

THE IMMINENT TRANSFER OF SOVEREIGNTY IN IRAQ

HEARING BEFORE THE COMMITTEE ON INTERNATIONAL RELATIONS HOUSE OF REPRESENTATIVES ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

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THE IMMINENT TRANSFER OF SOVEREIGNTY IN IRAQ

THURSDAY, MAY 13, 2004

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

The Committee met, pursuant to call, at 10:36 a.m. Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde presiding.

Chairman HYDE. The Committee will come to order. I would like to welcome everyone to today's hearing on "The Imminent Transfer of Sovereignty in Iraq." Let me begin by stating the obvious: Our efforts to craft an indigenous administration in Iraq capable of exercising responsibility for that country's future are entering their final stages. Among many unknowns, we can state with certainty that the pressures for success are likely to increase enormously even as the obstacles we face multiply even faster.

It serves no purpose to pretend that this transition will be smooth and orderly for it could hardly be expected to be other than difficult even in ideal circumstances. History presents few parallels of such an ambitious and complex effort being implemented in so short a time and within such constraints. To quickly establish a modern, enlightened, and self-sustaining order in a country ruined by decades of dictatorship and deprivation and fragmented into a multiplicity of ancient identities and contending allegiances is all but unprecedented. I need hardly add that legions of enemies stand ready to strangle this infant in its crib. In such a setting, wisdom advises matching our determination with the humility of limits and a sustained respect for daily victories.

Even with these caveats, however, there is a troubling shortage of enthusiasm for this project. There are, in fact, many voices in this country recommending that we indulge the luxury of experiment, that we leave all plans stacked on the drawing table to await open-ended correction. Calls to delay important decisions are numerous and not entirely without merit. But deadlines are useful things, forcing decisions that otherwise might be postponed indefinitely and thereby risk a fatal combination of inertia, indecision and ever-narrowing options.

The hard reality is that we have little choice but to marshal our will and such instruments as we currently possess to firmly set Iraq's recent political order on a sustainable path of evolution before events overwhelm our ability to master them.

We have, in fact, accomplished much in a painfully circumscribed time frame and have done so in a country that was revealed to be far more devastated than we had imagined. It should not surprise

us that, once the shackles were suddenly broken, a brutally suppressed population would react to sudden freedom with disorganization, dissension, and the unleashing of passions and rivalries nurtured in the long darkness.

It would be foolish, not to say ruinously arrogant, to believe that we can determine the future of Iraq. All of our energies, all of our talents cannot substitute for the Iraqi people's assumption of responsibility for their own fate. However convinced we may be of our faith to do so, we cannot reinvent their country for them. If there is to be democracy, harmony, and stability in Iraq, it will be because the Iraqi people have chosen that course for themselves and have successfully constructed and upheld the institutions, commitments, and web of social contracts that infuse with life the sweeping pronouncements that otherwise would shrivel into desiccated phrases on forgotten documents.

Let us understand what is possible. We can assist them in that immense effort. We have already dramatically altered their universe of choices by providing them with the opportunity to choose their own government and their country's future path. But foolish or not, the choice is theirs.

We are fortunate to be aided in this task by the United Nations, whose involvement will hopefully induce our tireless critics to transmute a portion of their boundless outrage into a modicum of assistance for the people of Iraq. I pray that I may yet be surprised by their generosity.

And so, imperfectly, we must begin, forever mindful of Bismarck's caution that "politics is the art of the possible."

I now yield to my colleague, the Ranking Democratic Member, Tom Lantos, for any opening remarks he may wish to make. I will announce now that because of the gravity of our subject and the interest in it, that all opening statements other than Mr. Lantos' will be made a part of the record. We will not have any oral statements. We will go immediately to the witnesses. But I wanted to make that announcement.

[The prepared statement of Mr. Hyde follows:]

PREPARED STATEMENT OF THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

The Committee will come to order.

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We have in fact accomplished much in a painfully circumscribed time frame and have done so in a country that was revealed to be far more devastated than we had imagined. It should not surprise us that, once the shackles were suddenly broken, a brutally suppressed population would react to sudden freedom with disorganization, dissension, and the unleashing of passions and rivalries nurtured in the long darkness.

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I will now yield to my colleague, Ranking Democratic Member Tom Lantos, for any opening remarks he may wish to make.

Mr. ACKERMAN. Mr. Chairman?

Chairman HYDE. Yes, Mr. Ackerman?

Mr. ACKERMAN. I just wanted to express the concern of some of us that at this very first hearing on this topic, that some of us very much would have liked to be able to make opening statements along with the Chairman and Ranking Member.

Chairman HYDE. I understand that. In all my years, and that is about 30 now, I have always wanted to make an opening statement at every hearing. But sometimes it is physically inopportune, and I would rather have you confine your opening statement to the minute you recognize, and I promise to recognize you immediately following Mr. Lantos when we get to the questions.

Mr. ACKERMAN. I appreciate that, Mr. Chairman. In my 21 years here, I also have found that sometimes it is politically inopportune.

Chairman HYDE. Well, I try to avoid the political characterization because of the gravity of this issue. I deplore politicizing the situation and I bemoan the fact that it is being politicized.

Mr. ACKERMAN. Nevertheless—

Chairman HYDE. Does the gentleman wish further recognition?

Mr. ACKERMAN. No, Mr. Chairman. Thank you.

Chairman HYDE. Mr. Lantos?

Mr. LANTOS. Thank you, Mr. Chairman. Mr. Chairman, last evening, you and I, together with the Chairman and the Ranking Member of the Senate Foreign Relations Committee, met at the White House with President Bush, Vice President Cheney and Na-

tional Security Advisor Dr. Rice, to discuss Iraq. I read to the President a quote by a distinguished American that I would like to share again now. While we may have differed on how we went to war, Americans of all political persuasions are united in our determination to succeed. The extremists attacking our forces should know that they will not succeed in dividing America or in sapping American resolve or in forcing the premature withdrawal of U.S. troops. Our country is committed to help the Iraqis build a stable, peaceful, and pluralistic society.

The most important line of the quote is this:

“No matter who is elected President in November, we will persevere in that mission.”

President Bush was surprised to learn that these words came from an OpEd by Senator John Kerry in *The Washington Post* a few weeks ago.

Mr. Chairman, success in Iraq is a bipartisan national interest. Not only is the credibility of the United States at stake in the region and around the globe, but an Iraq collapsing into chaos would be *Heart of Darkness* in the Middle East. President Bush recently expressed the same sentiment that Senator John Kerry did when he said, and I quote:

“We have got to stay the course and we will stay the course.”

The message to the Iraqi citizens is they don't have to fear that America will turn and run.

Mr. Chairman, the vast majority of Iraqis want to believe that a new era of openness is coming to their long suffering country. But they have been brutalized for too long and let down too often to believe that the future arrived with the coalition forces. They understand that a power struggle is being waged in the streets of Baghdad, Fallujah, Najaf and scores of other towns, a struggle between the forces of liberation and the forces of tyranny and death. For them, it is not clear which side will ultimately prevail. They want to believe that the coalition will succeed, but even those who are inclined to support this mission have begun to doubt that the United States will have more stamina and more commitment than the terrorists and religious fanatics that even now turn their most sacred places into battlegrounds.

Iraq is clearly waiting to see if we will help develop a more open society or whether we will tire, declare a pyrrhic victory and leave. We have done this before, Mr. Chairman, in Afghanistan 15 years ago. Thinking the battle won with the withdrawal of the Soviets, believing that Afghanistan was too far away to matter, believing that any government that resulted was preferable to the oppression of the communists, we turned away and left the Afghan people to their own devices. We know, to our everlasting regret, the result. The Taliban thrived, al-Qaeda cultivated their hatred, and we reaped 9/11.

Then, just a short time later, we repeated our mistake. This time it was Iraq in 1991. The first President Bush left Saddam Hussein in place, though we had an excellent opportunity to replace him then at minimal cost. Tens of thousands of Kurds and Shiites whom we had urged to rise up against Saddam after the first Gulf

War were slaughtered by Saddam's troops when they did so. And to the horror of Iraqis, we merely stood by. This ill conceived policy is one of the principal reasons Iraqis today question our resolve and will to see our efforts through in Iraq.

Mr. Chairman, this time we must not turn away from Iraq before we achieve victory over tyranny for the Iraqi people and the civilized world. We must not measure our success by the passing of artificial deadlines, but by the true milestones of self-government, of a stable and peaceful and moderately democratic society, freely chosen by Iraqis themselves. We must have an accounting for our mistakes, but we must also have the vision and the commitment for the long term beyond this generation and beyond this Administration and the next Administration.

We cannot overemphasize the importance of that message to the people of Iraq. Mr. Chairman, I fear that at the start of the war, our government fundamentally miscalculated the fulcrum on which our success or failure would balance. We thought Iraqis would view our mission as a choice between freedom and tyranny and that they would, of course, embrace us because we would bring freedom. But, as it turns out, the vast majority of Iraqis have been asking an entirely different question about America. Whether we will have the will to outlast the remnants of the regime and other terrorists who have joined them. They want to know who will be in Iraq 3 years from now? Will it be the forces of freedom and stability or will it be the brutal forces of religious fanaticism and terrorism? And the answer to that question will determine the decisions that Iraqis make at this crucial juncture in their history.

Mr. Chairman, the insurgents have not succeeded in shaking our resolve thus far. Lacking any career etiology or national vision, they have also failed to provoke a civil war or a truly sustained mass uprising in Iraq. Therefore, I trust that we will outlast the terrorists and I also trust that the Iraqi people will soon recognize and be convinced of that.

We will persevere until a pure and pluralistic regime is firmly rooted in Iraq. It will not be a Jeffersonian democracy, but it will be far freer, far more inclusive, far more just and far more humane than anything the Iraqis have known under the brutal dictatorship of Saddam Hussein or in their long and troubled history before him.

Mr. Chairman, we have just experienced the cruelest weeks of the occupation of Iraq. We have all been disgusted by the images and descriptions of abuse of Iraqi detainees, abuse which must be fully investigated up the chain of command. Nevertheless, there is reason to hope. Opinion polls and subjective experience show that a clear majority of Iraqis, often too silent, favor freedom and stability over religious fanaticism and tyranny. And the U.S. Administration had finally shown signs that it can shake off its tactical and ideological rigidity in order to do the job right. For one thing, it has retreated from its early cavalier treatment of the international community. I am particularly encouraged that the President had embraced a United Nations role that will endow the new Iraqi Government with greater domestic and international legitimacy. I hope that the Administration's recognition of the importance of a U.N.

role will have a ripple effect, encouraging more nations to join the international coalition.

Finally, in that regard, we must work to secure an important place in Iraq for NATO. At a time when the United States and our coalition partners need its help most in Iraq, NATO as an organized entity has been missing in action. For example, NATO states are ideally suited to provide security for Iraqis when they go to the polls next January. And a NATO contingent to support Iraqi elections should be blessed by the United Nations Security Council. The Bosnia model, established by the Security Council as a multinational force under NATO auspices, under United States command, would be ideal. Senator Biden and I both raised this idea with the President last night.

Winning NATO support in Iraq is a supreme challenge that the Administration simply cannot fail to meet and it requires the demonstration of greater respect for our allies than the Administration has shown to date. That kind of observation will not sit well with some in the Administration and some on Capitol Hill. But, Mr. Chairman, as the loyal opposition, Democrats will continue to call this Administration to account for its errors in the conduct of the war and we will continue to offer constructive advice, as our duty demands, particularly from our position of oversight authority in the legislative branch. For all of us, Democrats and Republicans alike, are united in our commitment to achieving success in giving rise to a lasting and more free society in Iraq. It is not merely a simple matter of restoring sovereignty. We have to be sure that the new stewards of this strife torn country are up to the task and know that we will stand by them. For as George Bernard Shaw observed:

“Liberty means responsibility. That is why most men dread it.”

Thank you, Mr. Chairman.

Chairman HYDE. Thank you very much, Mr. Lantos, and without objection, all other Members opening statements may be made a part of the record at this point in the record. I am not going to take a great deal of time to introduce our panel this morning because they are well known and you have their biographies in your packets. Ambassador Marc Grossman, while a relatively young man, is, as Under Secretary for Political Affairs, the highest ranking career official in the Department of State. He served our nation as our Ambassador to Turkey and as Director General of the Foreign Service, among other positions of high responsibility.

Dr. Peter Rodman is Assistant Secretary of Defense for International Security Affairs and just before that was Director of National Security Programs at the Nixon Center. He served at the State Department and on the National Security Council staff during the Administrations of Presidents Nixon, Ford, Reagan, and the first President Bush.

We will also hear from Lieutenant General Walter L. Sharp, United States Army, who is Director for Strategic Plans and Policy at The Joint Staff, where he has served since March, 2003. In his distinguished career, Lt. General Sharp commanded the 7th Cavalry Squadron in Operation Desert Shield and Desert Storm, the 2nd Armored Cavalry Regiment, and the Joint Task Force in Oper-

ation Uphold Democracy in Haiti in the mid 1990s, and with the Army's 3rd Infantry Division Mechanized and the Multi-National Division North in Operation Joint Forge in Bosnia.

