AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

S. HRG. 105–725

UNITED STATES POLICY IN IRAQ: PUBLIC DIPLOMACY AND PRIVATE POLICY

HEARING

BEFORE THE

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

SEPTEMBER 9, 1998

Available via the World Wide Web: http://www.access.gpo.gov/congress/senate

U.S. GOVERNMENT PRINTING OFFICE
50–913 CC WASHINGTON : 1998

COMMITTEE ON FOREIGN RELATIONS

JESSE HELMS, North Carolina, *Chairman*

RICHARD G. LUGAR, Indiana
PAUL COVERDELL, Georgia
CHUCK HAGEL, Nebraska
GORDON H. SMITH, Oregon
CRAIG THOMAS, Wyoming
ROD GRAMS, Minnesota
JOHN ASHCROFT, Missouri
BILL FRIST, Tennessee
SAM BROWNBACK, Kansas

JOSEPH R. BIDEN, JR., Delaware
PAUL S. SARBANES, Maryland
CHRISTOPHER J. DODD, Connecticut
JOHN F. KERRY, Massachusetts
CHARLES S. ROBB, Virginia
RUSSELL D. FEINGOLD, Wisconsin
DIANNE FEINSTEIN, California
PAUL D. WELLSTONE, Minnesota

JAMES W. NANCE, *Staff Director*
EDWIN K. HALL, *Minority Staff Director*

SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN AFFAIRS

SAM BROWNBACK, Kansas, *Chairman*

GORDON H. SMITH, Oregon
ROD GRAMS, Minnesota
JESSE HELMS, North Carolina
JOHN ASHCROFT, Missouri

CHARLES S. ROBB, Virginia
DIANNE FEINSTEIN, California
PAUL D. WELLSTONE, Minnesota
PAUL S. SARBANES, Maryland

C O N T E N T S

	Page
Eagleburger, Hon. Lawrence S., Former Secretary of State	26
Indyk, Martin S., Assistant Secretary of State for Near Eastern Affairs, Department of State	3
Kirkpatrick, Hon. Jeane J., Senior Fellow, American Enterprise Institute; and Former U.S. Permanent Representative to the United Nations, Washington, D.C.	18
Murphy, Richard W., Senior Fellow for the Middle East, Council on Foreign Relations	22
Prepared statement	24
Woolsey, Hon. R. James, Former Director, Central Intelligence Agency, Washington, D.C.	20

UNITED STATES POLICY IN IRAQ: PUBLIC DIPLOMACY AND PRIVATE POLICY

WEDNESDAY, SEPTEMBER 9, 1998

U.S. SENATE,
SUBCOMMITTEE ON NEAR EASTERN AND SOUTH ASIAN
AFFAIRS COMMITTEE ON FOREIGN RELATIONS,
Washington, DC.

The committee met, pursuant to notice, at 2:08 p.m., in room SD–419, Dirksen Senate Office Building, Hon. Sam Brownback (chairman of the subcommittee) presiding.

Present: Senators Brownback, Coverdell, Robb, and Feinstein.

Senator BROWNBACK. Thank you, all, for coming. We are delighted to have you here and the panel that we have to present, both from the administration and the panel to follow, about U.S. policy in Iraq: Public policy and private diplomacy. I want to thank our witnesses for coming today to discuss a very important matter.

The issues we are facing in Iraq as well as in a number of crucial parts of the world is that of whether or not the U.S. can live up to its position as the sole world superpower. It is an issue of U.S. world leadership. The importance of U.S. credibility in the world has never been more important.

We are in a time when world economies are collapsing, terrorism is on the upswing, enormous holes are being poked in the world's nonproliferation regime, rogue regimes are building and acquiring weapons of mass destruction, and we are facing new missile threats from North Korea and Iran, and ethnic tensions threaten to explode in a number of different corners of the globe.

At a time when it is crucial that we be able to stand for strength and stability and credibility, we are suffering from a lack of leadership and credibility in the White House, and an apparent policy of transferring responsibility to a weak and divided United Nations. U.S. foreign policy at the moment is weak and seems oriented more toward appeasement than leadership.

Because of this unfortunate lack of leadership, our enemies will continue to test America. The U.S. needs the President to exercise the power of the office. We need him to be able to pull together international coalitions to help keep the world a safer place. We need to have the credibility to give our enemies pause. The U.S. word must be its bond. If we make a commitment, we must keep it.

Iraq is but one of the most recent examples of difficulties that we are having. Saddam Hussein has shown that he follows U.S. domestic policy closely. Both in January and now in August, he has timed his refusals to abide by U.N. agreements to coincide with

high points in the President's domestic scandal. U.S. reaction has been tough on talk and weak on follow-through. Major Scott Ritter's recent resignation exposed U.S. policy on Iraq. And I hope we have a chance to talk about that today.

Unfortunately, challenges to our leadership are not restricted to our dealings with Iraq. The world is watching whether the United States can live up to its responsibilities as the superpower. American credibility is being questioned around the globe.

There have been a number of editorials and articles written from around the world regarding U.S. lack of leadership today, but perhaps it is best put by the *Business Times* from Singapore. They said, on September 2nd, this:

> It is quite depressing to note that at this critical period in international relations, with some experts warning that the financial crisis in East Asia and Russia could produce a global economic depression as well as new military threats to international security, both the world's only superpower as well as the former cold war era superpower are now being led by people who are unable to advance creative game plans to deal with dangers ahead.

Our panel today will explore the problems with U.S. Iraqi policy and U.S. leadership abroad. We will examine the problems with our Iraqi policy—the stated and unstated policy—and what America needs to do to recover its global leadership position. Our first witness will be the Hon. Martin Indyk, Assistant Secretary for Near Eastern Affairs. He has been in front of the committee before, and we appreciate him returning again.

Our second panel will consist of the Hon. James Woolsey, former Director of the Central Intelligence Agency; the Hon. Lawrence Eagleburger, former Secretary of State; the Hon. Richard Murphy, former Assistant Secretary of State for Near Eastern and South Asian Affairs, currently with the Council on Foreign Relations; and they will be joined by the Hon. Jeane Kirkpatrick, the former U.S. permanent Representative to the United Nations and currently a Senior Fellow at the American Enterprise Institute.

This is a serious hearing and we have serious matters to consider today. There have been a lot of questions raised recently, publicly in the media, privately, that have been discussed. I look forward to the administration's witness, Secretary Indyk, to talk in very direct and frank and candidly to us. We have got a lot of tough questions to ask, and we look forward to having your response, and for the panel behind you to state what the United States should be doing. I will turn to the ranking member, Senator Robb.

Senator ROBB. Thank you, Mr. Chairman.

There is no question that within the jurisdiction of this subcommittee we have more challenging and difficult public policy questions to deal with than at almost any time in recent memory. None of them are easy. We have people, witnesses, who have been kind enough to appear before the subcommittee today that have expertise in these areas. And I look forward to their comments. And I hope that they can help us to discern what would be the appropriate response to some of the challenges, in addition to highlighting what those challenges are and the difficulties that I think all

of us would acknowledge that we have had in dealing with some of the challenges to date.

With that, I join you in thanking our witnesses, and look forward to hearing first from Secretary Indyk.

Senator BROWNBACK. Thank you, Senator Robb.

Senator Coverdell, thank you for joining. Do you have a statement to make?

Senator COVERDELL. Just very briefly, Mr. Chairman. I appreciate the opportunity to be with you today and to welcome this distinguished group of panelists.

To me, Iraq sort of draws three major issues that are growing on the horizon. Those three issues being: Are we indeed producing a hollow military as we come to the new century? Number two, has the United States effectively embraced what I believe is an unchallenged conclusion that terrorism is now a component of strategic warfare? And the growing question as to the threat from which we have recently heard from the congressional commission with regard to the vulnerability of the United States to ICBM's.

And when you look at Iraq and recent events there, it touches it all. Which is my distinct interest in hearing from the panelists you have assembled here today. And I appreciate the opportunity to be with you.

Thank you, Mr. Chairman.

Senator BROWNBACK. Thank you, Senator Coverdell.

Mr. Indyk, thank you for joining us. I know you got caught in a traffic jam, but I appreciate you making it up here anyway. The floor is yours.

STATEMENT OF MARTIN S. INDYK, ASSISTANT SECRETARY OF STATE FOR NEAR EASTERN AFFAIRS, DEPARTMENT OF STATE

Mr. INDYK. Thank you very much, Mr. Chairman. I am grateful for the opportunity to appear again before your distinguished committee.

I do so with some trepidation, knowing that sitting behind me is such a formidable group of experienced former U.S. Government officials. And I will do my best to live up to the incredible record that they have said in the past.

In recent weeks, Mr. Chairman, as you know, there have been a lot of charges leveled at the administration and at the Secretary of State personally for supposedly pursuing a duplicitous policy toward Iraq. I welcome the opportunity that you have given us to set the record straight. If you will allow me, I would like to spend a little time placing on the record our version of events.

As you know, the objective of Operation Desert Storm back in 1991 was to roll back Iraq's brutal invasion of Kuwait. As President Bush recalls in his new book, the war did not end like World War II, with the surrender of a beaten army and the punishment of the villainous enemies' leaders. Although humiliated and weakened, Saddam Hussein and his military survived, and we have been dealing with the consequences ever since.

From the outset, our goal and that of the U.N. Security Council has been to deny Iraq the capacity ever again to threaten international peace and security. This effort has paid dividends. Year by year, Iraqi efforts to conceal its weapons of mass destruction pro-

grams have been unmasked. In the process, the chosen tools of the Security Council, UNSCOM and the IAEA have forced the destruction of more Iraqi weapons of mass destruction capacity than was destroyed during the entire Gulf War.

Throughout this period, Iraq has tried to undermine Security Council unity on the key points of compliance and sanctions. At the same time, with our allies, we have constrained Iraq's military options through Operations Southern and Northern Watch and, when necessary, the reinforcement of our military presence in the Gulf. As a result, the military threat posed by Iraq has been effectively contained. But that threat has by no means been eliminated.

As long as Baghdad is under its present leadership, we must expect that Iraq will seek to reconstitute its weapons of mass destruction if given the opportunity. Iraq's goal is to gain relief from sanctions while retaining as much as it can of its residual weapons of mass destruction programs. To this end, Baghdad had repeatedly probed for weaknesses in the Security Council's resolve. It has sought to create division among Council members. It has tried to portray itself as the victim in a confrontation with a run-away UNSCOM being ordered around by an arrogant and callous United States.

To dramatize this charge, Iraq has halted cooperation with UNSCOM on three occasions during the past year, most recently the beginning of this August. Throughout, we have countered Iraq's outrageous propaganda with plain truth. We have backed UNSCOM's efforts to expose the contradictions between Iraqi declarations and the physical and documentary evidence. We have stressed repeatedly the importance of full compliance with Security Council resolutions.

And last spring we threatened the use of force, as we have on three separate occasions since the end of the Gulf War if Iraq did not permit UNSCOM inspections to resume. And in the face of that threat, it did.

Mr. Chairman, in recent weeks, some have suggested that since then, the United States has not done enough to support the work of UNSCOM. It has even been suggested that we have tried to prevent UNSCOM from discovering the truth about Iraq's weapons of mass destruction programs. The people who level these charges are undoubtedly well-intentioned. In particular, we have nothing but respect for the work of Mr. Scott Ritter. We are, after all, on the same side in this process.

But Mr. Ritter works from a different set of facts. And as Chairman Butler told the *New York Times* today, the testimony he gave as to those facts before your committee and the Senate Armed Services Committee was, and I quote Chairman Butler, often inaccurate in chronology and detail, and was therefore, according to Chairman Butler, misleading.

