aggression, including the use of weapons of mass destruction, are assumptions of a highly dubious nature.

The sanctions regime has already been greatly weakened. Saddam is now earning more money from the export of oil than he did before the Gulf War. And there is every reason to believe, as the recent French and Russian flights to Baghdad suggest, that it will continue to erode to the point of utter ineffectuality. As for the willingness of Saddam to stay "'in his box", and to refrain from using his weapons of mass destruction, I can only say, based on his prior record, that this would be an exceedingly imprudent assumption to make. He has, after all, already used weapons of mass destruction against not only his enemies but also his own people. In the last two decades he has gone to war twice, once against Iran and once against Kuwait. And he also launched a full-scale assault against the Iraqi opposition in Northern Iraq, in spite of the fact that the Administration had provided assurances to the leaders of the Iraqi National Congress that we would defend them against such an attack. Our failure to defend the Iraqi opposition, as we said we would, has unquestionably diminished our credibility. But it also tells us something about the continuing deterrent value of our containment policy.

So we need as a nation to make a choice: should we try to change the regime in Baghdad or should we merely try to contain it.

I believe we should try to change it. But if we are going to succeed in our effort to do so we not only need to arm and train the Iraqi opposition, as called for by the Iraq Liberation Act, we also need to be prepared to back them up with American military power, including the use of ground forces if necessary, if we are going to rebuild the coalition that enabled us to defeat Saddam a decade ago.

I would not preclude the possibility that a well armed Iraqi opposition backed up by American air power, particularly if it can induce defections from Saddam's regular Army units, can succeed in bringing down the regime, without having to use American ground forces to do so. Indeed, had we been willing to use our airpower to ground Saddam's attack helicopters and to destroy his armor and artillery when the uprising erupted in the immediate aftermath of Desert Storm, I have no doubt that the Iraqi "intifadah" would have succeeded in sweeping the Baathist regime into the dust bin of history. But unless we're prepared to "put our military where our mouth is," there will be little hope of securing the cooperation of the countries without whose active assistance an indigenous insurrection has little chance of success.

If we're not prepared to pay the price in blood and treasure such a strategy would require (a price, I believe, that will ultimately cost us a lot less than a failed policy of containment), we should change our declared policy and cease calling for the overthrow of the regime and concentrate instead on trying to contain it. I have the gravest doubts that such a policy will work. But it would at least enable us to avoid the continuing loss of credibility which results from a manifest failure to bring about a change in a regime to whose destruction we are publicly committed as a matter of fundamental American policy.

Should the next Administration conclude that leaving Saddam in power would pose an unacceptable threat to our most vital interests, as I hope it will, it will have to convince the Congress and the country that the removal of this threat may well require the renewed use of American military power, in conjunction with at least some of our former coalition allies, if we are going to finally succeed in eliminating the primary source of instability in the Persian Gulf and Middle East: the Baathist regime in Baghdad.

This cannot, I fully recognize, be done in a vacuum. Under current circumstances, an "out of the blue" presidential call for such a policy would probably be met by apathy at best and incredulity at worst. But if the next President is prepared to adopt a much more robust approach to bringing about a regime change in Iraq, along the lines I have outlined, it shouldn't be hard to find a justification for doing so.

The most likely, and probably the most convincing justification (in the absence of another Iraqi invasion of Kuwait or a move by Saddam to reassert his military con-

trol of Northern Iraq) would be clear evidence that Iraq is, indeed, reconstituting its weapons of mass destruction. It was, after all, only three years ago, that Secretary of Defense Cohen held up a five pound bag of sugar on national television and said that "this amount of anthrax spread over . . . Washington could destroy half the population" of our Capital city.

The Administration, to be sure, has said that were it to come into the possession of such evidence it would respond militarily to such a development. But for what purpose and against what targets it has declined to spell out. Since weapons of mass destruction, and the facilities that produce them can easily be hidden and disguised, it is highly unlikely that we would be any more successful in destroying them with a renewed but limited air campaign than we were during the much more extensive air campaign associated with Desert Storm. It must be understood that the only way to eliminate weapons of mass destruction from the Iraqi inventory, in the absence of the kind of intrusive inspections Saddam has no intention of permitting, is to remove the regime that is producing them.

What Secretary Cohen said about Iraq's weapons of mass destruction was true then and remains true today. This is a threat the American people can understand and, with forceful presidential leadership, I have no doubt that they would be prepared to support a renewed effort, including the use of American military power, to eliminate it.

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