Among his decorations are the Distinguished Service Medal, Legion of Merit, and the Bronze Star. We will start with you, Ambassador Grossman. If you gentlemen could encapsulate your remarks to 5 minutes, give or take, we will not be too strict on it because of what we are talking about, and then be available for questions. Ambassador Grossman?

STATEMENT OF THE HONORABLE MARC GROSSMAN, UNDER SECRETARY FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. GROSSMAN. Mr. Chairman, thank you very much and may I ask that my whole statement be put in as part of the record and then I would be glad to try to summarize it?

Chairman HYDE. Without objection, all statements of the three gentlemen will be made a part of the record.

Mr. GROSSMAN. Thank you very much and thank you very much for the introduction. Mr. Chairman, Congressman Lantos, other Members of the Committee, I appreciate the opportunity to come here today and report to you on where we stand 6 weeks in advance of the transfer of power and sovereignty in Iraq. Before I begin, as he did, Mr. Chairman, and I know other Members of the Committee would, as well, I think it is worth stopping just for a moment to pay tribute to the men and women who are serving the United States of America in Iraq, military and civilian. And also to thank the coalition partners that we have there, military and civilian, for their service as well.

The Chairman was nice enough to recall the time I served as Director General of the State Department and let me say that our thanks to you and to this Committee for the support of the Department has really made it possible for us now to respond to the challenges in Iraq and around the world and we thank you for that and we look very much forward to your continuing support.

Mr. Chairman, in your letter of introduction, you asked me if I would report to you on where things stood at the State Department and in our government as we moved forward on the first of July, both in terms of getting ready to stand up an Embassy and also the transfer of sovereignty to a sovereign Iraqi government and I would like to do that.

As both you and the Ranking Member said, we face substantial challenges. The prisoner abuse story has made this harder, but as you both said, we intend to keep going here and we intend to meet our obligations on the first of July. And I hope when I am finished, I will have informed you about the way we are trying to do that at the State Department.

Let me first of all say how pleased we were at the Senate's prompt confirmation of Ambassador Negroponte. I think he will be an outstanding representative of the United States of America in Iraq, to the first free Iraq. I also want to say that once the November 15 agreement was established, we recognized that we would have a major responsibility in standing up an Embassy on the first of July. And one of the very first things that Secretary Powell did

is he brought back someone I know is familiar to many of you, Frank Ricciardone, who is our Ambassador in the Philippines to lead our effort. Ambassador Ricciardone went then immediately and visited with Retired General Kicklighter, who is in charge of this effort at the Defense Department. If I could ask General Kicklighter to just introduce himself. They form one inner agency team to move us forward to achieving our goals on the first of July.

I can also tell you, Mr. Chairman, that the Secretary's, Secretary Powell's involvement in this is a daily one. We sent him each day a daily activity report of what has been accomplished on the many, many requirements that we have to get ready to produce an Embassy. And we also try to send him a weekly report, which I will show you in a moment.

What we have tried to do is break down the number of tasks that we have into large categories and then break down all of the various requirements. You can see as we report to the Secretary, that as we move forward here, we have hundreds and hundreds of jobs to do. Some of these are green, it means they are done. Some of them are red, some of them are yellow, but we have assigned responsibility for all the tasks that are required. We know where we want to go and we are confident that we can make these requirements.

Since there are 15 or 18 of these, Mr. Chairman, I do not want to go through them all, but I thought it would be sensible to talk about four of the major requirements that we have to get this Embassy established on the first of July. First, people, most importantly. And with the Senate's confirmation of Ambassador Negroponte, we have now begun to fill most of our senior mission positions. I think that you have read, we have asked our Ambassador to Albania, Jim Jeffrey, to go and be the Deputy Chief of Mission in Iraq. And we are looking to create an Embassy of about 1,000 direct hire Americans and about 700 Iraqi employees, foreign service national employees, for a total Embassy about a size of 1,700.

I know there have been stories around that we were going to hire somehow 3,000 Americans. Our object is 1,000 Americans and about 700 foreign service national employees. If you would allow me, I will quickly let you know how I come to that number.

First, the State Department. We have announced positions for 140 Americans and it is interesting to note that about 200 people have signed up to fill those positions and many of those said, send me to any of the positions. So we are having no trouble whatsoever staffing our requirements in Baghdad. In fact, we have about 133 of those 140 positions already filled.

We expect also to have a number of foreign service national employees. About 155, excuse me, and we have interviewed about 90 of those people. A number of people have already been hired and those first to hires are now here in Washington, undergoing training.

Second group of people that will make up this 1,000 are people that are now at CPA, who we think can continue to do a very important job for the United States after the first of July and we expect that about 620 CPA staff will continue after the first of July

in a temporary capacity under the Chief of Mission and that they will also have about 218 or 220 Iraqi staff.

The third category, Mr. Chairman, Members of the Committee, is, of course, U.S. Embassies and U.S. missions are made up of many of the organizations of the United States Government and in January, Secretary Powell asked all of his Cabinet colleagues to say when they wanted people in the mission. And so far, we have heard from 11 Cabinet agencies who are looking to hire about 253 Americans and 182 local employees. As I say, these numbers may shift one or 2 or 5 or 10 either way, but I want to give you a sense of the basic size, which is 1,000 Americans, about 700 national employees.

One of the things that I want to stress here today is that Ambassador Negroponte will carry with him a letter from the President, as all of our Ambassadors do abroad, which will say that he has got the authority in Iraq. As I say, it will say, as all of our chief of missions have, that he, as the personal representative of the President reporting through the Secretary of State, will have full responsibility for the direction, coordination, supervision of all United States Government Executive Branch employees in Iraq, regardless of their employment categories or location, except, of course, just like it is everywhere else in the world, for those people under the command of a United States area military commander or the staff of an international organization.

Of course, the military commander and our Ambassador will need to forge the closest possible working relationship, but we know how to do this. This is how we do it around the world and I think this will also be successful.

One thing that I would note and I know General Sharp will help me here, but after June 30, United States forces in Iraq of course will report to the U.S. Commander of the Multinational Force Iraq, who will report through the military chain of command. And as General Myers has said on a number of occasions, we are going to need to have the closest possible partnership with Iraqis and Iraqi forces in this regard.

Second, security. I think it is very important that we say out loud, and we are saying out loud to our people, that this is a very dangerous mission and we have already begun to think through the security requirements that we have to run and staff a United States mission in Iraq. We have armored vehicles in Iraq. We already have our security officers in Iraq and our people know that this is a dangerous place and will be a dangerous place for some time to come and protecting our people in this environment is going to be difficult and expensive. But with you, we intend to spare no expense to meet this challenge.

Third category, Mr. Chairman, buildings. Where are we going to put all these people? And the Director of the Overseas Building Office, General Williams, has been to Iraq, has identified sites. We have begun already to reconstruct those, have them meet our security requirements. We have them already identified and we have a temporary chancery. We have a back office, we have a place for our Ambassador to live and General Williams is absolutely sure that by the first of July, we will be in excellent, we will be in good shape on the buildings.

He has also identified a place for a future permanent Embassy of the United States of America in Iraq.

The fourth major category here obviously is the money, because if you have this large Embassy in this challenging place, it is going to take some money to deal with and I would like to share our current thinking on the funds that are going to be required. Again, a little bit like the people, I ask you to recognize that the numbers I give you today are a snapshot of where we stand, but this is our best estimate at the moment.

We believe, we estimate that it is going to cost us about \$483 million to run this mission between now and the end of Fiscal 2005. Here is how we are going to cover those costs. First, Congress has already provided in supplementals about \$97 million for an interim Embassy facility and interim operations. We also expect to have available in the fourth quarter the portion of the operating expense budget that now goes to the coalition provisional authority and that is about \$196 million. And pursuant to the fiscal year 2004 supplemental, 1 percent of the Iraq reconstruction end, I am sorry, Relief and Reconstruction Fund, is also available for transfer. That is about \$184 million. And so those total \$477 million. Our estimate is about \$483 million and we believe that the balance can be found either through contributions from other government agencies, unobligated balances for the CPA. So, we believe we can manage in this area to the end of the fiscal year.

Looking ahead toward 2005, we believe that the costs of running our mission in 2005 will be about \$1 billion. We expect, obviously, it has been said before, that there will be a supplemental appropriation and the timing and the size of that to be determined by the President. We will fund salaries and expenses and other costs that we have out of our budget, until a supplemental is approved. And the Department of Defense will continue to support the logistics contract, security requirements for our mission until Ambassador Negroponte and his senior team can figure out where we want to go and make an estimate to be included in a supplemental request.

And I can tell Members of this Committee that we are working hard with OMB, with CPA and we will certainly be consulting with the Congress before any final decisions are made.

Mr. Chairman, second, you asked in your letter, if I could talk a little about the transition to sovereignty before the first of July, and I would be glad to do that. The plan, of course, that got established for the assumption of full sovereignty by the Iraqi government is laid out in the agreement from the 15th of November of last year. That was an agreement signed by CPA and the Iraqi Governing Council. It called for a transitional administrative law encompassing a bill of rights for all Iraqis and it also called for the selection of an interim Iraqi government to oversee the preparation of national elections and the transfer of sovereignty to this interim government by June 30, 2004.

I have miscalculated slightly and have a chart back there which no one can see, but I hope you would allow me to just submit one for the record, Mr. Chairman, and I think it lays out graphically where we are headed. I apologize that that one is not big enough.

The agreement establishes a timeline for national elections—

Ms. MCCOLLUM. Mr. Chair—

Mr. GROSSMAN [continuing]. The drafting and ratifications—it is still sort of tiny.

Ms. MCCOLLUM. Mr. Chair, could that be moved to the center so we could see as he is describing it, please?

Chairman HYDE. If someone could move the—

Mr. GROSSMAN. Thank you very much, I appreciate that. The agreement establishes a timeline for national elections, the drafting and ratification of a permanent constitution, and the election of a government under that constitution by December 31, 2005.

And as you said, Mr. Chairman, and also the Ranking Member, there have been changes, ups and downs, in this November 15 agreement, but we are focused on our desire to accomplish these tasks as it has laid out. The first main thing that got accomplished and I think we ought to stop for a moment and recognize here the importance of this, is the transitional administrative law. It provides for equal rights for all Iraqis, without regard to gender, sex, opinion, belief, nationality, religion or origin. I think this is no small matter. And it confirms Iraq as a single state with Federal structures, a firm civilian control of Iraq security services and the independence of the judiciary.

And finally, this transitional administrative law, which I think, Mr. Chairman, it might be useful to put into the record of this hearing, establishes the general framework for national elections no later than January 31, 2005, the drafting of a permanent constitution before August, 2005 and then the transition to a true constitutionally based Iraqi government by December 31, 2005.

The work we are doing today at the national level is on trying to form this interim government. And at the invitation of the Iraqi Governing Council and with our full support, as you both mentioned, the United Nations is playing a vital role in the formation of the Iraqi interim government by June 30 and preparing for national elections by January, 2005.

You know the story. Ambassador Brahimi has now been to Iraq on a number of occasions. He is there today. He is involved in a large conversation with people all through Iraqi society. And based on his first trip to Iraq, he concluded that this interim government, the government that runs from the first of July to the end of December, 2005, should be a President, two Prime Ministers, a council of ministers which would report to the Prime Ministers and an advisory body. And our job now is to support Ambassador Brahimi as he discovers who will make up this very important interim government.

We welcomed Ambassador Brahimi's proposals. The Security Council has had a report from Ambassador Brahimi and has welcomed his plan and, as I say, he is in Iraq today and with our full support, is continuing his consultations.

On the 30th of June, Iraq will be fully sovereign. The Iraqi government, this interim government, will be fully sovereign. It will have governing authority. But all Iraqis have talked to us about the fact that this sovereign Iraqi government also had to have limitations on its authority.

If you listen to Ayatollah Sistani, for example, other people that Ambassador Brahimi and Ambassador Bremer have met, it is clear

that Iraqis want to make sure that long term decisions for Iraq, long term commitments for Iraq are made by an elected government. And I think it is very important to recognize that this interim government, fully sovereign, will, by Iraqi design, have limitations on its authority between the first of July and the end of December. Because the long term decisions are best left to an elected Iraqi government.

And I might also say that from my perspective, it is up to Iraqis to decide what those limitations might be as part of the consultation process with Ambassador Brahimi.

One very important piece is yet undone and that is the annex to the transitional administrative law. And it has yet to be written, but it will be written, I believe, as Ambassador Brahimi and others are forming this government. And once the government is formed, then they will write this annex to show what authorities this Iraqi interim government will have. Very important point. The transitional administrative law provides in article 59 for the multinational force in Iraq to continue to operate under the provisions of U.N. Security Council Resolution 1511 and any subsequent U.N. Security Council Resolution until such time as an elected government concludes appropriate security arrangements.