The administration has to work with a broader set of facts than those available to Mr. Ritter. First is the fact that the United States has been, by far, the strongest international backer of UNSCOM. For years, we have provided indispensable technical help, expert personnel, sophisticated equipment, vital diplomatic backing, logistics, and other support. And nothing has changed in that regard.

For example, in May of this year, principals of the National Security Council instructed the heads of all relevant U.S. agencies to issue new directives, ensuring that UNSCOM and IAEA inspections would receive high priority support throughout our government. The Secretary of State issued that directive to State Department officials on June the 23rd of this year.

On the diplomatic front, we have taken the lead in rebutting and disproving Iraq's contentions in disputes with UNSCOM before the Security Council. Secretary Cohen, Secretary Albright, and the rest of the President's foreign policy team have travelled the world, attempting to keep the heat on Iraq, in demanding that it cooperate with UNSCOM.

The suggestion that this administration urged other governments not to support UNSCOM turns the truth on its head. It is exactly the opposite of what we have been doing.

A second fact is that, Iraqi intransigence aside, UNSCOM's inspection efforts have continued to make important progress during the time that we were accused of not supporting UNSCOM's inspections. For example, just this summer, UNSCOM was able for the first time to conduct inspections of sensitive sites where it found new evidence that Iraq had lied about the size of its chemical weapons stocks.

A third fact that we have to take into account is the importance of maintaining Security Council and coalition unity in dealing with Iraq. There is a very hard-headed reason for this: Unless we are prepared unilaterally to send tens of thousands of American ground troops into Iraq to remove Saddam and destroy Iraq's military infrastructure, we are not going to eliminate by force Iraq's ability to conceal and possibly reconstitute its weapons of mass destruction.

If we are not prepared to take such action, we will have to rely on the help of others, through sanctions, support for inspections, and acceptance of the need to use military strikes for limited objectives if necessary. This fact has an influence on the tactical decisions we have to make.

As I suspect the veterans among you, like Senator Robb, would agree, there is a great value in any confrontation in being able to choose your own timing and terrain. Saddam's provocations are designed with political purposes in mind: to spark a reaction, to divide the Security Council, to isolate the United States, and to diminish support for sanctions. Our strategy is to deny Saddam that opportunity and to keep this world spotlight not on what we do, but on what Iraq is failing to do—which is to comply with its obligations under Security Council resolutions.

A fourth fact is the importance of maintaining the integrity and independence of UNSCOM. The continuation of UNSCOM's work is essential if we are to achieve our goal and the international community's goal of eliminating Iraq's capacity to pose a serious military threat to its neighborhood. Unfortunately, if UNSCOM is to succeed, it must, among other things, both be and be perceived to be independent.

It is ironic that Scott Ritter and Saddam Hussein both argue that UNSCOM's independence has been compromised by the United States. If we were to agree with Scott Ritter on that point,

we would be conceding a very key point to Saddam Hussein. It may be precisely the opposite of his intention, but Mr. Ritter's allegations have profoundly undermined the perception that UNSCOM is independent. And that will make it harder for UNSCOM to do its job—a concern that Chairman Butler expressed today in the *New York Times*.

As Chairman Butler has also repeatedly affirmed, the United States has never impinged on UNSCOM's integrity or attempted to dictate its decisions. But UNSCOM's purpose is to assure that there are no prohibited weapons in Iraq. So we have a common long-term goal. The purpose of every conversation and contact we have had with UNSCOM has been to move us closer to achieving that goal.

For 7 years, through Republican and Democratic administrations alike, U.S. policy has not changed. We want and insist on Iraqi compliance. But this does not mean that our tactics are rigid. In pursuing our goal of Iraqi compliance, we have sometimes made tactical suggestions to UNSCOM about questions of timing and procedure. This is entirely appropriate, and it is done by other Council members as well on a regular basis.

No nation, however, has done more to encourage UNSCOM to be thorough, unyielding and aggressive in its inspections, and no nation has done more to support UNSCOM's dogged and at times dangerous efforts in that regard.

Mr. Chairman, I would call your attention to a letter from Chairman Butler to the *Washington Post* on August the 26th this year, in which he writes that, I quote: I have never had any reason to doubt the United States commitment to the need for Iraq to comply with the decisions of the Security Council. And in particular, the United States insistence upon the requirements imposed by those resolutions upon Iraq to the effect that they must be disarmed of their weapons of mass destruction. End quote.

It is also true that on a few occasions our advice to UNSCOM was more cautious. For example, this past January, when our military preparations were incomplete and the Muslim holy Senator of Ramadan was underway, we judged it was not the right time for a major confrontation.

I note in this regard that Mr. Ritter told this committee last week, in fact in answer to a question from Senator Coverdell, that he had objected to a planned inspection of the Ministry of Defense in Iraq in Baghdad because he thought it was, quote, probably heading down a slippery slope of confrontation which could not be backed up by UNSCOM's mandate. End quote.

This, Mr. Chairman, was precisely the kind of question we also sometimes found occasion to raise. If it was good enough for Mr. Ritter, why, in Mr. Ritter's opinion, wasn't it good enough for the Secretary of State?

Given the importance of Security Council unity, we have been concerned in recent months that the responsibility for any resumption of Iraqi non-cooperation fall where it belongs—on the shoulders of Saddam Hussein, not UNSCOM. We had questions, which Chairman Butler had answered, about a particular intrusive inspection planned by UNSCOM in July of this year. But it is important to note that at the very time that we were raising a question

in this regard, other intrusive inspections were going on at the same time, and we were supporting those inspections.

And when Chairman Butler, a short time later, decided to proceed with intrusive inspections, under the leadership of Scott Ritter, we supported those inspections, which were to take place in early August. The issue became moot, however, when Iraqi officials informed UNSCOM on August the 4th that they were halting any further cooperation. At that point, we believed it was best to let the onus fall clearly on Saddam Hussein. And Chairman Butler agreed.

We also knew that some in the Security Council were planning to blame UNSCOM for the renewed breakdown in cooperation.

To summarize, if the allegation is that we sought to influence the pace of UNSCOM inspections, we did. But we did it in order to have the greatest chance of overcoming Iraqi efforts at deception. If we had not, we would not have been doing our job.

If the allegation is that we have undermined the effectiveness and independence of UNSCOM, the answer is we have not. On the contrary, we have been the foremost backer of UNSCOM.

If the allegation is that we have retreated from our determination to achieve our goals in Iraq, the answer is that we have not and we will not.

In the Security Council now, even members who have been most sympathetic to Iraq's point of view can find no excuse, or even sense, in Saddam's last actions. Accordingly, we are seeking to take advantage of this new environment to press Council members to take the steps necessary to enforce the Security Council's resolutions.

Iraq's latest refusal to cooperate with UNSCOM is a direct challenge to the Council's authority. And we seek, in the first instance, to have the Council make a firm and principled response.

We recognize that this has put us back on the ladder of potentially escalating confrontation with Iraq. So be it. We will not accept the indefinite blockage by Iraq of inspection activities of UNSCOM and the IAEA. And we will insist that Iraq live up to its commitment to cooperate with UNSCOM's monitoring activities.

For all its bluster, Mr. Chairman, Iraq remains within the strategic box that Saddam Hussein's folly created for it 7 years ago. As we look ahead, we will decide how and when to respond to Iraq's actions based on the threat they pose to Iraq's neighbor's, to regional security, and to U.S. vital interests. Our assessment will include Saddam's capacity to reconstitute, use or threaten to use weapons of mass destruction. The bottom line is that if Iraq tries to break out of its box, our response will be swift and strong. But we will act on our own timetable, not on Saddam Hussein's.

Thank you very much, Mr. Chairman.

Senator BROWNBACK. Thank you, Mr. Secretary. I appreciate the statement. And I appreciate your service to your country. You have toiled for years in a tough region of the world and doing a great deal of work, and I appreciate that.

Nonetheless, there are some questions that remain some very serious questions. You have started and you have touched on some of those, and I would like to have you address some of those, if we could. Scott Ritter testified last week—and I have to tell you, I think he is an American hero. The President, before he resigned,

talked about Scott Ritter and the destruction of weapons of mass destruction that the inspection team had done, that more were being destroyed by the inspections regime than were destroyed during the Gulf War. And here is a stand-up guy that is out doing his job.

In the hearing that we had, a lot of people were challenging him, saying he was dictating U.S. policy. He says, look, I am not here to talk about U.S. policy, I was an implementer on the ground of this, and I was told twice—actually more than that—but I was told twice that you cannot go in, and that that came from U.S. direction, that we could not go in and do inspections.

And he stated as well at that hearing that the information that they had was very important, it was time sensitive information, that it was such that it had a very short shelf life to it. If it was not used, was not acted upon, that the information, the missiles, or the information regarding missile technology and systems for Iraq would be moved quickly and they would not be able to get it. And both times they were stopped by U.S. action.

Now, I take it from what you are saying here today that you do not deny that the U.S. did step in to delay those inspections on July 15th and August 4th?

Mr. INDYK. Mr. Chairman, as I explained, there were two instances—those two instances—in which the administration spoke to Chairman Butler, in July and August, as you indicate. In July, we were briefed about a number of inspections that were going to take place as part of this intrusive inspection. And we had questions about one of those—possibly two of those. I want to be very careful here.

And we asked those questions of Chairman Butler. Our concern and our only motivation, as I said in my previous remarks, was to ensure that Saddam Hussein would not be the beneficiary of inspections that did not produce results.

Now, I cannot, from my vantage point, my particular vantage point, give you any judgment about how time sensitive the information that Mr. Ritter said he had at the time—how time sensitive it was or was not, or where, and all of that. That was something that Mr. Butler had to make a decision about, not the administration. That is the kind of operational issue which is in his purview, not ours. We simply raised questions about——

Senator BROWNBACK. But you were making an operational decision, then, were you not?

Mr. INDYK. Certainly not, sir. We raised questions. We did support the inspections that Mr. Butler decided on and which were going to take place a short time later. Those were, as I understand it, the same or similar inspections, with an adjustment. That may or may not, because I am not aware of the exact details, have taken into account the particular concern we had about whether this particular inspection was going to be productive.

And Mr. Ritter went in with Chairman Butler to conduct those inspections, which we supported, in early August. In other words, we are talking, in effect, about the same time line in terms of inspections, which were adjusted by Chairman Butler. And those were his operational decisions.

In early August, Mr. Butler had his discussions with the Iraqis, and Tariq Aziz told him that they would not allow UNSCOM to conduct further investigations, inspections, unless UNSCOM declared that Iraq was free of weapons of mass destruction, which Mr. Butler naturally said he would not do.

Therefore, a new situation was created by Saddam Hussein in which the inspections were blocked and we felt at that point that, since the inspections were not going to go ahead anyway since they were blocked, it was better to keep the focus on the fact of Saddam Hussein's blockage of those inspections than to muddy the waters by making it look as if there was some kind of provocative action, in our eyes provocative, but as I said in my own prepared remarks, we were already receiving attacks on UNSCOM from other members of the Security Council in anticipation of the inspections that had now been blocked.

Senator BROWNBACK. So, Mr. Indyk, two inspections were changed by date, by the U.S. administration. You explained in some detail the length of time, or why those were done, but those were at the U.S. insistence that we not have inspections taking place on those two dates.

Mr. INDYK. One inspection, Mr. Chairman, was adjusted. The second inspection was blocked by Saddam Hussein.

Senator BROWNBACK. So one was adjusted by the United States, in your testimony?

Mr. INDYK. One was adjusted by Chairman Butler.

Senator BROWNBACK. At the request of the United States?

Mr. INDYK. On the basis of his considerations. He consulted with many people.

Senator BROWNBACK. Did the U.S. ask that that date be adjusted?

Mr. INDYK. The date, no. We asked——

Senator BROWNBACK. Did the U.S. ask that they not inspect at that point in time?

Mr. INDYK. We asked questions about the value of certain inspections.

Senator BROWNBACK. Did you suggest the date on that inspection should be changed?

Mr. INDYK. The date?

Senator BROWNBACK. Yes.

Mr. INDYK. Not to my knowledge, sir.

Senator BROWNBACK. So you're saying Scott Ritter does not have that portion of his testimony right, is that correct?

Mr. INDYK. Well, I am not aware that he had testified we changed the date.

Senator BROWNBACK. You said there were two times, and you read his testimony. You quoted from his testimony that there were two times that he was requested, or pulled off of inspections, actually, that it was at the U.S. suggestion that that take place. It was the lack of U.S. support and suggestion that those be at different times, that it was very time-sensitive information. Now, is that lack of U.S. support that caused them to stop that inspection?

Mr. INDYK. Mr. Chairman, Mr. Butler was—is the chairman of UNSCOM, was the one who made the decisions. I've told you in the first instance we asked questions, in the second instance we ad-

vised of our view that it made more sense to focus on Saddam Hussein's blockage of the inspection than to simply try and go ahead with an inspection that would have been blocked anyway.

Senator BROWNBACK. Was there communication between Secretary Albright and Mr. Butler regarding these inspections, direct communications?

Mr. INDYK. Yes, Mr. Chairman.

Senator BROWNBACK. Was there direct communications between the two of them regarding the timing of these inspections?

Mr. INDYK. Well, again, I want to make sure that I do not mislead the committee, and so I'm not sure what you mean by the timing.

Senator BROWNBACK. When the inspections would take place.

Mr. INDYK. As I said to you, as far as the July inspections are concerned, we asked questions about a particular aspect of those inspections. As far as I am aware it was not a question of the date of the inspections.

The second one, as I made clear, was a different category. It was in a different category. We supported the inspections until they were blocked by Saddam Hussein.

Senator BROWNBACK. Senator Robb.

Senator ROBB. Thank you, Mr. Chairman and Secretary Indyk, thank you for your testimony.

First, let me just make a very brief comment and say that I think that the focus on keeping the international community involved rather than attempting in fact, or to be perceived to be acting unilaterally in this particular area, and in this particular instance, is critical to any hope for long-term success, and I think the way that you and Secretary Albright have stated more recently that the consequences may be meted out in accordance with a timetable not specifically driven by Saddam Hussein is precisely the way to approach that particular question.

There are some, I think, who might confuse the unilateral response of the United States to the Osama bin Laden-backed activities against U.S. facilities and U.S. entities where the United States clearly had an interest and the requirement to act alone in a situation in this particular part of the world where our relationships with neighbors as well as the international community and in particular some of the perm 5 members has been tenuous at best, and I think the distinctions you make in this regard are important.

Let me just ask you a couple of questions, looking ahead. It is clear that Iraq has repeatedly misstated its history and intentions with respect to all of the weapons of mass destruction and each time they have been forcefully confronted with the lack of accuracy, would be the charitable way to describe it. They have modified their position under pressure.

But I think it is fair to say that there is little in the history of the relationship that would give anyone any reason to believe that their statement as to whether or not they have complied with U.N. Security Council resolutions or the disposition of the weapons of mass destruction would be questioned by any serious review of the history to date.

Are there, however, additional pressure points that might be utilized in carrying out the approach that you have suggested today?

I'm thinking in terms of additional no-fly zones, no-drive zones, other matters that might be utilized to ratchet up or down, depending upon how you look at it, the pressure for compliance when we choose not to react in a specific military way at a specific military time that might be to the advantage of Saddam Hussein if for no other reason to generate support within the area and make the international community look like the bad guy or, more importantly to the extent that he can, trying to personalize it as a U.S. versus Iraq situation, which it is not and should not become.

Would things of this nature be useful in terms of future policy options that we ought to encourage the international community and the U.N. Security Council to consider?

Mr. INDYK. Senator Robb, I want to be a little careful in answering your question, because we do not want to telegraph our punches.

Senator ROBB. I am not suggesting you be specific in terms of what we intend to do. I am asking you about, in a broader sense would additional measures—and maybe I should be even less specific. I deliberately left out a couple of other matters.

But maybe I should simply ask the question in the sense, are there other options that the United States, in conjunction with its allies, might consider to make the continued intentions of Saddam Hussein and the Government of Iraq more likely to, at the very least, pay a price that might be something short of actually using sustained military force and all that that implies.

And I might parenthetically add that in response to the last question that I asked Scott Ritter in the hearing the other day he acknowledged that the only way that his specific objectives could be carried out would be with the sustained use of military force and all that that implied.

Mr. INDYK. There is certainly a range of additional pressure points. One in particular that we have focused on at this moment is the sanctions regime, which has been under persistent attack by those in the Security Council who would like to see sanctions lifted.

Senator ROBB. Including three permanent members.

Mr. INDYK. Indeed. Saddam Hussein has, I believe, two objectives. One is to retain his residual weapons of mass destruction programs, and the other is to have the sanctions lifted, and our objective, obviously, is to deny him both.

UNSCOM is very important in terms of discovering his residual weapons of mass destruction programs, but the sanctions are very important in terms of denying him the resources that would make it possible for him to rebuild his military capabilities, including his weapons of mass destruction.

That is why he wants the sanctions lifted, and if we can use his refusal to cooperate with UNSCOM to strengthen the sanctions regime, we feel in the first instance that that is a worthwhile objective because it will increase the pressure on him and it will deny him one of his objectives and the fact is that keeping the sanctions regime on for the past 7 years has significantly weakened Iraq and its capability to threaten its neighbors.

So that is why at this very moment we are seeking in the Security Council a resolution that will indefinitely suspend the 2-monthly sanction reviews which take place, so as to send a signal that as long as he does not cooperative with UNSCOM there will be no sanctions relief. You can forget about that.

As far as other means, I think that perhaps what Mr. Ritter was referring to is the fact that we have learned, through many, many years, that the only language that Saddam Hussein really respects is that of force, and that diplomacy must be backed by the threat of force, whether it is UNSCOM efforts or other efforts. The threat of force is necessary to make our diplomacy effective.

And as the Secretary of State, Secretary of Defense, and the President have said repeatedly, we have not taken force off the table. It remains an option, and it remains there to back up our diplomacy.

Senator ROBB. I was going to ask another question. My time has expired. I would simply add parenthetically that I would hope that we would never be in a position in this particular situation where we would take force off the table, but I will followup with the other part of my question on the next round.

Thank you, Mr. Chairman.

Senator BROWNBACK. Thank you. Senator Coverdell.

Senator COVERDELL. Mr. Secretary, back to the two meetings that the chairman was alluding to. On the first one you said you were expressing the need for an adjustment, and the second you were trying to reinforce the view that Saddam was blocked beginning with the first meeting. What adjustment were you pursuing with Mr. Butler?

Mr. INDYK. I wonder, Mr. Chairman, if there is a way that we can deal with this discussion in closed session, because we are getting into—I am sorry, I will repeat. I wonder if there is some way we can do this in closed session, because we are getting into some sensitive details here.

Senator COVERDELL. Let me try to rephrase the question and see if that still leaves us in this predicament. Then we will leave it to the chair. But the assertion in the previous hearing with Major Ritter was that the administration was seeking to have him removed from the inspection. Do you know whether that was the case or not? Does this——

Mr. INDYK. I certainly can answer that question, Senator. I appreciate your indulgence, and I will be glad to answer it personally to you.

Senator COVERDELL. Perhaps on the other question we could deal with that by memoranda. That way you would not have to alter the matter of the hearing.

Mr. INDYK. Fine, if that is agreeable to the chairman.

Senator BROWNBACK. That would be fine with me.

Mr. INDYK. We did not seek to have Mr. Ritter removed. On the contrary. As I said, all we did was ask some questions. They were not directed at Mr. Ritter personally at all, and as I tried to explain, there were a series of inspections—I believe three inspections—that were to be conducted by Mr. Ritter a short time after he was told that he could not go ahead with the inspections he was

planning in July. That is why he was going into Iraq with Mr. Butler just a very short time later.

They were—as far as I know, there was considerable overlap between the inspections he wanted to conduct in July and the inspections he was authorized to conduct by Mr. Butler in August a short time later, and we supported those inspections that he was going to conduct.

We had no problem with those inspections. We wanted him to go ahead with those inspections. I personally was briefed by the deputy chairman in New York a few days before they went to Baghdad, and I made clear that we had no problem with that.

I should emphasize that he was at that time also briefing other members of the Security Council who did have problems, but we did not.

The second set of inspections were blocked by Saddam Hussein and, as I explained, we then thought tactically it was better to keep the focus on Saddam Hussein's blockage. Those inspections would not have occurred because of his blockage, not because of anything we did or did not do.

Senator COVERDELL. Parenthetically, coming to the second point, would it not have been better to have executed the inspection and demonstrated to the international community the blockage, rather than just accepting the blockage, and it strikes me that that did not play.

Mr. INDYK. Senator Coverdell, that is a judgment call. We felt in the circumstances, and I think we continue to feel that our judgment was the right one in those circumstances, because you had a situation where the Iraqis clearly were blocking the inspections where their Revolutionary Command Council issued a proclamation that they would not cooperate with UNSCOM any more, that it was much better to allow that to stand on its own two feet.

If I can remind you that UNSCOM and particularly its chairman were under withering assault throughout this period by members of the Security Council and, as I alluded to before that very moment one member of the Security Council was already charging Iraq with provocation—excuse me, UNSCOM with provocation even as the RCC, the Iraqi Revolutionary Command Council was issuing its communique blocking the inspection, so bear in mind that context.

People can have different views about what was the best thing to do, but it was our view that it was the best way of approaching this, since Saddam Hussein in our view had blundered, had revealed his obstructions to the world again, that we should keep the focus there and that that would redound to our advantage in our efforts to get a united Security Council response to his violation of Security Council resolutions.

Senator COVERDELL. Mr. Secretary, I am going to have to depart, and I apologize to the chairman, but I just would say in closing that I think the testimony that Mr. Ritter gave needs to be reviewed again by the administration, but there are clear inconsistencies here. Those things happen in this city, but they are particularly meaningful on this point and the assertion and documentation with regard to a case being made for his removal is pretty clear in the testimony from the previous hearing.

Two specific questions that address that point, and so for perhaps a written exchange, if the chairman would allow that. We might pursue that question at a later moment, and I appreciate the Secretary's response to my questions.

Thank you, Mr. Chairman.

Senator BROWNBACK. Thank you, Senator Coverdell. I think in the essence of time, if you would be open to answering some written questions, we will submit those to you, Secretary Indyk, because there remain a lot of questions, but there is a record that is already being created from Scott Ritter's testimony that needs to be followed up with the administration.

Senator Feinstein.

Senator FEINSTEIN. Thanks, Mr. Chairman. Welcome, Mr. Ambassador. Since August 5 how many inspections have been carried out?

Mr. INDYK. To my knowledge, I think it is accurate to say zero, because of Iraqi refusal to allow these inspections to take place. Chairman Butler notified the council a little while ago that he had tried to conduct three more inspections and they were all blocked.

Senator FEINSTEIN. So for the last month and 3 days, essentially, there has been no inspection whatsoever anywhere in Iraq, is that correct?