Iraqis say that the only truly legitimate government will be one that comes through elections and we agree with that. And here I pay tribute to the effort the United Nations is making under the leadership of Ms. Perelli in Iraq to bring about elections. The creation of an independent election commission, work she is already doing to look for nomination papers, to organize elections. And she believes that we can have an election in Iraq or that Iraqis can have an election in Iraq in December or January and move forward as laid out in the transitional administrative law.

Both you, Mr. Chairman, and the Ranking Member talked about a U.N. Security Council Resolution. You know that we are talking to our Security Council partners about one. We have already had some consultations. We are not consulting yet on a text, but we are talking to people about what the main elements are. Tomorrow, Secretary Powell has a number of his colleagues in Washington and will continue that conversation.

Let me just list for you what we would expect a new Security Council resolution would deal with. It first of all, as you both said, would express support for this Iraqi interim government. It would address the end of occupation. It would support the political transition, structure a role for the United Nations in the new political framework, particularly in supporting elections and addressing the continuing need for security to enable the Iraqi people to complete the political process.

And while Resolution 1511 provides a legal authority for continued multinational force operations after June 30, we expect a new resolution would further address the role of this force.

And finally, Mr. Chairman, just as you and the Ranking Member said, we also believe that a new resolution should encourage other nations to get involved, both in terms of security and also in terms of reconstruction activities in Iraq.

Mr. Chairman, you and the Ranking Member both said that there are challenges ahead, that this is a question of will, but I

hope that I have been able in some small way to let you know what the plan is at the State Department, both for creating a United States mission with an Ambassador to Iraq on the first of July and where we stand in supporting Ambassador Brahimi and the United Nations as he goes forward to try to create this interim government and I thank you very much, sir.

[The prepared statement of Mr. Grossman follows:]

PREPARED STATEMENT OF THE HONORABLE MARC GROSSMAN, UNDER SECRETARY FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. Chairman, Congressman Lantos, Members of the Committee, I appreciate the opportunity to report to you today on the progress we are making as we meet six weeks before the June 30 transfer of sovereignty in Iraq.

Before I begin, I want to pay tribute to the men and women who are serving our country in Iraq. I know you are immensely proud of the Americans—civilian and military—who demonstrate the highest degree of dedication, determination and courage as they work to bring security, democracy and prosperity to Iraq. I also want to thank our many Coalition partners—civilian and military—for their steadfast support and sacrifices.

Thank you also for your support of the State Department.

I will report to you today:

- That we are carrying out a plan to get to June 30 and beyond based on guidance and direction set by the President and Secretary Powell;
- That we are focused on the need to get enough resources, the right people and the right organization so that we can do the job we have been assigned, and finally;
- That we are focused on achieving a successful transition to an Iraqi Interim Government, working closely with Iraqis, our Coalition partners, and the United Nations.

TRANSITION TO A U.S. MISSION

Mr. Chairman, allow me to review the status of our efforts to transition on June 30 from the Coalition Provisional Authority to a U.S. Mission.

Last month, Secretary Powell told some of your colleagues, “When the State Department assumes the lead role this summer in representing and managing U.S. interests in Iraq, we will carry on that commitment. We’re already thoroughly involved, and we will succeed.” The Secretary has set the State Department in motion to support the President’s goal of a smooth transition on June 30.

We are pleased by the Senate’s prompt confirmation of Ambassador Negroponte. He will do a fantastic job as the first U.S. Ambassador to a free Iraq. He has already recruited an excellent team of senior officers to support him.

After the CPA and the Iraqi Governing Council signed the November 15 Agreement and established the June 30 transition date, the Secretary called Ambassador Frank Ricciardone back to Washington to head our transition team. In his first day on the job, Frank Ricciardone went to the Pentagon to meet with his counterpart as the Iraq Transition Team leader for the Department of Defense, LTG (ret.) Mick Kicklighter. Ricciardone and Kicklighter head one interagency transition team.

Our interagency team has established a cell in Baghdad under Ambassador John Holzman. Ambassador Holzman works on transition planning and implementation in consultation with CPA Administrator Bremer and CJTF-7 Commander Lieutenant General Sanchez.

The Secretary’s involvement in our transition planning continues daily. Each evening we send the Secretary a consolidated summary of the Department’s transition-related activities for the day. The notes demonstrate a broad range of interagency, bilateral and multilateral requirements, and highlight issues to solve and those resolved. We also provide the Secretary a more in-depth weekly report that highlights key challenges and the steps we are taking to address them.

As an early step, the transition planning team established teams in key sectors critical to a successful transition on June 30. We sent interagency assessment teams to Iraq to examine the situation on the ground.

Each of these sectors has broken down their work into milestones. The sectors collectively have set more than 500 milestones. And behind these milestones are thousands of individual tasks. Responsibility for each task has been assigned to a particular agency or office, and there are target completion dates.

We at the State Department are glad to brief you or your staff on any of the tasks we have identified. And let me offer full access to our Transition Planning Team intranet website to any of your staff willing to visit us in the Department of State and use computers with access to our intranet.

I would like to spend a few minutes today on our planning and progress in four key sectors of transition planning: people, security, buildings and money.

PEOPLE

With Ambassador Negroponte's confirmation, we have filled most senior Mission positions. Ambassador Jim Jeffrey, our current ambassador to Albania, has been selected to be the Deputy Chief of Mission.

We currently anticipate a total of around 1,000 direct-hire American positions and 700 Foreign Service Nationals (FSNs) for a total Mission size of 1,700. Let me explain how we get to these numbers.

First, the State Department has announced positions for 140 American employees. More than 200 people have requested to be assigned to the new Embassy. Thanks to the eagerness of so many State Department people to volunteer for service, of the 140 positions announced, we have formally assigned 122 people.

The State Department has also announced positions for 155 locally engaged staff, interviewed more than 90 Iraqi applicants for the local hire positions, and have hired our first Iraqi employees. These first hires are undergoing training here in Washington in order to prepare to help us hire others for service in the Embassy. In the short run, however, pending the Embassy's ability to bring on all the direct-hire Iraqi personnel that we ultimately will need, the Embassy will rely on Iraqi and third country staff now under the U.S. Army's "Logcap" contract to provide many basic support services.

Second, in addition to the State Department officers noted above, approximately 620 CPA staff will continue after July 1 in a temporary capacity under Chief of Mission authority to ensure the continuity of the transition process and to support Iraq reconstruction efforts. These personnel will be located in either Department of State or Department of Defense offices, and will include 155 ministry liaison positions, the CPA Inspector General, the Iraqi Reconstruction Management Office and the Project and Contracting Office. We estimate that around 350 Iraqi staff will support these various offices.

Third, in January, the Secretary asked his Cabinet colleagues to identify Mission positions their agencies want in Embassy Baghdad. As of May 10, 11 agencies, other than the State Department, have requested a total of 253 American and 182 locally hired personnel for FY 2005. These numbers may increase slightly agencies provide further refinements.

We will also be represented in Iraq's provinces. The Secretary of State will determine an appropriate level of representation outside of Baghdad to ensure that we can best fulfill the mission given to us by the President.

Ambassador Negroponte will carry with him to Iraq a letter from the President—as all our Ambassadors do—that spells out his authority in Iraq. It will say that he—like our Ambassadors around the world—as the Chief of Mission and personal representative of the President, reporting through the Secretary of State, will have full responsibility for the direction, coordination, and supervision of all United States Government executive branch employees in Iraq, regardless of their employment categories or location, except those under command of a U.S. area military commander or on the staff of an international organization.

Of course, the Ambassador and the military commander will have to work closely together to ensure that their respective operations are fully coordinated and best serve the interests of the United States in Iraq.

After June 30, U.S. forces in Iraq will report to the U.S. commander of the Multinational Force—Iraq (MNF-I) through the military chain of command. We will consult closely with the Interim Iraqi Government and, as General Myers has said, we will build a partnership with Iraqi security forces and the Iraqi Interim Government.

SECURITY

This is a dangerous mission. Our top priority is to keep our people safe. We have already begun the security upgrade of the planned interim Embassy buildings, and have selected a site for a future new Embassy compound based largely on security.

We already have 51 armored vehicles in Iraq and another 90 are on order. A thorough inventory of CPA vehicle assets will determine what additional assets will transfer on July 1.

To complement the security personnel already provided the U.S. military and CPA-funded contracts, thirty-two Diplomatic Security (DS) staff and ten State Department contract security personnel are now in Iraq to define the Mission's security requirements and to begin to meet them—as well as to help protect CPA officers and visitors.

Our people know that Iraq is, and for some time will remain, a dangerous place to live and work. Protecting our people in a wartime environment is difficult and expensive, but we will spare no effort or expense to meet this challenge.

BUILDINGS

Director of Overseas Building Operations Chuck Williams traveled to Baghdad in February to complete plans for interim and potential permanent mission facilities. We have identified a building in the Green Zone to serve as the Embassy from July 1 until a more permanent facility can be established. This building, which we refer to as the temporary Chancery, is already under renovation and will be ready for occupancy soon.

The temporary Chancery will serve as the office of the Ambassador and a limited number of staff. Until we build a new Embassy compound, we will continue to use the former Republican Palace, where CPA is currently located, for most non-public operations, and we will continue to use the current residence of Administrator Bremer.

We also have begun the planning process to develop a new American Embassy facility.

FINANCIAL OUTLOOK

Finally, I would like to share our current thinking on the funds needed to ensure a smooth transition to Embassy Baghdad, and the continued operation of the mission thereafter.

I need to emphasize that the costs I report to you are our best snapshot today. In order to open an Embassy on July 1, we must meet basic security and communications needs, building on the use of existing CPA assets.

The State Department must be prepared to cover both its initial start-up and operating expenses, as well as follow-on costs from the CPA to assure continuity of operations.

We estimate these mission costs to be in the range of \$483 million for the balance of Fiscal Year 2004.

How will we cover these costs?

Congress has provided in FY 2004 \$97 million for an interim embassy facility and interim operations.

We expect to have available the fourth quarter portion of the operating expense budget appropriated for the CPA (\$196 million), and, pursuant to the FY 2004 Supplemental, up to 1% of the Iraq Relief and Reconstruction Fund, available for transfer (\$184 million).

These three sources add up to \$477 million. We believe the FY 2004 balance will be covered by unobligated balances intended for CPA, cost allocations to other agencies, and charging reconstruction management costs against the IRRF.

Looking ahead to FY 2005, we estimate that the costs to operate the U.S. mission could amount to \$1 billion, excluding the cost of constructing a new Embassy facility.

We expect that we will need a supplemental appropriation next year to meet our operating costs. The timing and size of the supplemental request will be determined by the President.

The State Department will fund salaries and expenses for personnel and maintain a strategic communications capability from Diplomatic and Consular Security funds until a Supplemental is approved.

Consistent with the President's direction, the Department of Defense will continue to support both the logistics contract and security requirements for the U.S. Mission until Ambassador Negroponte and his team have time to assess actual needs and provide an estimate to be included in a future Supplemental request.

We are working closely with CPA, DOD, and OMB to refine these estimates and will provide you as much accurate information as quickly as we can. We will consult with you and your colleagues before anything is made final.

TRANSITION TO SOVEREIGNTY

The June 30 transition date is a milestone in Iraq's political development.

The plan for the assumption of full sovereignty by an Iraqi government is laid out in the November 15 agreement. That agreement, signed by CPA and the Iraqi Gov-

erning Council, called for a Transitional Administrative Law, encompassing a basic bill of rights for all Iraqis.

The agreement called for the selection of an interim Iraqi government to oversee the preparation of national elections, and the transfer of sovereignty to this interim government by June 30, 2004.

And the agreement established a timeline for national elections, the drafting and ratification of a permanent constitution and the election of a government under that constitution by December 31, 2005.

There have been changes since November 15. But the basic framework and timeline has held.

TRANSITIONAL ADMINISTRATIVE LAW

The first step was the Governing Council's unanimous agreement on the Transitional Administrative Law, or TAL, more than two months ago.

The TAL provides for equal rights for all Iraqis, without regard to gender, sect, opinion, belief, nationality, religion or origin. It confirms Iraq as a single state with federal structures, affirms civilian control of the Iraqi security services and the independence of the judiciary. Finally, the TAL establishes the general framework for national elections no later than January 31, 2005, the drafting of a permanent constitution by August 15, 2005 and the transition to a constitutionally-based post-transition Iraqi government by December 31, 2005.

THE IRAQI INTERIM GOVERNMENT

At the national level, our focus today is on forming the Iraqi Interim Government (IIG). At the invitation of the Iraqi Governing Council, and with our full support, the UN is playing a vital role in the formation of the Iraqi Interim Government by June 30 and in preparing for national elections by January 2005.

In April, Ambassador Lakhdar Brahimi conducted extensive consultations with Iraqis as part of this process. On April 27, Ambassador Brahimi briefed the UN Security Council on his preliminary ideas for the formation of the IIG.

Based on his consultations in Iraq, Ambassador Brahimi has proposed establishing by the end of May an interim government led by a Prime Minister that also includes a President and two deputy presidents. A council of ministers would report to the Prime Minister. An Advisory Body, selected in July by a National Conference, would serve alongside the Executive but have no legislative authority.