Mr. INDYK. That is correct. There is still some monitoring going on of what I would call declared sites that could be used for weapons of mass destruction production. Those are like passive monitoring television cameras and so on. That is going on.

Senator FEINSTEIN. And which members of the Security Council are having problems sustaining the program of inspection?

Mr. INDYK. I would perhaps answer it by rephrasing the question a little bit and see if it does answer your question.

Senator FEINSTEIN. You can do it much more diplomatically than I, I am sure.

Mr. INDYK. Russia, France, and China are the permanent members who believe that the best way to ensure Iraq's cooperation is to provide it with incentives to cooperate by closing files, weapons of mass destruction files, or partially lifting sanctions, and that is obviously not something we are prepared to go along with.

Senator FEINSTEIN. I wanted to talk for a moment about the chemical weapons, particularly VX. It is my understanding that Iraq did not include VX in its initial postwar declaration, and up until 1995 denied producing VX, and it is my understanding no VX has been found. However, Iraq has admitted to producing 3.9 tons of VX, and I understand that unaccounted for is 600 tons of VX precursors, is that correct?

Mr. INDYK. I believe so.

Senator FEINSTEIN. That is enough to produce 300 tons of VX.

Now, UNSCOM apparently revealed that they had unearthed missile warheads which contain traces of VX, and those weapons were subsequently tested and found to have VX on them, is that correct?

Mr. INDYK. That is correct.

Senator FEINSTEIN. And yet for over a month there has been no testing whatsoever, and I take it no one knows, outside of intelligence, where those precursors may be.

Mr. INDYK. That is correct.

Senator FEINSTEIN. So there has been ample time, wherever they are, for the Iraqis to move them.

Mr. INDYK. That is correct. That, of course, would be the case even if UNSCOM were operating in Iraq. They still might get caught, but they would still have the ability to move things around, and we know that they do that on a regular basis.

Senator FEINSTEIN. I guess what bothers me, and the reason I brought up this one indication, is here you had a missile warhead tested in a neutral country, and it came up positive for VX, and yet you have these countries committed, including our own, theoretically committed to a regimen of inspection allowing some technology transfer to go ahead in the meantime, and yet there is this glaring problem among others.

What is keeping countries from carrying out their responsibility?

Mr. INDYK. Well, I think the best way I can put it is that they view things differently to the way—let us say, they view their responsibilities different to the way that we view ours, and they weigh other considerations when they assess their national interest. Whether they are economic considerations, or their view of strategic interests, they come out in a different place.

Senator FEINSTEIN. Of the warheads that were tested that have the VX on them, can you tell us more about those warheads?

Mr. INDYK. I would refer you to a recent submission in the last few days by Chairman Butler to the Security Council which has some very detailed information about not only the VX warhead but also this document on chemical munitions used during the Iraq-Iran War, and I would be glad to provide a copy of that letter for you. I think it has some details, and perhaps we could put that in the record. I think that has not been generally available. People are aware of it.

I would like, if you will indulge me for a moment, to focus on the other issue which has not had much attention, which is this document that was discovered. I might add that it was discovered in July of this year as a result of intrusive inspections, which we supported, of Iraqi Air Force headquarters, and the importance of this document, which is still in Iraqi possession, which they refuse to hand over, also a violation of the Security Council resolutions.

But that document reveals that Iraq used in the Iraq-Iran War substantially less, perhaps 50 percent less chemical munitions than it claims to have used, therefore leaving the question of what has happened to thousands of chemical munitions which are now unaccounted for as a result of this lie that the Iraqis have told and other lies they have told about how many munitions they used up during the Iraq-Iran War.

Senator FEINSTEIN. Just to conclude, because my time is about up, because it seems to me that the presence of this kind of VX chemical which is so 100-percent deadly already on a warhead tested by a neutral country ought really to be a signal to these nations that they ought to heave-to.

Just one final question. When do you expect that there will be some action out of the Security Council with respect to their own initiatives being violated?

Mr. INDYK. Well, on the first point, not for the first time, Senator Feinstein, I agree with you wholeheartedly.

On the second question, I think that we should expect in the next day or two a Security Council resolution which will indefinitely suspend the sanction reviews, and that will make it clear that the Security Council will not even discuss the possibility of lifting sanctions as long as Iraq is not cooperating with UNSCOM and the IAEA, and I hope that that will be a unanimous decision of the Security Council.

The Security Council has already taken some other actions which help to build the diplomatic effort here, first of all by declaring that Iraq's actions were totally unacceptable, and then by responding to complaints by the heads of UNSCOM and the IAEA to the fact that they were unable to carry out their mandated activities.

The council unanimously told them to go ahead and conduct those activities, and that they have the support of the council for doing so.

Now, with the indefinite suspension of the council reviews, if we have unanimous support for that I think that the council will clearly be on record as condemning Iraq's actions and making clear that it is unacceptable, and making clear that a price will be paid.

Saddam Hussein has threatened that he will take "decisive actions" if this resolution goes ahead, and we will have to see, and then, of course, the council will have to deliberate about what other steps it is prepared to take if he does not come back into compliance with UNSCOM and the IAEA, so it is an unfolding drama, if you like, in which we are taking it one step at a time.

But we are finding this time around, as opposed to any time in the last year through the multiple crises we have been through with Iraq in the Security Council, that we have much stronger support on our side than we have had in those previous crises.

Senator FEINSTEIN. Thank you.

Senator BROWNBACK. Thank you, Senator Feinstein. We do have limited time. We will probably go on to the next panel. I know Senator Robb had an additional question. Can we go ahead and wrap up with this witness and move to the next panel?

Senator ROBB. Mr. Chairman, the only question I was going to ask for Secretary Indyk had to do with concerns that are frequently raised by other members of the Arab community and specifically raised by a number of Arab-Americans that are concerned on a humanitarian basis about the oil for food program and whether or not it is working and whether or not any changes might be being considered in that area, and I would just welcome any comment Secretary Indyk might have on the effectiveness of that program as we see it today.

Senator BROWNBACK. Let me hook onto the back end of that, then, a question, if you are going to raise that, because I have got some concerns about that and particularly, apparently, there have been reports that Iraq was cleared by the U.N. Sanctions Committee to receive medical shipments from the plant that we bombed in Sudan, and I wanted to get from you—I do not quite understand that, if that, indeed, took place, and that was supposed to be in this oil for food program, so if you would care to explain how that clear-

ance could have passed through if the plant was not producing pharmaceuticals.

Mr. INDYK. First of all, to answer Senator Robb's question quickly, as you know, the oil for food program which was instituted through our initiative, because of our concern about the impact of sanctions on the Iraqi people, and because of Saddam Hussein's refusal to meet the needs of the Iraqi people, that oil for food program has been expanded as a result of a recommendation from the Secretary-General, and the expansion was designed to meet the basic needs of the Iraqi people for food and medicine and then some to pay for infrastructure improvements for schools, hospitals, the electricity grid and so on.

The difficulty that has now been encountered relates to the fact that the drop in the price of oil requires the export of greater amounts of oil to make up the revenues needed to purchase these foods and medicines and other things, and the Iraqi infrastructure, oil infrastructure is not capable of pumping at a rate that would meet the demand and that is something that we have to look at through the Security Council mechanisms to see if there is something that can be done at the same time as we make sure that dual use equipment does not go to Iraq in this process, and that is something we can do, and we do scrutinize very carefully through the Sanctions Committee, where every member of the Sanctions Committee has a veto over whether these contracts should be fulfilled, and we do have an ability to exercise fairly tight control over what goes in.

On the other hand, by exercising tight control sometimes it can take longer for this equipment to get in there to be able to improve the oil infrastructure so that the oil can be exported and the revenues generated to buy the humanitarian goods.

As far as your question, Mr. Chairman, I am not personally aware of the exact details of this supposed contract from Sudan, and if you will indulge me I will take that and get a written answer.

Senator BROWNBACK. I appreciate that. Thank you, Secretary Indyk. It seems like we are at a precarious time here. I look forward to your further advice to this committee and working closely with us, because this is an extremely important issue.

Thank you for coming.

Mr. INDYK. Thank you very much, Mr. Chairman.

Senator BROWNBACK. The next panel will be a group of luminaries that have served the U.S. well in many capacities. First, Hon. Jeane Kirkpatrick, Senior Fellow, American Enterprise Institute, former U.S. Permanent Representative to the United Nations.

Next will be Hon. James Woolsey, former Director, Central Intelligence Agency, and Hon. Richard Murphy, Council on Foreign Relations, and former Assistant Secretary of State for Near Eastern and South Asian Affairs, and Hon. Lawrence Eagleburger, former Secretary of State.

This is quite an illustrious panel we are delighted to have in front of us and join us here today. I think unless the panelists have agreed differently we will go down the order in which I read your names, unless you would like to go differently.

That would be Ms. Kirkpatrick first, and Mr. Woolsey and Mr. Murphy and Mr. Eagleburger, unless the panelists have agreed on any different order.

I do know there has been a request from Secretary Eagleburger that he not go first. He has asked me that. So that is the only request the chairman has today.

So if you do not mind, we will run the time clock, because it is a large panel and we would like to get a number of questions, at 7 minutes, if that will help a little bit on direction on time, and then we could get to a series of questions if that would be acceptable as well.

Ms. Kirkpatrick, thank you very much for joining us today, and we appreciate you being here. I am sure you have been in front of this committee before in various capacities. Thanks for coming.

STATEMENT OF HON. JEANE J. KIRKPATRICK, SENIOR FELLOW, AMERICAN ENTERPRISE INSTITUTE; AND FORMER U.S. PERMANENT REPRESENTATIVE TO THE UNITED NATIONS, WASHINGTON, D.C.

Ambassador KIRKPATRICK. Thank you very much, Mr. Chairman, and I thank you for inviting me, and I thank the committee, and I am honored to appear.

Senator BROWNBACK. Could you speak right into the microphone? I think it is a cheap system, so you have got to talk right into it.

Ambassador KIRKPATRICK. Is that all right?

Senator BROWNBACK. Yes, it is.

Ambassador KIRKPATRICK. I just thank you for inviting me. I wanted to say that I have thought a good deal about the subject of this hearing since you invited me to appear here, as, indeed, I have thought a good deal about it before you invited me to appear here, and I remain as puzzled in my thinking about it as I was before I started thinking about it.

I cannot fathom quite what the administration intends by its policies in regard to the testimony of Scott Ritter, who I think is a distinguished international public servant, and who has obviously done brilliant and outstanding work in UNSCOM.

I was shocked when I initially read the charges, is perhaps not the right word, but the indications from other anonymous members, the members of the UNSCOM Inspection Committee, that the administration was seeking to discourage inspections, particularly intrusive inspections which might cause trouble, and I thought, well, there must be some explanation for this, and there probably is, but I have not found it myself.

I have thought hard about the U.N. environment, which is one I know something about, frankly, and I assumed initially that perhaps there was an agreement with the Secretary-General or perhaps a complex agreement perhaps only half spoken and half-understood, that the members of the UNSCOM team would avoid provoking Iraq, and if the inspection team behaved with enough discretion and respect and restraint in exploring the issues it is assigned to explore, that the Iraqis would cooperate.

Let me say that I do know from personal experience in the United Nations that Iraq enjoys much greater standing in the United Nations generally than most Americans understand, and its

representatives enjoy better reputations inside the U.N. than most Americans anticipate, and moreover there is within the United Nations a powerful drive to conduct its activities on the basis of consensus.

Indeed, it is often suggested that seeking consensus in almost all activities is a goal in itself, and a principal goal of the U.N. It becomes an end as well as a means, and so I thought to myself that perhaps there was some agreement between the Secretary of State and the Secretary-General that was, perhaps, part of an offshoot of the agreement, or the report from the Secretary-General on his trip to Iraq, the time of his trip to Iraq, which was designed to quiet a previous disturbance, and to make it possible for the basic agreement that had given rise to the creation of UNSCOM to be carried out and to be implemented.

And then I thought, well, when I thought that, I thought well, maybe that is not so bad, maybe it is not bad at all, but we need to know about that.

What seems to me to be not reasonable, really, is to give the American people, including the attentive public, the impression that the United States is vigorously pursuing a policy of inspections and is determined to do so, and will do so, and then not to do it, but to repeatedly instruct members of the UNSCOM team, which has been a very distinguished and very outstanding international team, it seems to me, looking from a distance, not to follow their own judgment or to implement their judgments concerning the possibilities for inspections, and which inspections are most likely to yield the kinds of information that it is their business to seek.

And then I thought, well, perhaps the Secretary of State has made some sort of special agreement with France, who is sometimes given to make special agreements, to be restrained in the pursuit of the inspections, but then I thought, if they can share this information with France, or perhaps with the Foreign Minister Primakov, for example, concerning timing or some other aspects of the inspections, perhaps that is reasonable, but surely the administration ought to tell us something about these arrangements, enough to assist us in making sense of this policy.

I read Secretary Albright's testimony, her comments on the Ritter testimony, and she sounded simply angry, it seemed to me, and suggested that Mr. Ritter was not looking at the problem in its full complexity, and that if he was looking from a higher perspective he would see a broader picture, and so I thought, well, yes, the broader picture must be some sort of arrangements, understandings with France, or with China. We have never had special understandings with China usually on these subjects at the United Nations, but we certainly do with France, and with the Russians.

I believe that the administration has an obligation, and I believe that no matter how far one bends over backward to try to understand their goals and their justification for this behavior and this treatment of a distinguished American civil servant, I think that it is unacceptable, frankly, that it does not fulfill the necessary obligation to assist us in making sense of our policy. It is a kind of trust-me attitude which is really not adequate about a matter

which is so important that we went to war over it, our relation with Iraq.

And so I think the administration has violated its obligations to us in this regard, and to UNSCOM, and that they owe us all some sort of explanation and perhaps apology.

Thank you, Mr. Chairman.

Senator BROWNBACK. Thank you for joining us, Ms. Kirkpatrick. We appreciate it very much, and we look forward to having some questions with you.

Mr. Woolsey, thank you for being here in front of the committee.

STATEMENT OF HON. R. JAMES WOOLSEY, FORMER DIRECTOR, CENTRAL INTELLIGENCE AGENCY, WASHINGTON, D.C.

Mr. WOOLSEY. Thank you, Mr. Chairman. In addition to endorsing Ambassador Kirkpatrick's remarks, let me make just a few points, perhaps derived from Ambassador Indyk's testimony, and let me preface this by saying, I have a rather bipartisan view toward our policy with regard to Iraq.

I think from the closing hours of the war in 1991 we have made a number of mistakes in dealing with Iraq. I think the war stopped too soon. Even if one does not believe we should have continued on to conquer the country, we could have done a lot more damage to Saddam Hussein's Republican Guard than we did.

I think we were hurt badly by not protecting the Shia in the South when they rebelled in 1991. I think we erred badly in permitting the flight of helicopters around Iraq and in not establishing a no-fly zone over the entire country when we had the forces and the support there to do it, including from the Government of Turkey.

I believe we erred badly in 1993, when President Clinton responded to the assassination attempt against former President Bush by putting a few cruise missiles on an empty building in the middle of the night.

I think we erred badly in 1996, when we stood aside and our pilots watched from the air while supporters of democracy in Iraq were massacred in northern Iraq.

I think we erred badly, and I appreciate the support of some members of this committee, in taking a very harsh and procedurally unsound stance against some Iraqis who had fought against Saddam, an issue that has come up in other contexts I am involved with.

I think we have erred badly in criticizing Scott Ritter, the Government has, for the principled stand that he has taken, and I believe that this set of errors in dealing with Iraq has spanned, now, some seven-plus years.

It is almost as if we have in a random set of circumstances—although we have done some useful and positive things I will certainly admit—nonetheless in an important subset of our dealings with Iraq we have seemed to punish and deal harshly or at best ignore those who are struggling for democracy and against Saddam Hussein, and have appeased—and there is no real other word for it—appeased Saddam himself.

Now, I believe Ambassador Indyk is a very able public servant, and a dedicated one, and I take issue with some of the things he

said here in a spirit of vigorous debate before the Congress, and not any denigration of his abilities or dedication.

Let me make several points in connection with his remarks. He said that American policy with respect to these inspections has not been duplicitous. I suppose I would agree with that. I think it has been far too clumsy to deserve the label of being duplicitous.

Sometimes in foreign policy it is useful, on national security matters, to feign weakness in order to be able to act strongly. That goes back at least to Joshua, Joshua's conduct of the campaign against the city of Aa in the war to take Canaan, where he retreated in order to be able to attack from the rear, but we are doing it the other way around.

We are reversing Theodore Roosevelt's dictum and speaking loudly but carrying a flimsy stick. We are behaving as if we were a sheep in wolf's clothing, rather than the other way around.

Now, Ambassador Indyk said that he criticized Mr. Ritter for indirectly, and not intentionally, playing into Saddam's hands by saying UNSCOM was not independent. But Mr. Ritter has said that UNSCOM was not independent in that the United States was tweaking UNSCOM to be weaker, whereas the charge from Iraq is that the United States improperly urges UNSCOM to be more harsh than would be appropriate. There is a very large difference between what Mr. Ritter has said and what Saddam Hussein and the Iraqis have said.

Ambassador Indyk said that on a few occasions we have advised caution, and there was a good deal of colloquy about the July 15, as well as the August 4 inspections. But as I take it, Mr. Ritter's point is that on a number of occasions we have inspected things which were not particularly strategically important, and we have foregone inspections that were extremely important.

Now, I know from my conversations with Ambassador Ekeus, who was a diplomatic colleague of mine some years ago in Central Europe, that—and this has been widely reported in the press—the key elements in Saddam's hiding of weapons of mass destruction and in much of what he is doing are the Special Republican Guard and the Special Security Organization, which organizations are also involved in his own personal security. They travel around with him. They prepare where he goes. Therefore, efforts to be productive, to use Ambassador Indyk's term, are by definition going to be provocative in a sense.

If you are a head of State and your body guard is smuggling narcotics and they travel around with you, an outside law enforcement agency that insists on pursuing those narcotics is going to come very near you. You would probably regard that as provocative, and Saddam does.

But that is a very different thing than keeping just a numerical scorecard of inspections, as if inspections came by the pound, like beans, and one was equal to another. They are not. The inspections could have been geared toward uncovering the role of the Special Republican Guard and the Special Security Organization about which Mr. Ritter has complained. From this perspective as being some inspections that were struck may have been considerably more important than some of the ones that were undertaken.

Now, regarding the role of the Russians, the Chinese, and the French in this matter, Ambassador Indyk spoke diplomatically about their having a different perspective—their believing that incentives such as closing files and the like would have an effect, and their having a different view about economic and security reasons and the like.

I would be far harsher here. The French are after oil contracts. The Russians are after getting paid for the many billions of dollars that they are owed by Iraq from earlier weapons contracts. The Chinese doubtless have a mixture of motives.

But all three nations are behaving in this regard somewhat the way a friend of mine with whom I used to scuba dive regularly described, with tongue in cheek, the buddy system in diving. He says the buddy system is, if a shark comes up, you take your diving knife, scratch your buddy, and swim away in the opposite direction. That is essentially what the Russians, the Chinese, and the French have been doing in this matter.

And I see, Mr. Chairman, my time is up, so I will close with these opening remarks. Thank you.

Senator BROWNBACK. That is some buddy to dive with. I would not go into too many shark-infested waters with him.

Mr. WOOLSEY. He was kidding.

Senator BROWNBACK. Mr. Murphy, thank you very much.

STATEMENT OF RICHARD W. MURPHY, SENIOR FELLOW FOR THE MIDDLE EAST, COUNCIL ON FOREIGN RELATIONS

Mr. MURPHY. Mr. Chairman, thank you for the invitation.

The administration is charged with weakening, even withdrawing support for UNSCOM. Some commentators have gone further and talked of malfeasance and betrayal by senior officials. I have personally been critical of the administration in the past, for its excessive use of rhetoric about using force when I did not feel that it was ready to back that rhetoric up.

But I submit that the administration, as you look at some other evidence, has been consistent in pursuing its core objectives of curtailing Baghdad's ability to produce weapons of mass destruction and to deter Iraq's aggression against its neighbors. Now, these objectives have been, and they remain, well within America's capability to assure their achievement.

There has been a shift of emphasis, as best I understand it, from talking of the military option and stating we will respond militarily and automatically if Iraq interfers with the inspection process. It has shifted to, call it, the diplomatic option. There is not a new policy, however. And deterrence is certainly not a new policy. We have always stood ready to deter Iraqi aggression. But, of course, for deterrence to work, we have to be both ready to use force, and Baghdad has to clearly understand that we are ready to act and deter it.

Now, UNSCOM has unquestionable value in tracking and supervising the destruction of the weapons and to limit the chances for further cheating. I think the question that Senator Feinstein posed earlier is very legitimate, and it is a pressing one: How long should Iraq be allowed to block inspections and continue the present impasse?

Going it alone militarily is an issue that no one appears to be pushing because of the cost in American lives and the deepening of American isolation in its efforts to contain Iraq. I think that the way Mr. Indyk has described it, and some earlier statements by the Secretary of State, suggest it has been a shrewd policy, or a shrewd tactic, to pin the responsibility on Saddam Hussein in the month of August for calling for a total blocking of inspections. I think it was shrewd.

No one in the administration, to my knowledge, denies that the use of force may yet be needed. I think there are two reasons we must keep in mind in order to avoid some of the excesses in our past rhetoric. First, we cannot compel Iraq to surrender whatever remaining stocks of weapons of mass destruction it may possess. We can punish it for failing to do so. We can work on the sanctions. We can work on building on what I believe was the British suggestion to suspend even periodic reviews of sanctions.

A second reason for avoiding this excessive rhetoric is that we do not appear to have the support of regional powers to mount a major military campaign against Iraq, whether we go it alone or whether we can pull other nations along with us.

The emphasis on diplomacy in recent weeks suggests that the lessons of last February were learned. The role of the Secretary-General, Ms. Kirkpatrick has addressed. I believe the U.S. should continue to see the Secretary-General as a useful instrument. But it has to make clear to other Council members that it is pointless to broker diplomatic deals unless the Council itself acts to enforce those deals.

Until recently, we have had a relatively strong consensus in the Council. I certainly agree with Ms. Kirkpatrick's remark that consensus is not an end in itself. But the fact is we have had a pretty good consensus. Time has eroded that consensus, and regional developments beyond the Iraq issue have eroded that consensus. We have focused today exclusively on Iraq and the U.S. reaction to Iraq. But we cannot look at Iraq in total isolation.

There is a twofold value in keeping that Security Council consensus. We have overriding interests in preserving financial controls over Iraqi revenues and an effective long-term monitoring program of its weapons. And for that we need the votes, the support, in the Council.