The United States has welcomed Ambassador Brahimi's proposals. The Security Council expressed strong support for Ambassador Brahimi's work.

Ambassador Brahimi is in Iraq today, with our full support, to continue his nationwide consultations with Iraqis.

The Iraqi Interim Government will be the sovereign governing authority of Iraq on June 30. But it will also be a temporary government. As Ambassador Brahimi has noted on several occasions, the priorities of this government should be the day-to-day administration of the country, the preparations of elections for the Transitional National Assembly, providing for the security and safety of the Iraqi people, and continuing economic reconstruction and development.

On June 30, Iraq will be fully sovereign. Iraqis have told us, however, of their desire to have limits on the authorities of this government—an unelected, short-term interim government. This reflects the view among Iraqis that there are some issues best left for decision to an elected Iraqi government.

It is for Iraqis to decide what those limits might be, in the context of the consultative process led by Ambassador Brahimi. Some limitations are already described in the Transitional Administrative Law. For instance, the TAL states that the boundaries of Iraq's governorates shall remain without change during the transitional period.

In addition, the TAL calls for an Annex to describe the interim government, including its structure and authorities. The Annex has not been drafted, but will reflect the results of Ambassador Brahimi's ongoing consultations with Iraqis.

The TAL also provides for the multinational force in Iraq to continue to operate pursuant to the provisions of United Nations Security Council Resolution 1511, and any subsequent relevant United Nations Security Council resolutions, until such time as an elected government concludes appropriate security agreements.

Iraqis have told us that only a government chosen by democratic elections will be viewed within Iraq as fully legitimate. We agree. The call for national elections in early 2005 was a key part of the November 15 agreement.

The UN's involvement in helping Iraqis prepare for elections has been, and will remain vital to Iraq's political transition. The UN election team, headed by Carina Perelli, has a close, productive working relationship with Iraqi and CPA officials.

Ms. Perelli has recently reported that preparations for the establishment of an Independent Election Commission are in good shape. A nationwide nomination process, endorsed by the Governing Council, to select the commissioners is now underway. The plan is to select seven commissioners through a careful review process. As its name suggests, the Commission will be independent and nonpartisan. Even with this progress, we continue to face a very tight timeline.

UNSCR

As President Bush and Secretary Powell have stated clearly, we are working on a new Security Council resolution on Iraq to support the June 30 transition. We have already held preliminary discussions with Council members, both in Washington and New York, to discuss elements of a resolution. We want a resolution that will reinforce Ambassador Brahimi's efforts to form the IIG.

We expect that a new resolution would: express support for a new Iraqi government; address the end of the occupation; support the political transition; structure a role for the United Nations in the new political framework, particularly in supporting the process towards elections; and address the continuing need for security to enable the Iraqi people to complete the political process.

While resolution 1511 provides a legal authority for continued multinational force operations in Iraq after June 30, we expect a new resolution would further address the role of this force.

A new resolution could also encourage other nations to get involved in both security and reconstruction activities, and could address related issues such as the future of the Development Fund for Iraq.

JULY 1

So, as I sit before you on May 13, what do I think Iraq will look like in July? There will be an American ambassador, running a large but recognizable Embassy with representatives from a broad range of USG agencies. There will still be more than 100,000 U.S. troops on the ground helping to maintain security, and providing training assistance to the Iraqi military and police forces.

But our work will not be complete. Iraq will still be in transition; elections will need to be held; a permanent constitution will need to be drafted; economic reconstruction will remain unfinished. The United States is committed until we reach our objective—a democratic, prosperous Iraq governed by a duly-elected, representative government, at peace with itself and its neighbors.

We have guidance; we have direction; we have a plan. And we are already executing that plan.

Thank you.

Chairman HYDE. Thank you, Ambassador Grossman. Assistant Secretary Rodman.

STATEMENT OF THE HONORABLE PETER W. RODMAN, ASSISTANT SECRETARY FOR INTERNATIONAL SECURITY AFFAIRS, U.S. DEPARTMENT OF DEFENSE

Mr. RODMAN. Thank you very much, Mr. Chairman. I do not have a written statement to submit, but I would like to make a few remarks very briefly, if I may.

I want to thank you, Mr. Chairman, and the Ranking Member, Mr. Lantos, for the very important opening statements that you both made. It was a very important message that you both conveyed about the bipartisan staying power of the United States in Iraq. That was a message that the people of Iraq need to hear and it is an important element in our success and our prospects for success.

I want to commend the Committee on the timeliness of the hearing, on the importance of the subject matter, the subject matter that Ambassador Grossman just discussed, the transfer of sovereign authority to Iraqis in Iraq. And secondly, the parallel transition that is going on between the Defense Department and the State Department.

I want to commend my colleagues at the State Department and my colleagues in the Defense Department for what I think is another successful example of teamwork, the transition from the coalition provisional authority under DoD to an American Embassy under the Department of State. I think that transition is working very well.

I know the headlines today are dominated by another issue, the abuses at the prison. Those abuses are a disgrace and we in the Department of Defense, especially we in the Department of Defense, have to deal with it. And we have heard the Secretary of Defense and Chairman Myers and other officials of the Department who are familiar with this issue lay out in public what we are doing about it, how our system of military justice is seeking to determine the facts and insure accountability and to prevent, most of all, to prevent this from ever happening again. So we have to deal with that.

But in a way, that issue only confirms the importance of what is the main topic of this hearing, namely the transfer of sovereign authority to Iraqis on June 30. First of all, turning the country back to Iraqis shows that we are keeping our promise. We came there as liberators, we came there to be liberators, not to be occupiers and that is what we are doing and turning back authority to them is the demonstration of that.

Second, as the Chairman mentioned, it adds to the incentive. It provides incentive to Iraqis to step forward and take responsibility for their own institutions and we see this happening.

But third, it is also at the heart of our overall strategy. Our strategy is not just military, it is also political. The collapse of the old regime left a vacuum and we want that vacuum to be filled by Iraqis, by decent, moderate Iraqis filling that vacuum with their own institutions, new institutions, decent institutions, political, economic, security institutions, because our strategy is to empower the moderates in Iraq and to marginalize the extremists politically, even while the coalition is seeking to put them out of business militarily.

Now the validity of this strategy is confirmed by Mr. Zarqawi, the terrorist leader, in the letter, the famous letter that we intercepted a few months ago. Mr. Zarqawi was sending a message to his al-Qaeda colleagues and one of the things he dwelt on at great length was the fact that June 30 was a big problem for him. June 30 was going to make it harder for the terrorists to organize against the coalition. He said:

“Democracy is coming and we will have no excuse.”

That is a quote.

“How can we fight the Iraqis own cousins and sons and under what pretext can we do this after the Americans have stepped back?”

That is a quote.

So Mr. Zarqawi and his henchmen know what our strategy is and they are doing everything they can to derail it. And I dare say so far they are not succeeding in derailing it. And that is why the political transition is crucial. That is why we have to pursue it and

that is why we have to make that transfer of authority a success. Thank you, Mr. Chairman.

Chairman HYDE. Thank you, Secretary Rodman. Lieutenant General Sharp.

**STATEMENT OF LIEUTENANT GENERAL WALTER L. SHARP,
U.S. ARMY, DIRECTOR FOR STRATEGIC PLANS AND POLICY,
THE JOINT STAFF, U.S. DEPARTMENT OF DEFENSE**

Lt. General SHARP. Mr. Chairman, Congressman Lantos, Members of the Committee, I would like to thank you for the privilege to be able to report to Congress today on Iraq's imminent transition to sovereignty and the role your military is playing in full partnership with the Department of State and other coalition nations around the world.

Our strategy for security in the transition to Iraq's sovereignty has multiple elements. First we will transition from occupation to a true partnership with Iraqis. In order to better coordinate both this partnership and with a new United States mission in Iraq, we will soon stand up a new headquarters that we call Multinational Forces Iraq with a senior military commander in Iraq. It will work closely with the United States mission on strategic issues regarding our activities and relationships with Iraq. This will be the mechanism where we and the U.S. mission and the Ambassador will work very closely together to insure the successful transition and then a successful stand up of Iraq. Underneath MNF-I will be our core level tactical command that directs day to day tactical operations for the Multinational Force. Both of these headquarters are international in composition, will have Iraqis on their staff and will be a full partner in the Multinational Force.

Also working with this headquarters will be an office called the Office of Security Transition. This organization, which will be headed by Major General Dave Petraeus, who has recently returned to Iraq, is dedicated to the training and equipping of all Iraqi security forces so that Iraqis can assume full responsibility for their own security at the earliest possible time. It will enable Iraqis to take responsibility for security in their country, with us at their side.

Second, we will continue to train and equip Iraqi security forces while developing Iraqi chains of command. Coalition military personnel have made significant progress in recruiting, training and equipping Iraqi security forces. To date, more than 210,000 Iraqi citizens have taken positions in various components of the Iraqi security force that are now contributing to the security and stability of Iraq. This includes more than 87,000 Iraqi policemen, 15,000 Department of Border Enforcement, 28,000 Iraq Civil Defense Corps, 25,000 Iraqi Army forces and 74,000 facilities protection service.

Along with a build up of forces is the establishment of institutions through which Iraqis will progressively exercise more responsibility for Iraqi security. Iraqis, along with our assistance, are establishing a Ministry of Defense, a Ministry of Interior and a Ministerial Committee on National Security.

Third, we are working closely to establish the conditions necessary to transition to local control to Iraqis. In order for this transition to be effective, it requires the existence of Iraqi security orga-

nizations capable of law and order, as well as organizations capable of planning, directing and executing security operations.

We will also work toward regional control as we build upon local level successes of the past. The quantity of Iraqi security forces is on track. Quality and equipping are now our focus. Effective Iraqi chains of command must rapidly develop in order to gain Iraqi consent and enable multinational partnerships.

And finally, fourthly, we must expand international security forces to support the return of the United Nations and their work. We must provide a secure background for the upcoming political transition to include security for the elections process. To accomplish this, we cannot do this alone. We continue to require the support of coalition of like minded nations, right now, with 34 nations, over 25,000 forces in Iraq, which will soon also include Iraq as we work toward political and economic stability for that country, making a better future for all Iraqis and creating a positive example for progress in that region.

I am absolutely confident that working together with Iraqis, their security forces, the coalition, the United Nations, the United States mission and the United States military in Iraq, we will successfully transition to sovereignty in Iraq.

I would like to thank you for the opportunity to provide my report on Iraq's transition to sovereignty and the role of our nation's finest, our soldiers, sailors, airmen, Marines and Coast Guardsmen. Thank you, Mr. Chairman.

[The prepared statement of Lt. General Sharp follows:]

PREPARED STATEMENT OF LIEUTENANT GENERAL WALTER L. SHARP, U.S. ARMY, DIRECTOR FOR STRATEGIC PLANS AND POLICY, THE JOINT STAFF, U.S. DEPARTMENT OF DEFENSE

Mr. Chairman, Congressman Lantos, members of the committee, thank you for the privilege of reporting to Congress on Iraq's imminent transition to sovereignty.

Our strategy for security in the transition to Iraq sovereignty has multiple elements: First, we are planning for the transition from occupation to partnership with the Iraqis. To that end, to better coordinate with the new US Mission in Iraq, we are establishing the organization Multinational Forces—Iraq (MNF-I), which will be the senior military command in Iraq. It is subordinate to General Abizaid as Commander, US Central Command. We envision this headquarters will work closely with the US Mission on strategic issues regarding our activities and relationship with Iraq. Underneath MNF-I will be our corps-level tactical command that directs the day-to-day tactical operations of the MNF. Both of these headquarters are international in composition, with the key difference that Iraq will be a full partner in the MNF in its own security, together with the rest of the countries of the MNF. Also working for the MNF-I commander will be an organization called the Office of Security Transition. This organization is dedicated to the training and equipping of all Iraqi security forces during the transition period such that the Iraqis can assume full responsibility for their own security at the earliest suitable time.

Our security focus is this: we will continue to train and equip Iraqi security forces while developing effective Iraqi chains of command. We will fund projects designed to help Iraq, employ Iraqis, and by implication, gain Iraqi consent.

The long-term solution is to continue and expedite our training and equipping of Iraqi Security Forces. Coalition military personnel have made significant progress in the recruiting, training and equipping Iraqi Security Forces. To date, more than 210,000 Iraqi citizens have taken positions in the various components of the Iraqi Security Force that are now contributing to the security and stability of Iraq. This includes more than 87,000 in the Iraqi police service, 15,000 in the Department of Border Enforcement, 28,000 in the Iraqi Civil Defense Corps, 4,000 in the Iraqi Armed Forces, and 74,000 in the Facilities Protection Service. By the end of June, Iraqi Civil Defense Corps will consist of 45 battalions.

Commensurate with the buildup of forces is the establishment of institutions through which Iraqis will progressively exercise more responsibility for Iraq's secu-

rity. Iraqis are establishing a Ministry of Defense (MOD), a Ministry of the Interior (MOI), and a Ministerial Committee on National Security.