The U.N. currently controls the bulk of Iraqi oil revenues through the food-for-oil program. Iraqi leaders detest this program. They make no secret of it. And they are working to discredit it around the Arab world. The long-term monitoring program includes the right to make surprise intrusive inspections prompted by any evidence that Iraq is continuing to manufacture weapons of mass destruction. And so that long-term monitoring is also obviously vital.

Arab criticism of our Iraq policy has grown because of two interrelated reasons. First, they doubt we would do enough militarily to cause Saddam's overthrow. Second, open agreement, open cooperation with the United States against a fellow Arab state is more embarrassing for them today, than it was in 1991, right after the war, up until 1996. This is because more than a year has passed with no progress in the Arab-Israeli peace negotiations,

In the regional environment, in terms of openly cooperating with us, there has been a sea change. President Clinton was able 2 years ago to convene virtually all regional leaders, along with many other world leaders, to an anti-terrorism conference at Sharm al-Shaikh. This was in 1996. That kind of attendance could not be duplicated today.

The critics, both foreign and domestic, of America's current policy toward Iraq, on the question of the humanitarian program, would argue that it should be maintained, and that linkage should be kept between economic sanctions and military sanctions. I do not think those should be separated, as some have recommended to your body—not by today's panel but in letters circulating in the Congress.

There needs to be a better dialog between this administration and the Congress. You have authorized funds to stimulate unity among Iraq's fractious opposition elements. You should, you will, I am sure, continue to demand an accounting of the administration's efforts. But you must accept that there are likely to be no quick results in that regard.

In sum, Washington should focus its energies on obtaining Security Council cooperation against any effort by Saddam to reactivate his weapons program or attack his neighbors. The diplomatic option offers no quick fix. But it should, and it can be developed to support our interests rather than undermine them.

Thank you, sir.

[The prepared statement of Mr. Murphy follows:]

Prepared Statement of Richard Murphy

The Administration is accused of weakening if not withdrawing its support for UNSCOM. It is well to recall our longstanding objectives in Iraq. True, last February the Administration stressed its readiness to launch a military strike on Iraq if Baghdad continued to obstruct UNSCOM's operations. As the Secretary of State outlined to the New York Times August 17, "We will decide how and when to respond to Iraq's actions, based on the threat they pose to Iraq's neighbors, to regional security and to U.S. vital interests . . . (including) Saddam's capacity to reconstitute, use or threaten to use weapons of mass destructions." Therefore according to the Secretary of State our core objectives remain the same: Washington seeks (a) to curtail Baghdad's ability to produce weapons of mass destruction (WMD) and (b) to deter Iraq's aggression against its neighbors. These objectives remain well within our capabilities to achieve.

The shift of the past months has been towards giving more emphasis to pursuit of our diplomatic options than to a military strike. Critics here and abroad have asserted that Washington is following a "new" policy of deterrence. This is not new. From the beginning, one element of our policy has been to contain, i.e. deter Iraq from future aggression. We can and will keep Iraq from attacking it neighbors. Both readiness to use military force to support US interests and Baghdad's clear understanding that we will do so are vital to deterrence.

UNSCOM has been of great value in tracking down and supervising the destruction of Iraq's existing WMD stocks. Its presence has also made it easier to limit the chances of further cheating by Iraq. If Saddam's latest challenge is allowed to stand, UNSCOM is finished. There have been no surprise inspections since Iraq's announcement in the first week of August that it had suspended cooperation with UNSCOM and the International Atomic Energy Agency. It has extended its interference to routine monitoring operations. How long Iraq should be allowed to block inspections is a pressing and legitimate issue for debate. But going it alone against Iraq militarily would deepen America's diplomatic isolation and could cost American lives. Indulging in bellicose rhetoric, meanwhile, only damages American credibility.

I am not privy to whatever discussions may have taken place between US officials and UNSCOM Director Ambassador Richard Butler about the inspection process, in particular about the timing of surprise inspections. But I believe the Administration

acted shrewdly to deny Baghdad any ground to argue that the UNSCOM by a specific surprise inspection had provoked Iraq into blocking the inspection process.

No one in authority has denied that force may yet be needed to curtail Baghdad's capability to produce WMD or to block any move Iraq might make against its neighbors. As the Secretary General of the United Nations himself last February commented that while diplomacy is good, diplomacy backed by force is better.

In the meantime, there are two principal reasons to avoid what I consider our past excessive rhetoric about America's military option. First, we cannot compel Iraq to surrender whatever remaining WMD stocks it possesses. But we can punish it for failing to do so. We can, for example, maintain sanctions on Iraq and build on the British suggestion that even the periodic reviews of sanctions be suspended until Iraq reopens the door to further inspections. Second, we do not appear to have the support of regional powers to sustain a major military campaign against Iraq.

On the first point, since "Desert Storm" Saddam has been willing to forfeit the $100–120 billion in oil revenues Iraq could have earned through compliance with UN resolutions. Instead of enjoying unrestricted oil sales, he has opted to conceal key details about the procurement and production time tables of his weapons systems. Saddam must consider this information and these stocks central to his hold on power.

Furthermore, in a television appearance last weekend, former UNSCOM inspector Scott Ritter usefully reminded us that Iraq had absorbed the blows dealt it in "Desert Storm" by the international coalition and appears to have decided it can absorb another such attack. So what is a credible objective for the use of force?

By emphasizing the diplomatic over the military option, the Administration shows it learned from last February's experience in the Council. Six months ago we talked tough, while hoping Secretary General Kofi Annan would bring back an acceptable agreement from Baghdad. Saddam has now dishonored that agreement. Yet it is not clear that he intends to burn his bridges with the Secretary General. Presumably Baghdad hopes to use Annan in its campaign to split other Council members from the United States. The US should continue to see the Secretary General as a useful instrument. But Washington must make it clear to other Council members that it is pointless to broker diplomatic deals unless the Council acts to enforce those deals.

Until now, Washington has maintained a relatively strong UN Security Council consensus on a policy of combining sanctions on Iraq with intrusive inspections of Iraqi weapons of mass destruction. The passage of time and regional developments, including stagnation in the Arab-Israeli peace process, have eroded that support. This seems to underpin the reasoning of the Administration's new stress on diplomacy.

We need to keep the maximum possible unity within the Security Council for two reasons: preserving financial controls over Iraqi revenues and an effective long term monitoring program of its weapons. The UN currently controls the bulk of Iraq's oil revenues through the "food for oil" program. Iraqi leaders detest this program and is working hard to discredit it. The long term monitoring program which includes the right of making surprise intrusive inspections prompted by any evidence of Iraqi continued manufacturing of WMD is obviously vital.

We need to pursue several US objectives in the Persian Gulf and the broader Middle East. To achieve many of them we need an endorsement of our policies by regional states, beyond those already received from Israel.

Arab criticism of our Iraq policy has grown because of two interrelated reasons. First they doubt we would do enough militarily to cause Saddam's overthrow and, second, open cooperation with America against an Arab state is more embarrassing for them today after more than a year of no progress in the Arab-Israeli peace process than it was in the period 1991–96. The regional environment favoring open cooperation with the United States has undergone a sea change since President Clinton was able to convene an anti-terrorism conference in Sharm al-Shaikh in 1996. That attendance could not be duplicated today.

We have heard a chorus of complaints from the Arab World about America's double standard. Their speeches and media commentaries contrast US demands for strict implementation of UN resolutions by Iraq while seemingly reluctant to press Israel on peace process issues. One need only recall the negative Arab reaction to our talk of a military strike on Iraq last February to appreciate how the peace process and Iraq policy are intertwined. Washington realized at that time that its military options could be severely restricted even by such friendly countries as Saudi Arabia.

It is hard to maintain a consistent policy towards Iraq. The Administration must contend with foreign critics many of whom want us to ease sanctions and domestic critics who want us to intensify pressures on Saddam. Fortuitously, Saddam's latest

challenge has again served mainly to embarrass both France and Russia, the Council's leading proponents of easing the existing sanctions.

Some have argued that Washington should delink economic and military sanctions on Iraq because the economic sanctions only serve to extend human suffering. I prefer the current approach of permitting generous sales of Iraqi oil for food and infrastructure development but retaining the UN control mechanism over Iraqi exports and imports.

On the domestic side, there needs to be a better Administration dialogue with the US Congress. Congress has authorized funds to stimulate unity among Iraq's fractious opposition elements. Congress should and will continue to demand an accounting of the Administration's efforts but must accept that there likely will be no quick results.

In sum, we will need more cooperation from fellow members of the Security Council and from regional states. Washington should focus its energies on obtaining Security Council cooperation against any effort by Saddam to reactivate his weapons program or attack his neighbors. While diplomacy offers no quick fix, it should and can be developed to support our interests rather than undermine them.

Senator BROWNBACK. Thank you, Mr. Murphy. I appreciate you coming and testifying. Secretary Eagleburger, thank you for joining us.

STATEMENT OF HON. LAWRENCE S. EAGLEBURGER, FORMER SECRETARY OF STATE

Mr. EAGLEBURGER. Yes, sir.

I want to approach this from a somewhat different perspective. I was fascinated to listen to Secretary Indyk this afternoon, and thought maybe I would get some clear sense of what the administration's policy was with regard to Iraq. I have to say I do not think I got it.

But let me start by saying I can understand the administration's concerns with regard to the Security Council members who do not like the sanctions or want to relieve them. I can understand all of the pressures that they see developing with regard to a policy that would be more confrontational. But what I do not see, and I want to try to go through this in just a minute, is what the conclusion to this whole set of assumptions they make—where does all this lead us. And I cannot find it leading us anywhere.

But let me quote one thing, and I think I got it directly from Secretary Indyk, which I think is really the clear-cut sense of where they are, and also how I think fruitless all of this is. The United States supported inspections until Saddam Hussein blocked them. Well, gee whiz. I mean, he said it. And it seems to me it kind of leaves us about where we now are, which is we do not know where we are.

He said, as well, that we want to focus on Saddam Hussein and the fact that he blocked the inspections rather than try to go ahead with the inspections. I think Senator Coverdell asked a particularly useful question when he said, wouldn't the way to demonstrate that the inspections are being blocked have been to insist that we go ahead with the inspections and then have it demonstrated that in fact Saddam Hussein was blocking them?

But, again, the point here is that I do not understand what is being said about a policy when we say we are going to focus on Saddam Hussein and his blocking of the inspections rather than pursuing the inspections. To me they are certainly related. And I do not know how you focus on Saddam Hussein's blocking the inspections unless you make it clear you want to go ahead with the

inspections. I suppose you can have a press conference every day and say, Saddam Hussein is blocking the inspections. That is the only way I see that you can focus on this thing.

Now, as I said, I can understand the administration's concerns about a more clear-cut policy. But I worry very much about where the administration is in the sense that I do not think we go anywhere with it. It is nice to say that we have not taken the threat of force off the table, or rather the use of force, off the table. I would suggest to you if in 30 years in the U.S. Government I did not learn anything else, I learned that if you are not careful, you will send the wrong message to your adversary, and he will decide you are not going to do something when in fact, at the back of your mind, you may have to do it.

Now, I am not saying that—what I am saying, rather, is saying we have not taken the threat of the use of force off the table does not mean a thing unless the other side understands that you in fact may be prepared to use force. And I would suggest to you that the whole reaction to what has taken place since Saddam Hussein, this time, has blocked the inspections—and indeed, I would go back in fact to the arrangements that were made by the Secretary-General of the U.N. earlier this year—I would suggest that the fundamental message at this stage is while we say we have not taken the threat of the use of force off the table, if I were Saddam Hussein I would probably be sitting there saying, they may say that, but they do not mean it. They really do not want to use force. And therefore I probably can get away with more than would be the case if I really knew that they were prepared to use force.