We are working to establish the conditions necessary for the transition of local control to Iraqis. In order for this transition to be effective, it requires the existence of Iraqi security organizations capable of providing local law and order, as well as organizations capable of planning, directing, and executing security operations.

Transition at the regional level will build upon successes at the local level. It will require the existence of an effective Iraqi political structure, operational regional security organizations, and chains of command capable of command and control of forces in the region.

The quantity of Iraqi Security Forces is on track; quality and equipping are the key focus now. Effective Iraqi chains of command must rapidly develop in order to gain Iraqi consent and enable a multinational partnership. We must expand international security forces to support the return of the UN and their work. We must provide the secure background to the upcoming political transition, to include security for the elections processes. To accomplish this, we cannot do it alone. We continue to require the support of a coalition of like-minded nations, which now includes Iraq, as we work towards political and economic stability in that country, making a better future for all Iraqis and creating a positive example for progress in the region.

Thank you for the opportunity to provide my report on Iraq's transition to sovereignty, and the role of our Nation's finest—our Soldiers, Sailors, Airmen, Marines and Coastguardsmen.

Chairman HYDE. Thank you, General. I will now have questions from the Members and I will remind the Members we will limit you to 5 minutes so that we can get as many of you to participate as possible.

We call them by order of which they appeared in the hearing room and I have a couple of staff people making that calculation. So if somebody feels unfairly treated, hand me a note. Mr. Lantos?

Mr. LANTOS. Thank you, Mr. Chairman. I want to thank our three distinguished witnesses for their very valuable testimony. I have three quick items.

The first one relates to NATO. There is almost consensus that Iraq needs NATO. I wrote an OpEd the other day entitled NATO needs Iraq, because without a mission, NATO has lost its *raison d'être*. And this clearly is the right mission.

Now clearly the most cynical and self-centered European leader understands that failure in Iraq would be more damaging to them than it would be to us, given their large Muslim populations, their proximity to the region, a dozen other reasons. We now have an opportunity with the United Nations having agreed to handle elections throughout the country, to have a military commitment designed to insure the security of the elections. We used to have one U.N. office in Iraq. It was blown up and Kofi Annan removed the whole United Nations contingent.

If we are serious, if the U.N. is serious and if NATO is serious about wanting to internationalize this operation, we now have a clear cut opportunity of having a significant NATO commitment throughout the country, designed specifically to insure election security.

In this connection, it seems to me the question of Turkey needs to be raised. The failure partly due to Turkish incompetence and partly due to our failures to have our forces move into Iraq initially through Turkey has resulted in very severe problems and we are just now seeing how serious the problems are. The Turks at one point, as you know well, Ambassador Grossman, were ready to sup-

ply 12,000 qualified people for duty in Iraq. For political reasons, that is not now feasible.

I would like to see the Administration explore and I would like you to respond to the idea of having Turkey take over a much greater share of the responsibility in Afghanistan, so NATO forces can be applied overwhelmingly to Iraq.

My final issue is, in a sense, a philosophical issue, but I think it is the Achilles' heel of this Administration's approach to Iraq. And I have seen zero indication so far that despite efforts by many of us for over a year to emphasize this point, when a country is at war, sharing sacrifice is the first rule. This Administration has opposed sharing sacrifice with its abominable tax policy favoring the wealthy. And this Administration has opposed responsible legislation which would have provided reservists and National Guardsmen with some financial compensation when they are called to active duty in Iraq.

Now I am not asking you to respond to the first issue. That is above your pay grade. But the second issue is not. Our reserves and our National Guardsmen are in grave danger of being undermined because these wonderful, patriotic men and women not only go to Iraq to serve under very difficult circumstances, but their families face financial disaster because the Administration is unwilling to support bipartisan legislation that would provide a minimum of financial security to activated National Reserves and Guardspeople. I would be grateful if you would respond.

Mr. GROSSMAN. Yes, sir, Mr. Lantos, I will try to respond to the first two and perhaps General Sharp can help me with the third. First, on the question of NATO, I take your idea. I think the idea of looking for someone to do election security is an extremely interesting one. So let me take that idea.

But I think it is worth stepping back here, and I have testified in this Committee in my various jobs for many, many years and that is to recognize that in 1999 and 2000, we thought NATO was going to go out of business. Because what was it going to do? And at the Washington Summit that you all supported in 1999, NATO did change the way it thought about its mission.

I think the fact that NATO has taken over ISAF security in Afghanistan is something well worth celebrating and something well worth working on. And I can tell you that we are trying to expand NATO's role in Afghanistan, so that there are more of what we call PRTs, provincial reconstruction teams. And so I think that the Secretary General of NATO is right to say, we are proud of what we are doing in Afghanistan and we ought to keep doing it.

On the question of NATO, you know, we were in many ways among the first to talk to NATO about what it could do. And I think the fact that NATO now does, as an alliance, the whole alliance, support the Polish division is a good thing. But we are always looking for more ways to think about more things that NATO can do, ways that NATO can expand its position in Iraq. And as we move forward, Congressman Lantos, to the 28th of June, which is the NATO summit in Istanbul, I can tell you that many of us, and we were at a meeting yesterday talking about just this, want to see what more NATO can do.

So if you will let me take your idea on election security, I will do that. But let me assure you that we are looking for ways that we would like to possibly expand the role of the alliance.

One more point, if I could, on this question and that is that it is very important as I analyze this issue of NATO, to make sure that we keep going forward on the June 31 date because many of our NATO partners, I think, will be more comfortable participating if there is an interim Iraqi government that is sovereign.

And secondly, sir, as you said, it is very important that we get the Security Council Resolution near simultaneously, because that will also help us at NATO.

Second, on the question of having Turkey do more in Afghanistan, that is certainly on our agenda. One of the things, in fact, that the Turks came to us some weeks ago, was to see if they could take over or create, actually, a new PRT in Afghanistan and we are certainly talking to them about that, about where it should be, where it should be located. I thought they were very successful in their 6 months as the ISAF commander. And I think countries like Turkey could do more, and I would also say a country like Spain might also find a way to do more in Afghanistan. I think that would be a good thing. Because although we are here talking about Iraq, as you said, Iraq, Afghanistan, these are really our ways now of continuing to fight this global war on terrorism.

I apologize, but I will let General Sharp talk, if he can, about the third.

Lt. General SHARP. Sir, let me answer also first on the question of NATO. From a military perspective, we would love to have either U.N. forces or NATO forces in doing specific missions, guarding the U.N., guarding security sites as they go up around.

We must also, though, I think, recognize that NATO has done already helping the Polish division, plus the fact that there are many NATO nations in Iraq right now. So as you know, NATO is made up of countries and they are in part, a lot to do because of what NATO has done.

I think that we have to be realistic, though. I like your idea about Turkey potentially taking over a lot of responsibilities in Afghanistan. As you know, in Afghanistan right now, NATO has endorsed and is trying to expand their mission, their PRTs, beyond Konduz and up to the north and to be able to move further out to the west. But unfortunately, they have not been able to develop the troops in order to be able to expand that presence out there.

So I think in order to be able to get that done and to go into Iraq will be a challenge for countries that make up NATO. Not to say that we should not try to go after them. I definitely think that we should, but it will take all of us talking to other nations that belong to NATO to make sure that they understand that when they sign up for this mission, they must be willing to commit their troops to it also, and not repeat the troubles we are having in Afghanistan right now.

On the Reserve and National Guard pay, I do not have the specifics, but the Secretary of Defense and the Chairman, General Myers, are working very closely together to take a look at not only pay, but also the benefits that we are giving and that we should be giving to our Reserve components and our National Guard. They

are looking also at the time between when we call them up and how long we ask them to serve, information as to how to get out to families what is going out there and to take them so that they will continue to serve the important, important role that they are right now. We could not be doing what we are doing anywhere in the world, whether it is Haiti, Afghanistan, Iraq, without the Reserve components and National Guard and this is very high on General Myers and the Secretary's radar scope to try to make sure that they are taken care of.

Chairman HYDE. Mr. Leach?

Mr. LEACH. Thank you, Mr. Chairman. I want to talk real quickly about walls, time frames and a few words. First on walls. Secretary Rodman, my advice to you and your department is to have your boss, Secretary Rumsfeld, walk up to this prison and like Ronald Reagan, say, these walls are coming down. Tear them down and now. We have all witnessed these pictures. They are awesome in their humiliating dimensions.

Secondly on time frames, I know of no set of words that is more frail in their serious consequences than words like "we will see this through" without defining what it is we are seeing through and on what kind of time frame. And at the risk of enormous presumption, my advice to the Administration is to think in terms of abbreviated rather than prolonged time frames.

If the WMD rationalization for this intervention is as frail as it now appears to be, you have got to put your hat on democracy. I would say there is no excuse whatsoever for the United States to be dragging its feet on time frames for democratic elections. We are at least 6 months and maybe 9 months behind and I would, at the risk of enormous presumption, simply suggest that we ought to be pressing democratic elections in a 6 to 9 month time frame at the latest and announce in advance, that is, now, that we are prepared to largely withdraw our troops once these elections are held.

If you do not make that announcement, the United States is potentially in the embarrassing position of having someone, somewhere, with some credibility suggesting that we will be forced out of Iraq. I cannot think of anything worse for the national interest.

And so my suggestion is the time frame that matters is democratic elections, a time frame that should be abbreviated as the holding of those democratic elections and the rationale for going forth and withdrawal relates to them.

Finally, there are words that really come to the fore with regard to the pictures. That in the history of prisons, there have been a lot worse torture settings, but there have been few more humiliating settings and I think we have to recognize that humiliation is not in our best interest. We have to devise strategies rooted in concepts of respect, and we have not done that. And that single issue is of more significance, I believe, than virtually all of the judgment calls at any moment in time.

In any regard, Secretary Rodman, do you have any response to these suggestions?

Mr. RODMAN. No, I appreciate a number of points that you made. Secretary Rumsfeld is in Baghdad today and I am sure he is going to look into this and the point you make is a valid one. This whole episode needs to be addressed openly and maybe the suggestion

you make to take that prison down is a good one. I hope we give that consideration.

Elections in Iraq are on track. Remember the discussion we all had a few months ago. The Ayatollah Sistani wanted elections right away and we and the United Nation's experts concluded as a practical matter that it was hard to organize them right away. But as you know, they are now scheduled for the end of the year, next year, and that is a time table that I think we can meet and for precisely the reasons that we have suggested. We need to give this country back to the Iraqis. Legitimacy will come most of all from an elected government and getting that process underway whereby Iraqis take charge is the political strategy that is at the core of what we are doing there.

You are right about humiliation. Again, there is no way to defend this. It is counterproductive, to put it mildly. But, again, giving the country back to Iraqis was our original plan and it is all the more imperative that we do it.

Now I would add one caveat. You suggested that we then start withdrawing troops right away. I think that the withdrawal of troops should depend on the need. And we and the Iraqis already, and this is reflected in the transitional administrative law, have already agreed that they will need us for a little longer. All the Iraqi leaders tell us this. They know they will need the coalition to stay, to help with external security and to help train them to the point where they will be able to take on more and more responsibility. So I think we owe them that and that is what they are telling us what they want.

And this was, by the way, a completely uncontroversial part of the TAL, if I recall. There were disputes about different provisions, but the Iraqis seemed to agree on this.

So I think our mission is to train them in the security field, to take responsibility, just as we are trying to turn over responsibility right away in every other field of government.

Chairman HYDE. The gentleman's time has expired. Due to the cooperation of Mr. Berman, next will be Mr. Ackerman.

Mr. ACKERMAN. I thank the Chair. Thank you, Mr. Berman. First let me say congratulations. This is the first time since the beginning of this war that I, and I believe anyone on this Committee has heard anything that even vaguely resembles a plan, although we have been asking what the plan is for a very long time. And while there may be some questions about it, it is, at least, a well thought out plan.

I am a little confused about the plan for the interim government that is proposed by Special Envoy from the U.N. Brahimi. Who is going to choose the members of this interim government? Will the CPA choose it? Will the current Iraqi Governing Council choose, will the U.N. choose, will someone else, will we choose? Secretary Grossman?

Mr. GROSSMAN. Yes, sir. First of all, I appreciate what you said. We are trying to get this planned and meet our commitments on the first of July.

If I could, Mr. Ackerman, since it is a perfectly fair question, I put in a call this morning to Bob Blackwell, who is there representing the United States along with Ambassador Bremer. And

I asked him this question, how does this group emerge? And he said that right now, what he described are very intensive consultations are underway among sort of four groups of people. People Ambassador Brahimi is talking to, the Iraqi Governing Council, Iraqi Civil Society and obviously, also people Ambassador Bremer and Ambassador Blackwell are talking to.

A lot of names are being discussed, people are starting to pass around lists and the way Blackwell describes it, and I think this is what is going to happen, is that over the next week or 10 days, what is going to happen is that a government of 30 people, a President, two Vice Presidents, a Prime Minister and 26 ministers, these names will emerge from this consultation. And that Brahimi will be able to report to Iraqis that these 30 people have agreed to serve their country between the first of July and the 31st of December.