So simply saying you have not taken the threat of the use of force off the table does not mean anything unless your own actions have demonstrated that you are quite prepared to use force. And I do not think we have demonstrated that over the course of the last month.

However it is described by Secretary Indyk today, there can be no question that the United States evidenced caution one way or the other with regard to the inspections. Whether we said do not do it, whether we asked questions, when the U.S. asks questions, it is a fairly important factor. And it seems to me we made it very clear, one way or another, that the United States was reluctant, at best, to permit inspections to go forward. Whether this was because if we pushed the Iraqis we would get to the confrontation that I think we are inevitably going to have to get to anyway, or whether it was simply because, in their way of thinking, this is a policy, I cannot answer that.

I can only tell you, when you analyze what was said today, at the end of that train of logic—if you can call it that—we are at a point where I do not know what it means as to where we go next. And with all respect to my friend, Ambassador Murphy, to my right, who used it, I constantly get concerned when I hear people talking about we must take the diplomatic route, not the military route; diplomacy will work. What diplomacy?

I mean, what is it we are going to do? Where is the diplomacy involved in this thing, other than, to some degree, bowing to the Chinese, the Russians and the French? And I think Mr. Woolsey was quite correct in his description of their motives. Maybe that is

diplomacy, but I would suggest to you this: if you think about those three countries, what are the consequences of their being unhappy about pushing the inspections and confronting the Iraqis?

The fact of the matter is the sanctions will stay in place as long as the United States is prepared to veto any resolution which would in fact take them away. Now, that does not mean that the Russians and the Chinese and the French cannot play games with the sanctions. But if you think about the consequences of our confronting those three Security Council members, I at least have some question as to why we have to be quite so gentle.

So, to put it not too bluntly, I do not know what the policy is. I listened carefully. I can understand the rationale for being cautious. But then we come to this question of is this policy sort of, with all respect, the use of diplomacy for another 6 months, another 6 years? Where is the denouement? Where is it that at some point we say enough is enough and are prepared to move to something else? And I do not know that the something else is other than the use of force.

And I do not think it means that we have to send the 82nd Airborne Division into downtown Baghdad. I mean there are other less vociferous means of using force, if that is what we have to do. And I am not even advocating that so much as I am saying what I listened to today was, with all respect, a policy that led me nowhere. It goes nowhere. And it is going to have to at some point change one way or the other. And our evidencing caution and concern about confrontation I suggest to you is sending Saddam Hussein a message which we probably do not even mean but which is going to encourage him to believe that we in fact do not want to use force.

Thank you, sir.

Senator BROWNBACK. I have listened carefully today, too. And it just sounds like to me we are in a mess. I almost think it is predictable that we would be where we are today given the Kofi Annan agreement that was at the first of this year, the U.S. hesitance on using military force at the first of this year, the exhibited hesitancy within the administration, the Ohio State meeting that took place, and the weakened state of the presidency, that we would almost—this is a predictable meeting that we would have had.

One could have looked 6 or 7 months ago and said, if this train of events continues to take place, and the drift in U.S. policy or a U.S. policy, I think as Mr. Woolsey was describing it, of speak loudly and carry a little stick or something to that effect, then you would invite Hussein to say, well, you are not going to inspect anymore, then. And we have not stated to date when we are going to push this issue or reinspection. We have mostly spent the time here today saying, now, are we articulating a public policy that is different than our private actions?

And that is what the Congress has been interested in here of late, just to see are we going—is there something above the surface that is different than below the surface. And I continue to believe that there is something to that that is taking place. And we are going to continue to pursue that.

The bottom—overarching that whole train of thought or even some of the comments that each of you put forward is something that is nagging this entire town and entire country, and I would suggest even the world, is the weakened state of the President. How much has that at play with where we are today in Iraq? Is that the but for a weak President, we cannot move forward against Iraq today or with the Middle East peace process or Iran or India and Pakistan or Russia or China? How much is that underlying the whole situation we are in today?

Mr. Eagleburger or whoever, Mr. Woolsey?

Mr. EAGLEBURGER. I do not know the answer to that, Senator. I have to assume that to some degree it is clearly a problem, at least in our own minds. And I mean by that within the administration. If I were in the administration right now, I would be worried about how much I could do in a policy of a forceful nature—and I do not necessarily mean the use of force, but a positive, hard-knocking policy—in the sense that I would be worried about the support both of the American people and just as much the support from the Congress.

Which, by the way, leads me back for just one moment to this question of has the Congress spoken on whether we ought to be prepared to use force with regard to Iraq if necessary. And as I recall it, there was a resolution some months ago, or some weeks ago at least, in fact that failed or that was not pushed.

All I am saying is there is a responsibility here for you. If you are going to ask the administration to be tough, I think the Congress has to indicate that they are prepared to support that.

Now, having said that, back to your original question. Yes, I am sure it makes a difference. And I am sure, here again, perceptions are so dangerous. If a Saddam Hussein perceives that the President is weak—in fact weaker than he may be—he may take actions which in the long run will lead to the kind of confrontation that if he would have had a different analysis in the first place he would not have done. I cannot believe that Saddam Hussein would have invaded Kuwait if he had known what he was getting into the first time around.

Misperceptions can be a terribly dangerous factor in all of this. And I think in that sense at least, the weakness of the President, or the apparent weakness, can make a big difference, yes.

Senator BROWNBACK. Ms. Kirkpatrick?

Ms. KIRKPATRICK. Yes, Mr. Chairman. I think that Saddam Hussein has a known, an established tendency moreover, to underestimate his opposition, to underestimate his opponents. And I think he did that in the case of Kuwait. And I think he may well be doing that in the case—at least I have thought that he might be doing that in the case of the U.N. inspection regime and the sanctions regime.

But it may also be the case that Saddam understands that this administration has had a habit, in any case, of threatening more than it—offering threats and not following through. It has done that repeatedly. Actually, it has done that from the beginning of the President's tenure, and in many places. And this may just be one of them, but it is a very bad policy and, I agree with Secretary Eagleburger, a dangerous policy, likely to be misunderstood. More

likely than almost anything else to produce a confrontation and the use of force, however unintended.

Senator BROWNBACK. Mr. Woolsey?

Mr. WOOLSEY. Well, even Presidents in strong positions can take weak decisions, such as President Bush's decision in 1991 not to support the Shia in the South, or such as President Clinton's decision in 1993 to respond in such a very limited way to the attempt to assassinate President Bush. And even Presidents in weak political situations can behave strongly and decisively. I think of President Nixon's decisions in the fall of 1973, in the middle of Watergate and the Saturday night massacre, during the Yom Kippur War and the strategic alert.

But I think it is much more difficult for a President in circumstances such as the one we see today to regain or recoup any ground that might have been lost by earlier mistakes. And I think that is the problem. It is harder, definitely harder I think, to dig yourself out of a hole by rallying the Congress and the people and foreign support and the like for forceful and decisive actions, especially if you must act, or be seen to be ready to act, alone in order to bring support around to you.

Senator BROWNBACK. Mr. Murphy?

Mr. MURPHY. President Saddam is one of our age's greatest misreaders. He misread the resistance level in Iran to his invasion in 1980. He misread President Bush's ability to pull a coalition together. He misread not only American preparedness for the war, but our readiness to sacrifice, because he misread the likelihood of our losses. He talked of thousands of bodies being returned to the States, and said no American President would dare get into such a conflict.

So, is he misreading President Clinton today? I do not know. But it would be part of a pattern. He is ill-advised. Very few people have access to him personally. He listens to very few voices, perhaps some inner ones.

What I would hope is, remembering the January 1991 vote on committing U.S. forces, the approval, which was a very near vote—what was it, two votes, three votes—I would hope that we would not have that kind of public debate which would lead to further misreading on the part of President Saddam. I hope that there would be some very intensive private discussions between the Senate, the Congress as a whole, and the White House on the present state of play. It is very serious. And the odds of our being misread are great, based on past experience.

Mr. EAGLEBURGER. Senator, may I make one more comment?

Senator BROWNBACK. Yes.

Mr. EAGLEBURGER. During all of Watergate, I was sitting at the right hand of God, otherwise known as Henry Kissinger. And let me tell you, from experience through that whole period, when you are in the kind of situation that Nixon was in that messy time—and I do not say that—his condition was a lot worse than what is going on right now in terms of whether he had both feet on a banana peel or not—but what I recall so vividly is each time when you are that weak, you may make the tough decision, but the debate that goes on before you can make that decision, with people worrying about whether it will be misread by the opposition in the

Congress or will be seen as an excuse for trying to strengthen or weaken the presidency, those kinds of debates are agonizing, and I can tell you they stretch out the decisionmaking process by a great, great deal.

And usually, when the decision is made, it is at about a 51/49 percentage level, where almost half the President's advisers are against it. So there is an inevitable caution that goes into this and an inevitable weakness when the decision is made that you in fact are going to carry it out. At least that was my experience with all of the Nixon period. Whether that is the case now or not, I do not know, but I will bet you it is.

Senator BROWNBACK. Senator Robb.

Senator ROBB. Thank you, Mr. Chairman. Let me begin by saying that I have had the privilege of working with, learning from, interacting with all of the members of the panel at one time or another, and I have a very high regard individually and personally for all of those assembled.

But I must say that I respectfully note that there are significant differences between having current responsibilities and not having current responsibilities, and I say that in the context of one who was fully supportive from the outset of the actions by President Bush, in fact helped to rally support on my side of the aisle. I was the only member of the leadership at that time who took that position.

I was proud of that action. I felt it was the right thing then. I have never wavered in my belief that we did the right thing, and I will say that just to put this issue to rest, because I raised it implicitly the other day when Scott Ritter was before us that the decision that President Bush made to bring the active implementation of Desert Storm to bear at the time that he did was in very large part supported by the intelligence that was then available.

I was briefed daily. In fact, I was concerned at one point that we were being briefed about the next day's air strikes, and I thought there was absolutely no reason for Members of Congress, even members of the intelligence committee, to have that kind of information, but we did get the same real time intelligence and the intelligence, it turns out, was not as accurate as we might have hoped, and another day or two would have been very useful, no question about it.

But we thought at the time, and I think that the President and Secretary of State and the chairman of the Joint Chiefs and others who were advising him, the Secretary of State, believed that the Red Guard was far less likely to be able to—or, the Republican Guard was less likely to be able to reconstitute itself, that the Basra box was even more devastated.

I visited those areas while the area was still smoking, along what was later referred to as the highway of death. I was up in the northern Iraq area when the Kurdish forces were pushed back up into the mountains and saw all of the dying that was taking place there, and I agree wholeheartedly with the suggestion that effective foreign policy requires us to have credible deterrence, a strong and able military, well-led, well-trained, well-equipped, and it has to combine that credible deterrence with a demonstrated will to use force if we are called upon to do so.

No quarrel with that whatsoever. I have long advocated that, and have in some cases been more aggressive in suggestions to not only this administration but previous administrations regarding the use of force and acceptance of the consequences of the use of force.

But I must suggest at this point that we have had a very good critique, which comes from people who are highly regarded and certainly knowledgeable, but I have been unable to pick up any nuggets that I might use in making suggestions to the administration as to what they would do, what they should do now to address the very real challenges that face both the United States, the United Nations, the international community.

And I would simply ask, and ask each one of our respondents, or each one of our distinguished witnesses, if they would be kind enough to tell me, in your best judgment, if you were still in office, what you would do or recommend to the President of the United States that he do today to enforce the sanctions or to enforce the inspections that have precipitated the hearing we are holding today.

Secretary Eagleburger, I want to let you lead off on that.