And so our hope is that this government will emerge from this consultation.

Mr. ACKERMAN. We have no veto power?

Mr. GROSSMAN. What we are doing is participating in this conversation. If you say no veto power, no, I do not think we have veto power.

Mr. ACKERMAN. Okay. One of the things that was negotiated with the United Nations prior to their resolution was that we and the British be declared as the occupying authority, that for legal purposes which gives us legal standing. So that was upon our insistence, so under international law, our armies have a right to be there.

At the end of June and as the sun comes up on July 1, we relinquish our role as the occupying force and therefore, no longer have that international imprimatur to be there. As people who have come, as Secretary Rodman has said, as liberators, not occupiers, what happens sometime during that interim period as the pressure grows and political figures start to emerge who are going to stand for election, start posturing about getting rid of the U.S. Army and the occupiers as they will continue to call us, and pressures the interim government to disinvite our Army.

We have no standing. Do we leave, do we stay?

Mr. GROSSMAN. Mr. Ackerman, if I could just sort of modify the answer I gave you previously on veto power. I stick with my answer, but I do want to say we have talked a lot in Iraq about what kind of government we would like to see. We would like to see, for example, a government with women adequately represented.

Mr. ACKERMAN. No, I—

Mr. GROSSMAN. I just want to be clear that although I said no veto power, I do not want to leave the impression that we have no view on what this government should look like. We do have views and we have made those clear. I did not give you a complete answer.

In terms of the second point, occupation ends on June 30, July 1. And at that time, the Iraqi government will be sovereign. And the way we see it is and the way I think Iraqis see it is at that time, the transitional administrative law becomes the law of the land. The transitional administrative law refers to U.N. Security

Council 1511. And so while as I said in my testimony this Iraqi government will—

Mr. ACKERMAN. What do we do—

Mr. LEACH [presiding]. Excuse me, sir, the gentleman's time has expired.

Mr. ACKERMAN. I am just trying to get the answer, if I may, Mr. Chairman.

Mr. LEACH. The gentleman will be allowed 30 additional seconds.

Mr. GROSSMAN. That is to say that we believe that everything we know about Iraq is that as Ambassador Rodman said, Iraqis—

Mr. ACKERMAN. Do we leave if they vote that we have to leave? Or do we just go about the country with our Army, doing what we want, despite the fact that there is now a legitimate government?

Mr. GROSSMAN. But, you see, I think what is happening in Iraq now and what will happen after the first of July is that politics return to Iraq. And as transitional—

Mr. ACKERMAN. That is why I am asking the question.

Mr. GROSSMAN. Yes, sir. The Iraqi interim government has jobs and—

Mr. LEACH. The time of the gentleman has expired. The Chair would like to make—

Mr. ACKERMAN. Can I just get unanimous consent that he might answer the question?

Mr. LEACH. The time of the gentleman is expired.

Mr. ACKERMAN. I have asked unanimous consent that—

Mr. LEACH. The Chair objects. The Chair would like to make an announcement. We have in 20 minutes rollcall of about an hour worth of votes and so everyone should be advised to that effect. We will recess at that point.

But I think we have to be fair to all the Members and we have a large number of Members who wish to speak. I would like to allow the gentleman to have many more minutes, but Mr. Ackerman, we have to be fair to all.

Mr. ROHRABACHER, you are recognized.

Mr. ROHRABACHER. If at any time you are asked after sovereignty is passed to have our troops leave, will the troops leave?

Mr. GROSSMAN. I am sorry, sir?

Mr. ROHRABACHER. At any time, after sovereignty is given to whatever entity exists and they ask our troops to leave, will our troops leave? And that is what Mr. Ackerman was asking.

Mr. GROSSMAN. I believe, sir, that as the TAL is—

Mr. ROHRABACHER. No, will they leave or will they not? Mr. Ackerman is right.

Mr. GROSSMAN. I think if you look at the transition administrative law and U.N. Security Council 1511, Iraqis have said that they would like our forces to stay and that is what—

Mr. ROHRABACHER. I know, but if they ask us to leave and they have sovereignty, we will leave, will we not? I mean, what is the—of course. Is the answer yes?

Mr. GROSSMAN. Let me go backwards. I do not believe—

Mr. ROHRABACHER. Is the answer yes?

Mr. GROSSMAN. I do not believe they will ask us to.

Mr. ROHRABACHER. No, is the answer yes?

Mr. GROSSMAN. Yes, sir.

Mr. ROHRABACHER. Okay, thank you. Mr. Ackerman, does that satisfy you?

Mr. ACKERMAN. I am satisfied that at last we got an answer. But I question the wisdom of the policies—

Mr. ROHRABACHER. Okay, with that said, I am going to reclaim my time. First of all, let me just note that some disagreements that I have had with other Members so far. I do not think tearing down that prison means anything. Doing something symbolic—that prison is not haunted by, you know, evil spirits or something like that. That prison, there are some bad things that went on. What we have to do is make sure our people are trained, make sure our Reserves get the training they need to do the job if they are going to be the prison guards. And if there is any fault on the Administration, it is that during this fight, we did not put a high enough priority on training people how to handle prisoners. And I am sure that fault is being corrected by the Administration right now. As they said, they are moving forward to make sure it does not happen again.

I certainly do agree with Mr. Lantos that our Reserves need to be treated fairly and we need to look at them to make sure that if they are such an important component, that we do what is right by them. But I do disagree with Mr. Lantos about the tax policies of the Administration.

Mr. LANTOS. I am shocked.

Mr. ROHRABACHER. We do have to have a strong economy and we are not going to have a strong economy if we tax ourselves into recession.

I want to congratulate the Administration on an excellent appointment with Mr. Negroponte. I know I worked with him, Mr. Rodman worked with him as well during the Reagan years. He is a fine man, a strong leader. And we need strong leadership, American leadership on the ground in Iraq.

I am much more happy when I hear that than when I hear people talking about putting their faith in Mr. Brahimi. Mr. Brahimi is from Algeria and I think that that country certainly demonstrates, you know, the wonderful things that go on in Algeria and have gone on over the years while Mr. Brahimi has been a major figure certainly does not lend faith to Mr. Brahimi. And when we put our faith in the United Nations, let us always remember that we are dealing with nations like Algeria, that are less than democratic and have their own problems. In order to get anything out of the United Nations Security Council, permission for us to act, we have to get permission from the Communist Chinese, because they have a veto power over everything.

No, we should put our faith in a strong America and I am very proud that the Administration is doing a job that needs to be done and with leaders like Mr. Negroponte, we are going to get that job done.

Two questions. First of all, there was a pipeline that was blown up the other day. Is the oil production being restored after that pipeline was blown up? Number two, have we established sources of information for the Iraqi people so they do not have to rely on Al-Jazeera and some of these more radical sources of information?

Mr. GROSSMAN. Congressman, first of all let me thank you very much for the strong support of Ambassador Negroponte. And I do not want to continue the conversation that we were just having, but I think it is because we are sending such a strong Ambassador that we will have influence in Iraq. So it is why I say that given the transition of administrative law and 1511, I do not think we are going to face the question of being asked to leave. I think these things are related.

Mr. ROHRABACHER. Oh, I do not think so, either. But I think that question deserved a direct answer.

Mr. GROSSMAN. Absolutely. It is a complicated question, but I think Ambassador Negroponte's appointment is part of the answer, sir.

Mr. ROHRABACHER. About the oil production? Oil production and sources of information?

Lt. General SHARP. I am sorry, I would like to continue on the question of whether forces would be pulled out or not. U.N. Security Council Resolution 1511 in its OP 13 says that it determines the provision of security and stability is essential to the successful completion of the political process and authorizes a Multinational Force under unified command to take all necessary measures to contribute to maintenance of security and stability in Iraq.

In the transitional administrative law, article 59, further endorses that and I think this is the important part. It says:

“With the desire to join in the nation in helping to maintain peace and security and fight terrorism through the transitional period, the Iraqi armed forces will be a principle partner with a Multinational Force operating in Iraq and under unified command pursuant to U.N. Security Council Resolution 1511 and any subsequent resolutions. This arrangement shall last until the ratification of a permanent constitution and the election of a new government pursuant to the new constitution.”

So I believe that it is our responsibility, the Multinational Force's responsibility, to maintain a secure and stable environment in Iraq—

Mr. ROHRABACHER. If I could note something here, General—
Chairman HYDE [presiding]. The gentleman's time has expired.

Mr. ROHRABACHER. I would ask unanimous consent to follow up on this question.

Chairman HYDE. Just a minute.

Mr. ROHRABACHER. Because I was in the middle of a question. General, that gives our government permission to do that. That does not necessarily mean that that is the policy we follow. The question Mr. Ackerman was asking was whether or not our government's policy was that after transferring power, sovereignty, if that sovereignty asked us to leave the country with our troops would we do so? What you just read grants us the power to say no, but the question Mr. Ackerman was asking was would you say yes or no. Eventually the answer, unless we are taking it back now, was yes.

I would agree with my colleagues, have faith in democracy, have faith in free elections, have faith in the people of Iraq once they are free. They will not disappoint us and they will not ask our troops to go before it is necessary, because they hate oppression,

they have suffered and they are going to like us, they do like us. They love us. Thank you.

Chairman HYDE. The gentleman's time, indeed, has expired. Mr. Berman?

Mr. BERMAN. Thank you, Mr. Chairman. I would like to suggest that Ambassador Grossman think about taking his answer back. I think General Sharp pointed out the legal authority under the U.N. Resolution and under the transitional law for our forces to remain there during the period of the transitional government and that our authority to remain there until the elected government under a new constitution—let me just interject here—Ambassador Grossman's opening statement focused on the sovereignty that is granted and the needs for limits on that sovereignty, as requested by even some key Iraqi leaders including Sistani. And that we certainly do not expect to be asked to leave, but that the issue of a permanent status of forces agreement is one properly worked out with the elected government of Iraq under a permanent constitution in Iraq. I do not think the Administration should be, at this point, committing to take forces out, notwithstanding the legal authority or the circumstances, based on a hypothetical situation that does not occur.

But in any event, that is just my suggestion. But I am interested in this issue of the transitional government. Just in some initial conversation, when Mr. Brahimi at one point articulated a vision of a transitional government that was much like the transitional government now in Haiti, a group of people that essentially would be bureaucrats, promising never to run for political office in the elections, playing no role in Iraqi politics. Is that still his position? Does he have the authority to make that—give us the state of play now in terms of the effort to find a consensus with the Iraqis, the United Nations and the coalition authority on that issue?

And also, you talked about the U.N. role in the elections. My hypothetical question is, does the transitional government have the ability to undo the U.N. role in the conduct of those elections and take it over themselves or is that viewed as a permanent situation—that the U.N. will be organizing and conducting these elections now set for some time early next year?

Mr. GROSSMAN. Mr. Berman, thank you very much and first let me say that I appreciate your advice to me. I think General Sharp perhaps did a better job than I did. But I do not think it is taking back my answer to say, as you did, that in my testimony and in attempting to answer the other Members questions, the TAL and 1511 do give us this right and responsibility. As I said, I do not believe that that hypothetical situation will exist. And so I appreciate the opportunity to say something about it.

Second, in terms of the transitional government and the question of all technocrats. I am not sure today what Ambassador Brahimi's position would be. I think he would have to speak for himself. I can answer the question from our perspective, though, which is to say that in this group of 30 people, a President, two Vice Presidents, a Prime Minister and 26 ministers, we think there probably is a place for some politicians and people who are not necessarily technocrats. There is some need for continuity. They have a stake in Iraqi society. And so I do not think we would be quite so doc-

trinaire as to say there will be no politicians. And one of the reasons that Ambassador Blackwell and Ambassador Bremer are in close contact with Ambassador Brahimi is to make sure he understands our views on this issue.

On the question of elections, sir, one of the very important kind of third elements in this sequence is that the Iraqi authorities and the transitional administrative law, working with the United Nations, are setting up an independent electoral commission. And I think one of the best ideas that the United Nations and Ms. Perelli and the Iraqis have had is to set up this independent electoral commission so that it, with the United Nations, may go forward and organize this election for December or January.

Mr. BERMAN. And does the transitional government that will exist have the authority to undo that or is that something that is there until an elected government takes office?

Mr. GROSSMAN. Yes, sir. I think, as I understand it, the objective of the United Nations, is to set up—when they say an independent electoral commission, that is really what they mean and that working with that independent electoral commission will produce what we hope will be successful elections.

Chairman HYDE. The gentleman's time has expired. Mr. Royce?

Mr. ROYCE. Thank you, Mr. Chairman. I wanted to ask of Secretary Rodman or General Sharp, if we could focus on the training of Iraqi security forces. I think this issue is at the heart of the entire transition of power to the Iraqi government.

We were all disappointed about a month ago with the performance of Iraqi security forces. But I think at the same time, we, as Members of Congress, are very pleased to see that General David Petraeus has returned to Iraq to oversee the organization and the training of the new Iraqi military and security forces. I had the chance to visit General Petraeus when he was commander of the 101st Airborne Division based in Mosul and I think we all have great confidence in his ability.