Mr. EAGLEBURGER. Senator, one of the things you pointed out at the beginning, I have long since discovered that one of the great advantages of being out of office is you do not have to be responsible for what you say.

Senator ROBB. I am appealing to your conscience in this case.

Mr. EAGLEBURGER. Then you have directed it to the wrong mail box. [Laughter.]

Mr. EAGLEBURGER. I will give you the answer, if I were still in office the answer, and the rest of the panel here can then retreat, but I am back to my point, which is, it seems to me that with this last confrontation on Saddam's part, having first tried very hard to make the Kofi Annan thing work when Saddam not unexpectedly pulled it again, I frankly am prepared to say to you that I think that there is the need for the use of force, and I said it earlier.

I do not think it has to be that you level Baghdad, but I am sure, unless things have changed greatly from when I was in office, that there are targets that Saddam would just as soon not lose.

All I am saying is, to me we are the stage, and have been for some time, where if we have to act unilaterally, so be it. Whether it will work or not, I do not know. That is the danger of using it. But I do believe that the only solution I can see at this stage is, in fact, that we have got to make the threat of the use of force credible again, and that is, saying that we have to pass a U.N. Security Council resolution which will say that we are going to review things every 2 months does absolutely nothing.

I am sorry, that is my only answer.

Senator ROBB. But in other words you are suggesting right now that we use force today.

Mr. EAGLEBURGER. If we need to.

Senator ROBB. Believing that it would accomplish the objective.

Mr. EAGLEBURGER. I am not sure it will accomplish the objectives.

Senator ROBB. Then what do we do on phase 2?

Mr. EAGLEBURGER. I have asked that question for years, and the fact of the matter is, this time I cannot answer it, other than the

obvious. The obvious answer is, you have to be prepared to escalate.

Now, what does that mean? I do not know.

Senator ROBB. But you used—and I am just looking at notes I made. You said, where does it lead, and if you implement phase 1, you have to have some sense of what phase 2 is going to be, and I am not trying to get in an argument, because I have a high regard for you.

Mr. EAGLEBURGER. I agree with your point. If I were listening to me my first criticism would be precisely the question you have raised, and I cannot answer it, because I am not at all sure we would be prepared, or our allies would, to go much further than some use of force that does not lead into a major confrontation.

If we were prepared to do it, I think you have to follow it through, but I am not at all sure we can, but I am sure of this, that you have to take the risk of the use of force now, understanding you may have to cut it off because you cannot pursue it any further, and that we will therefore not have accomplished our objective, but sitting where we are now is it seems to me the worst of all possible situations.

What I am saying to you is, some use of force. If it does not work, I am not prepared to say to you, we ought to go to World War III. I am saying we cannot stay where we are, and my answer to your question is, if it does not work, I do not know what the answer is.

But if you do not take steps because you never know what the answer is, you will never do anything.

Senator ROBB. I am not going to debate.

Ambassador Kirkpatrick.

Ambassador KIRKPATRICK. Well, I would first of all strongly recommend to the administration, I would share the problem with Congress and with the people candidly.

Senator ROBB. Let me just interject, if I may, that Congress illustrated a distinct lack of intestinal fortitude when the prospect of answering that question was raised recently.

I was prepared, even though I had real reservations about phase 2, to support the administration, but I thought that in the long run—and I do not remember whether you or Mr. Woolsey or Mr. Eagleburger made reference to the fortuity of the Kofi Annan mission in terms of whether or not we were prepared to follow through at the time.

Excuse me. I did not mean to interrupt.

Ambassador KIRKPATRICK. But I think that the administration needs to share with the Congress how they see the situation, what it is they are in fact doing with UNSCOM, what kind of pressures are they under, share with the people.

Senator ROBB. What if Congress says no, we are not going to go out on that limb with you?

Ambassador KIRKPATRICK. Well, if the administration is sharing the problem with Congress, and does not even give the Congress the chance to say no——

Senator ROBB. Can you advance the ball, though, if we demonstrate the weakness, I.e., the unwillingness of Congress to support the administration in this circumstance?

Ambassador KIRKPATRICK. I do not think the Congress would do that. I would like to say that, but I do not think that war necessarily follows on a frank statement of the problem. If the problem is that bad, then the Congress and the people need to know it. If it is not that bad, then the Congress and the people are not going to respond in a way that would drive the administration to war.

First of all, I just think that the first step is leveling, if you will, with the Congress and the people, instead of engaging in this very misleading sort of explanations that do not explain, and that are inconsistent with the situation and their behavior.

The second, I think, in dealing with such a man as Saddam Hussein, the administration should also be very straightforward about what that implies, and share that also with Congress and the people, and we all think together about whether there is, in fact, or whether there are issues here that today we regard as so important that we would be willing to support our Government taking strong measures, using force, and I think it puts everybody on the spot, including the Congress, including the public.

I believe it would also involve us all in the problem, and I think we must be prepared if necessary to use force, but not if not necessary. I mean, perhaps we would even impress Saddam Hussein with our seriousness. Perhaps the administration would impress him with their seriousness by so doing.

Senator ROBB. There is no question in my mind that, had we used force we would have impressed Saddam Hussein the last time around that the situation, because of intervening events and the redeployment of forces, has changed in terms of our ability to provide quite the message we were going to provide.

Mr. Woolsey, I know you have been loading up for a response to that question. You have had a chance to ponder it. I would welcome your response.

Mr. WOOLSEY. I will open by saying that I would give essentially the same answer, with a little preface, that I gave six months ago before this same committee when Mr. Chalabi and I and others testified about a program to essentially bring down Saddam's regime, not a covert but an overt program.

I want to say first of all I agree with the Secretary Eagleburger that the policy we have got now is not going anywhere. You cannot figure out what they are trying to do. It is reminiscent of what Churchill once said at a dinner party: "Sir, take this pudding, it has no theme." I mean, you just cannot figure out where this is going. They do not seem to be trying to accomplish anything.

I think what is important is that Saddam, as bad as he is, should not be viewed in isolation. It is bad enough that he is working on weapons of mass destruction, and we pointed out in the Rumsfeld Commission Report the prospects of ballistic missiles and such weapons in Iraq. I will not go into that further here.

But the point is that a number of the leading Sunni extremists in the Mideast, opponents of King Hussein in Jordan, for example, call Saddam the new Caliph. His calligraphy is on the Iraqi flag. That is roughly equivalent, given his antireligious background, to Stalin's having embraced the Russian Orthodox Church at the opening of World War II after having blown up cathedrals.

Saddam is wrapping himself in the cloak of Sunni extremism, and people like bin Laden and, I think, other people with a lot of money in the Mideast are turning to him. So by being weak vis-a-vis Saddam we are also making ourselves weaker vis-a-vis the terrorist threats by the bin Ladens of the world.

I think that a strong and confident and decisive American President tends to create support both within the country and among friends and allies, and I would suggest that things have certainly now gone to the point—I thought they had in March, but I certainly think they have now—where this set of proposals that Mr. Chalabi and I and Richard Perle and Bill Kristol and a number of people have recommended ought to be adopted.

He ought to be declared a war criminal. We ought to declare a no-fly zone over the entire country. That means reinforcing our air forces in the Mideast. We ought to support the Kurds in the north and the Shia in the south from the air if they rebel against him.

This would entail, the first time we did it, taking out the air defenses in Iraq so our pilots would not be at risk, but this is not something that is beyond our capability.

We can broadcast into Iraq. We can delegitimize the Iraqi regime.

Senator ROBB. I can agree with you on every point. Do you think the Congress will support it?

Mr. WOOLSEY. If you have a strong and decisive President pointing out the links between this threat, ballistic missile threats to the United States in the future and terrorist threats from the Mideast to the United States today, I think yes, but it will take leadership and effort. It is not a slam dunk, but I think it can be done.

Senator BROWNBACK. Can we wrap this up with Mr. Murphy here?

Senator ROBB. Yes. There is a lot more I would like to say and would like to engage, because we have got some fascinating and informed witnesses, but Ambassador Murphy really has responded in what I thought was a very thoughtful article sometime recently in the Post that there was a point that you made about effective long-term monitoring of weapons as controlling the financial assets and effectively monitoring the long-term control, but how do you effectively, or how do you define effectively controlling the long-term monitoring program of its weapons?

Mr. Ambassador.

Mr. MURPHY. Well, you have UNSCOM running—we have been discussing today the reinstatement of UNSCOM's full operation. UNSCOM would be running the long-term monitoring, as I have always understood it.

Senator ROBB. They are running it now, and the suggestion is that this is no longer effective.

Mr. MURPHY. No longer effective in the sense that, well, they are not able to operate today. How do you mean?

Senator ROBB. What I was attempting to do is get a definition of effective, because that is really what we are talking about.

If our policy is simply containment of the threat and willingness to use force if he attempts to export either directly or indirectly weapons of mass destruction, then it is working, but if this policy is not sufficient, then there is more to it. I am asking.

Mr. MURPHY. Long-term monitoring involves use of the cameras, the sensors, all of the equipment that has been put in place.

Senator ROBB. In other words, what we are doing now is effective?

Mr. MURPHY. Nothing is fully effective, Senator, with Saddam Hussein. This is not the last, this is the latest confrontation with Saddam. As long as he is around, we will continue to have confrontations.

Senator ROBB. I could not agree with you more.

Mr. MURPHY. Let me add one point on what the others have talked about. I do not think anything Mr. Woolsey said could do harm, the specific extra pressures on Iraq. How much it will actually accomplish, if we get it launched; time will tell.

When I speak of the diplomatic option, I would take issue with Secretary Eagleburger on his saying it is meaningless to talk about suspending the sanctions review. He asks what does it mean to Saddam Hussein. The meaning, the target, the audience is not Saddam Hussein. The audience is Paris and Russia. Our message is: "You (French and Russians) are never going to get your oil contracts (with Iraq) operating, never." They are the ones whom we have to energize to get to Saddam Hussein.

He is not taking it seriously in that sense, yes, I agree with Secretary Eagleburger. But the targets for our pressure are Paris, Moscow, and Beijing, a lesser target.

Senator ROBB. Mr. Chairman, I apologize. I think it has been a constructive dialog, and it is useful to raise the public consciousness that we have got some very difficult and occasionally seemingly intractable issues to deal with.

Senator BROWNBACK. I come back to my earlier point when I started with the questions, which was that we are in a mess because of the situation we find ourselves today, the administration policy that is difficult to follow, an inability, either perceived or actual, that the United States either will not or cannot act, and that perceived weakness being provocative to others abroad.

I think you raise interesting points about, would the Congress respond if the administration came up here today and said, OK, we have got a problem with Iraq, and we want to use force, because of the weakness of the administration, that we would have difficulty responding.

I know 6, 7 months ago, when Mr. Woolsey and Mr. Chalabi came up in front of this committee, I thought they presented a very good proposal of a long-term tightening of the noose around Saddam Hussein to the point that we could do that policy at that point in time, rather than just go in, drop a few bombs, and then say, OK, we did our deed and that is it. Let us project a long-term policy.

But the difficulty would be for the President today, in the President's condition, to get this Congress to do something, and that is being perceived in many places around the world, not the least of which is in Iraq, and I hope we can work to rectify that problem quickly, because it hurts the United States, and I think we are in a very perilous position today, not only in Iraq on Iraqi policy, but broad-scope around the world in many policy fields and foreign policy fields.

We have held you here longer than I intended to. I appreciate deeply your patience and your commitment and what-all you have done for your country. Thank you very much.

The committee is adjourned.

[Whereupon, at 4:20 p.m., the subcommittee adjourned.]

○