Yesterday's *Christian Science Monitor* had a report about how attitudes were shifting and how the populace was now coming in support behind this new Iraqi security force. The article reported that people are beginning to understand that Iraqi forces are serving their country, and quoted some of the police officers about how now people encourage them, because they want the protection for their water plants and their sewage lines.

I wanted to ask the two of you, General Sharp touched a little bit on his testimony, what more is being done to beef up these security forces before the June 30 hand over?

Lt. General SHARP. Thank you, sir. This is indeed one of the, if not, the main effort that we are working through right now. As you noted, General Petraeus is heading back there shortly and with the expertise that he brings with him from being in northern Iraq and the successes he has had there, he will be able to greatly increase what we are doing as far as training.

I think there are several things that we have done recently and will continue to do to help greatly improve the capabilities of the Iraqi security forces. First, again, is Dave Petraeus, who has a responsibility now, not only in training Iraqi armed forces in the ICDC, but also the police, the border police and the facilities pro-

tection, all underneath his, so that he has the ability to be able to move assets, to be able to maximize the capability as we move forward.

As you know right now on the police side, we have a training academy that has stood up both in Jordan and Baghdad that are graduating about 1,500 a month. It is an 8-week course and we are continuing to push Iraqi security forces into that.

At the same time, we are doing a 3-week course of which we have about 3,000 Iraqi policemen in that course. And then something that has recently been started because of the incidents that have happened and the weaknesses that are shown, is we have an academy standing up at Irbil, which is looking at training the leadership and the mid-level leaders of the police.

One of the things that we found during the recent problems was the lack of that mid-level leadership to be able to pull the police together and also the Army.

Mr. ROYCE. If you could give me a quick estimate, you have 210,000 forces right now. What do you anticipate by the end of June, at the time of the transfer, and just give me an estimate as to how many of those you think are going to be well trained and well motivated at that point and well equipped?

Lt. General SHARP. By one July, we will have, an estimate, on duty approximately 230,000 Iraqi security forces across all of the five different lines that are there. We will not be anywhere near having all of those forces completely trained as we go out and go through. We expect to be able to hit by the June, July time period, or correction, by the September time period, about 50 percent of the police forces will be trained, either through the TIP program, the 3-week program, or the academy program. But we are committed to continue that all the way up to the maximum of their requirement of about 89,000 and that will be completed sometime, training wise, sometime the middle part of next year.

Mr. ROYCE. Lastly, my question on motivation or moral. How would you assess that?

Lt. General SHARP. Sir, I think that the motivation and morale is increasing now for several reasons. Number one, what we are concentrating on as far as the leadership training of each one of the security forces, the fact that we are putting our forces in very closely linked with theirs, to be able to help them on a day to day basis. In the case of both the police and the ICDC, we are doing joint patrols with them with our military forces and our coalition forces to be able not only to show them how to do things, but to share intelligence and to share operations. And I think that is starting to show great benefit.

Mr. ROYCE. Thank you, General Sharp.

Chairman HYDE. The gentleman's time has expired. Mr. Delahunt.

Mr. DELAHUNT. Yes, I would like to direct this question to Secretary Rodman. I think that Mr. Rohrabacher and Mr. Ackerman hit on something about the idea of whether there would be support for U.S. forces to stay. And recently in my hometown paper, there was a Knight Ridder Report—this is the *Cape Cod Times* that indicated that occupation authorities report they commissioned a survey that paints the bleakest picture yet of the United States led

coalition's reputation in Iraq. For the first time, a majority of Iraqis said they would feel safer if the United States military withdrew immediately. And this poll did not even take into account the prison scandal's effects. It was conducted in mid-April and in seven Iraqi cities.

The report itself has not been released according to this newspaper report. Are you aware of that survey and if so, could you tell us what it says?

Mr. RODMAN. I have seen some reports of a survey which may be that one. My answer to this would make a number of points. The political leaders of Iraq, across the whole spectrum, regions, religion, so forth, they want us to stay because they look at their country and the future of their country and the security they want to see in their country. And they want the coalition to stay.

Secondly, it is to be expected that the people would be impatient. A year ago, I think there was great joy at being liberated. A year goes by, what have you done for me lately? The situation is still complicated and I think it is natural for them to say they want the occupation ended.

Mr. DELAHUNT. But once we make the transition, Mr. Secretary, where they have sovereignty, clearly these leaders are going to be affected by public opinion. We have gone again, according to this report, from 17 percent of the Iraqi people who wanted us to leave, to a majority.

Again, reading from the report, the disturbing new results mirror what most Iraqis and many international observers have said for months. Give it up, go home, this just is not working. Where my friend and colleague from California, Mr. Rohrabacher has an optimistic viewpoint, if you look at this hard, empirical data, that could very well be the situation that we are faced with come the transition of sovereignty. I mean, let us be realistic about this.

Mr. RODMAN. Well, we think a different expectation is realistic. That the leaders of Iraq at various levels with whom we are in constant contact have a different messages. They are thinking seriously about the future of their country and the requirements of stability. They want this political process to go forward and they want the coalition to be there as a backstop and as a safety net for a certain period. That is what I expect will be the will of the Iraqi people as expressed by their leaders.

Mr. DELAHUNT. Well, again, maybe the leadership is saying this now, but come June 30, if this data is accurate, I do not know if it is accurate, I am just reading it from a report, they very well could move their position. I think that is the reality we have to attend to.

Mr. GROSSMAN. Mr. Delahunt?

Mr. DELAHUNT. Ambassador?

Mr. GROSSMAN. Yes, sir, may I make a comment? I certainly would be very interested in seeing the poll data. There have been a lot of polls that have been done and one of the ones that really struck me over the past 4 or 5 months was the one done by Oxford Analytica, not by anything we did, which showed that the vast majority of Iraqis feel that they are better off today than they were a year ago. And interestingly, 70 percent of the people feel they

will be better of a year from now, and I believe that is because they have a vision for their society—

Mr. DELAHUNT. I respect that, Mr. Ambassador, but the point is, this was a poll that was commissioned by the United States Government through the CPA and the results that I am reading are very, very disturbing. Again, Mr. Rohrabacher talks about, well, they will ask us to stay. That does not seem to be the case.

Let me get to another issue. In terms of the tension that I see developing between Mr. Brahimi and certain members of the Iraqi Governing Council, specifically Mr. Chalabi. You know, Mr. Chalabi is clearly an individual who has become quite controversial. There are reports that he is advocating for a role for the Council itself to be expanded and again, resistance being proffered by Mr. Brahimi. Could you comment on that, Mr. Rodman?

Mr. RODMAN. Let me ask Ambassador Grossman to start with that. I may add a point.

Mr. GROSSMAN. If I could, Mr. Delahunt, as I reported when I was responding to another Member's question, I did have a conversation this morning with Ambassador Blackwell who is there for the United States with Ambassador Bremer working all these issues.

And one of the things he said was this idea that somehow there is a collision course coming with members of the Iraqi Governing Council or Mr. Chalabi and Brahimi. He said from his perspective there in Iraq, he really did not see it that way and that he was less worried about this, number one. Number two, that the fact that there was this discussion means that what has happened in Iraq is that politics have come back to Iraq and from their perspective—and I say, it is only their perspective, but it is an important perspective, because they are there on the ground, is they think actually a lot of this is positive, because there is a democratic conversation going on, a political conversation going on.

And what he reports to me this morning is that there is very broad support among the Iraqi people for the Brahimi plan. And so I just offer you that as a piece of anecdotal information.

Chairman HYDE. The gentleman's time has expired. Mr. Paul of Texas.

Mr. PAUL. Thank you, Mr. Chairman. I have a couple of questions. My first question actually is for Mr. Cambone and he is not here, so I will ask Secretary Rodman if possibly he can answer it. If he does not have the answer, I would sure like to get it in follow up.

You know, around the Congress here for many years, we have talked about privatizing Social Security and it is a legitimate debate and it deserves legitimate attention. But I am concerned about another privatization that is going on, unbeknownst in many ways to the Congress, and that is the privatization of intelligence gathering. Very little oversight has occurred. I, one, have questions about some of the things our CIA does, feeling that the CIA is not adequately scrutinized and has no adequate oversight. But here we are going one step further. We are privatizing intelligence gathering, more so than ever before. And in the Taguba report, there is the revelation of four names of individuals who worked for private corporations. And they were very much involved.

There is one individual, though, I am interested in getting information on, because it was mentioned in the report that he had a significant role to play, and that is John Israel. All of a sudden, we do not know where he is. We hear that he did not have a clearance and that we do not know what nationality he is.

And I am wondering, Mr. Rodman, do you have the answers to that?

Mr. RODMAN. No, I do not have the answer, but I can certainly get you a response for the record. Are you referring to the fact that private contractors were involved in some of the—

Mr. PAUL. Yes, in general, more so than ever before and they are contractors and then subcontractors and individuals like this. The fact that this one individual, they say he cannot be found and we do not know exactly where he is, why did he not have a security clearance? What is his nationality? I think that is pretty important. Especially, Congress ought to know about this, so I would like to get the answers on that.

Mr. RODMAN. Okay, I will get you a response. I think the role of contractors is one of the subjects being investigated as part of this whole episode. So without any doubt.

Mr. PAUL. The other question I have is for Ambassador Grossman and it is a follow up on whether or not our troops stay and also a follow up on Mr. Delahunt.

This has to do with the transition and what happens afterwards. We are expecting a smooth transition or at least hoping for that, but we yet do not know how long we are going to stay and who is really in charge. The subject of whether Brahimi is going to have the greatest influence or whether Chalabi will have the greatest influence, I do not think we can pass that over casually. That, to me, seems to be the key. Chalabi is questionable, controversial. He has not lived there for 15 years and yet he is our handpicked guy. I think, you know, if we get him in the right place, sure enough, he is not going to ask us to leave.

But what if Brahimi wins this battle and he has more to say about it? Now that we are falling back to the U.N., depending on the U.N., even hiding behind resolutions, not our own sovereignty and our own interest, we hide behind decision making by a U.N. resolution. I think it is outrageous. Here, I think the key to it is who is going to win this battle between Brahimi and Chalabi, because sure enough, Chalabi will not ask us to leave.

So why is it that you tend to pass this dissension, this disagreement, ever so lightly?

Mr. GROSSMAN. Mr. Paul, first of all, let me just be clear that our troops will stay in Iraq. That we have a shared vision with Iraqis about the future of Iraq and just because there is a transition and just because we are going to move from this election to that election does not mean America will leave Iraq. We are not going to leave this job undone and I just want to be clear about that.

Second, when you asked me, you know, who wins in this battle or that battle, I think the object here, and it certainly is Ambassador Bremer's object and Ambassador Blackwell's object and I think it is Ambassador Brahimi's object, as well, is that Iraqis are going to win this battle. This is not about one individual or another individual and that the reason Brahimi is now in his second visit

there, is consulting widely, is as Blackwell reported to me this morning, talking to all of these groups of people, is that what will emerge for the transitional government for the 7 months, 6 months, between the first of July and the end of December is a government that Iraqis will support.

Now if you say to me, will they support every appointment in every job, no, I do not think that. But will they support broadly the ability of this government to take them to an election in December of this year, January of next year, I believe that is to be true.

Finally, sir, when I use U.N. resolutions like 1511, as General Sharp said, U.N. Security Council Resolution 1511, I believe, is profoundly in our interest because it is what allows us to stay and do the job in Iraq.

Chairman HYDE. The gentleman's time has expired. Mr. Sherman.

Mr. SHERMAN. Thank you, Mr. Chairman. June 30, we have to do this transfer because we promised it. The whole place explodes if we do not. Now it looks like we will be transferring sovereignty not to somebody we select, but someone more selected by the United Nations, which may mean we may be transferring sovereignty to somebody we disagree with.

But I was sanguine before these hearings in knowing that this transfer of sovereignty would be pretty meaningless. Right now, Iraqis control water systems, schools, etc. We are in control of security and supposedly that was what was going to continue.

Now I hear from our panelists two things. First, we are not going to leave and second, the Iraqis get to decide whether we leave or whether we stay. These statements are consistent only if we believe that it is absolutely impossible that the Iraqi selected by the U.N. and influenced by their desire to be popular with their people next year will not ask us to leave or will not put restrictions on what we do. Yet if you look at the polling in Iraq, kicking us out could make somebody very popular and restraining us here or there would be almost absolutely necessary for any Iraqi that did not want to just go off into political oblivion this January.

So let us explore what this transfer of sovereignty means, not in light of some parallel universe in which all the Iraqi people love us and the best way to political power and political popularity is to embrace the Americans as closely as possible, let us deal with the real world, where Americans are unpopular. This recent problem with prisoners multiplies that and where any Iraqi government seeking popularity might want to restrain us.

So let me provide a scenario. Let us say the new sovereign on July 1 tells us to release each and every prisoner at the prison at Abu Ghraib, including those who have killed Americans. The person just says the abuse that happened there was so bad, just being there is punishment enough, let them go.

Is that something that our troops would follow and would we release those who murdered Americans in cold blood?

Lt. General SHARP. Let me try to answer both and then I will pass it off to Secretary Rodman he can get a little bit more in the last part.

First off, we are committed and want to work very closely with the Iraqi security forces, both now and after transition.

Mr. SHERMAN. General, I have limited time. What happens? The Iraqi government on July 1 tells America, let these people go. They tell us, do not arrest a single Iraqi and on July 2, somebody kills an American and they tell us, do not go into our town and arrest that person. Do we follow those instructions? Or, do we say sovereignty, schmovereignty, we are not going release those who kill Americans, we are not going to fail to arrest them? Yes or no, not tell me that you love the Iraqi people, etc.

Lt. General SHARP. I am sorry, sir. I was trying to answer your first question. On the second question, the U.N. Security Council Resolution 1511 and as codified in the transitional administrative law allows us to maintain the security and stability, requires us to maintain the security and stability in Iraq. In order to do that, we have the——

Mr. SHERMAN. Even if the sovereign government tells us not to do something? What does sovereignty mean if the U.N. can say, a foreign power can go into any of your cities and arrest any of your people? What kind of sovereign is that?

Lt. General SHARP. The transitional administrative law as agreed to by the Iraqis has asked us——

Mr. SHERMAN. Which Iraqis?

Lt. General SHARP. The current ones——

Mr. SHERMAN. The ones we hand selected, yes, those Iraqis.

Lt. General SHARP. Has asked us, has told us in the law that is in the transitional administrative law, to stay and to provide security and stability in Iraq. In order to be able to do that, we have the authority to be able to detain and maintain prisoners who have done acts against the coalition.

Mr. SHERMAN. So your position is that because 30 Iraqis that we selected signed a document that says that we have certain authority, that the sovereign government of Iraq in July cannot restrict us in our desire to arrest Iraqi citizens and you call that sovereignty?

Chairman HYDE. The gentleman's time has expired. The Chair will intervene and suggest that there is no constitution in the world that will supersede the innate right of self-defense and that our troops have the right to defend themselves. If that means incarcerating murderers, they can do it regardless of the temporarily sovereign government of Iraq. The gentleman proposes a false dilemma.

Mr. SHERMAN. Mr. Chairman, I would add that when General Pershing invaded Mexico, seeking out those who had killed Americans, most of the world thought that was a violation of Mexican sovereignty.

Chairman HYDE. Well, viva Zapata. We will always defend our troops and we have the right to do so and will exercise it. I do not see anything counter to sovereignty. An illegal order is no order and an order to release murderers or people being held for trial would be, in my judgment, illegal. Certainly immoral.

Anyway, next is Mr. McCotter.

Mr. McCOTTER. Thank you, Mr. Chairman, for the comment on the disposition of the prison. I do not think it is our place to determine whether that building will stand or not. It was a building

that was sanctified by the suffering of innocent Iraqis and it is their decision what will happen to that, not ours.

In terms of the plan for a democratic Iraq, I see a timeline. I do not know that I see a plan. I hear principles which I do not mistake for a plan. I am reading and hearing that Mr. Brahimi is going to determine in consultation with us and others who will serve there, what type of powers it will have. And I am from Detroit, a hard hit manufacturing area. And I ask myself, have we outsourced the planning of Iraqi sovereignty to the United Nations? That in a country that rebuilt Germany and Japan, we have to run to the United Nation's Special Envoy to help us do this? We cannot figure it out or pull it off ourselves? And I do not have a plan. I have a person, not a plan, because I have no details of what they are going to do, since we have allowed them to do this.

I am very concerned and I would like to hear from you on another issue. You know, we had local government in America before we had a Federal Government. We built from the bottom up here. Are we doing that over there, using the local town councils, the indigenous population at the grass roots level to build a political structure so that no matter what we put over the top of it, it will not fall over or implode on the day that we leave? Because it seems to me that what we are doing there is the opposite of what we did here. We sent people from town halls to states, to the Federal Government, to come up with articles of confederation, to come up with the constitution and to set up a Federal system. We did not go from the top down, that is what we fought against.

So I am very curious as to what we are doing at that local level? Are we concentrating on it? Because they are not important building blocks to democracy, they are imperative building blocks to democracy, which power the future or not. And that is my question.

Mr. GROSSMAN. Yes, sir, and I apologize. I was looking here to try to find you some numbers because on your second question, the answer is absolutely. And that is that we believe just as we did in our country that there must be a broad base of local democracy and local support. And so one of the things that our forces have done, our State Department people have done, our CPA has done is to help create town councils, local councils, right down to PTAs. There is a huge effort being made to create what is a civil society and then a political society.

And if you would allow me, I have some numbers, I just cannot put my hands on them. I would like to submit that for the record if I could, sir?

Mr. MCCOTTER. Okay, because time is short. Can you also then tell me how Mr. Brahimi is working them into his process? Because the numbers will be fine.

Mr. GROSSMAN. Excuse me?

Mr. MCCOTTER. The numbers will be fine and some of the numbers we see are like \$100 million in help for locals, up to \$468 million. But out of the overall total, it seems to me they are being viewed almost as a secondary or ancillary consideration, as opposed to the primary building block of this, which is part of the problem we had in bringing in a interim governing council from the outside. And some of the vetting we have seen, as we saw in Fallujah, with generals going back and forth, is that they will be vetted some-

where else and they will then come in and be vetoed by the local population.

So, as you see, there are practical elements to whether we are prioritizing these areas properly.

Mr. GROSSMAN. Yes, sir. I would argue to you and I would be glad to continue the conversation, that the amount of money we are spending on these local councils is maybe not the ultimate way to judge it. I mean, 90 percent now of Iraqi cities have town councils and our aid is doing a lot for democracy building.

And I agree with you completely, it is extremely important. On the question of Brahimi, with respect, I think that there is a plan and the plan is the transitional administrative law. And the reason I asked the Chairman in my opening statement to put the TAL in its entirety into the record is that I think it is worthwhile looking at, because it lays out in some considerable detail what it is that Iraqis are looking to accomplish. So when you say, Mr. McCotter, that Brahimi will have a lot of influence over who is in this transitional government to last for 6 or 7 months, yes, the answer to that question is absolutely.

And as you say, not alone, we are advising him, lots of other people are advising him, but he has influence there.

But when you then say that he will then determine the outcome of that transitional government, I think, sir, with respect, that it is for Iraqis to write the annex to the transitional administrative law. And by writing that annex, they will design the kind of government they will have between the first of July and January.

Mr. MCCOTTER. Very quickly, again, I am from the Detroit area, although I am a Republican. If you get input in who you are going to put on a council, you will control what comes out of that council. I do not care about how subtle it is, I do not care about anything else. He or she who names the commission will get the report that they want.

I do not remember where this man was when major operational combat started. He was probably at the U.N., which was not being our friend. I think that it is our responsibility to work with the Iraqis to do this and not to bring in an outside force, because I do not know why we have had to.

Mr. GROSSMAN. Yes, sir, but the answer to your question of where he was, was that he was very successful from our perspective, running the Bonn process which led to the very successful transitional government in Afghanistan. So one of the reasons that the United Nations proposed this gentleman and we supported the proposition was he had shown himself to be quite successful in Afghanistan. And the fact that President Karzai, I think, is a serious player in Afghanistan is obviously thanks to Karzai and thanks to the Afghan people, but not in any measure also some thanks go to Brahimi and the United Nations.

Chairman HYDE. The gentleman's time has expired. Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman. Ambassador Grossman, let me ask you, Ambassador Negroponte testified at his confirmation hearing that the interim Iraqi government would not have control over the use of armed force in the country and that the United States would retain sole authority to conduct military

operations as it sees fit after June 30, without regard to the consent of Iraqi authorities.

Now, as I listened to some of your answers before, how is that sovereignty? How is that full sovereignty? Isn't one of the most fundamental, basic powers of a sovereign government to determine who is on its soil and for what purposes and ultimately on its own to choose how it seeks to defend itself?

So what we are really talking about is limited sovereignty, right?

Mr. GROSSMAN. Mr. Menendez, I would say what we are talking about is limited authority.

Mr. MENENDEZ. Wait a minute. A sovereign government that has limited authority, is that what you are suggesting?

Mr. GROSSMAN. Yes, sir.

Mr. MENENDEZ. How can a sovereign government have limited authority? A sovereign government either has the full powers and authorities of a sovereign government or it is not a sovereign government.

Mr. GROSSMAN. Two things, sir. First, I think all governments around the world, including our own, limit the authority of what we do through treaties and international obligations. But these are choices, sir, that we make. And I would argue with you, sir, that for this transitional period, the transitional administrative law is an Iraqi decision to limit their authority. Sir, not their sovereignty. They limit their authority here and allow the Multinational Forces—not just American forces, but the Multinational Forces to operate in Iraq under U.N. Security Council Resolution 1511.

Mr. MENENDEZ. Well, it seems to me that there is no such thing as being a little pregnant. You either are or you are not. You either are a sovereign or you are not, and it also seems to me—I understand that we are not going to pursue status to force this agreement after June 30, is that a correct statement?

Mr. GROSSMAN. We think that 1511, the TAL and CPA order 17 will certainly take us through until there is an elected government of Iraq, yes, sir.

Mr. MENENDEZ. So you are telling this Committee that the current Security Council resolutions will provide our troops all the protections they need?

Mr. GROSSMAN. What I said, if I could just be clear, Resolution 1511, the transitional administrative law and what is called CPA Order 17, the combination of those things, yes, sir, we believe that they will provide all the cover that we need.

Mr. MENENDEZ. Now in response to one of my colleague's previous questions, you said that they, in fact, could very well ask us to leave and we would leave.

Mr. GROSSMAN. No, sir, what I said was, or what I tried to say was that I thought that was a hypothetical, that it seemed to me highly unlikely—

Mr. MENENDEZ. The question put to you, and I will put it to you again, if they have the power of a sovereign, to say to the United States and the rest of the coalition forces, we no longer desire you to be on Iraqi soil. We ask you to leave. Number one, would they have that power and what would be the response?

Mr. GROSSMAN. I believe, sir, that General Sharp did a better job of answering that than I did and as he said, 1511, the transitional

administrative law put together by Iraqis, endorses our remaining there to provide security and stability to Iraq.

Mr. MENENDEZ. But any sovereign government could change its mind. Are you saying that this sovereign government is limited by this transitional provision in a way that it could not say to you, we no longer desire you? Which is the constant din of voices that we hear from inside Iraq rising. You are saying that is not possible?

Mr. GROSSMAN. No, sir, what I am saying is that it is slightly different from my perspective, which is to say, I think what you are laying on us, with all due respect, is that we have somehow put this limitation on Iraqi authority. And as I testified and I will try to answer your question, sir, it is Iraqis who have said, we have a vision for our country, we cannot make that vision without security, we cannot do security by ourselves, we need help. So it was Iraqis who drafted the transitional administrative law, it was Iraqis—

Mr. MENENDEZ. But they have the right to change their mind, do they not, Ambassador? Or are they restrained by that? Just give me a simple yes or no, are they free to ask us to leave if they choose to?

Mr. GROSSMAN. I believe that during the period that we are talking about, from July 1 until there is an elected government—

Mr. MENENDEZ. They are not allowed to ask us to leave?

Mr. GROSSMAN. I am sorry, sir. 1511, the transitional administrative law are what is governing. I just have one other point and that is to say that the idea, for example, that a country like Korea is not sovereign and—

Mr. MENENDEZ. I am not talking about Korea, Ambassador, I am talking about Iraq. My time is just about up. So—

Chairman HYDE. Your time is up. Your time is up.

Mr. MENENDEZ. Well, thank you, Mr. Chairman, for the courtesy.

Chairman HYDE. You are more than welcome. Thank you for yours. Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman, although this is perhaps only tangentially related to the issue of the transition, I still would like to know the answer and that is, can you tell me, gentlemen, any of you, exactly what were the conditions and what was the reason for Mr. Berg's detention. By the United States Forces?

Mr. RODMAN. I do not know the answer to that and I will try to get you a response for the record, sir.

Mr. TANCREDO. Do you have any information as to the situation or the circumstances, I guess, that surrounded his presence in Iraq and then exactly what happened that led to his eventual capture by forces that eventually killed him?

Mr. RODMAN. I do not have the answer to that, but I think we will get you a response.

Mr. TANCREDO. Thank you, Mr. Chairman.

Chairman HYDE. Thank you. Ms. Lee?

Ms. LEE. Thank you, Mr. Chairman, and I want to thank our panel of witnesses for being here today. This hearing, I think, is entitled Iraq's Imminent Transfer of Sovereignty, but after listening to the testimony today, it is really very unclear that Iraq's sovereignty is imminent. In fact, it may not be any more imminent

than the threat that allegedly there were Iraqi weapons of mass destruction in terms of imposing an imminent threat.

Now we have been told that 135,000 troops or more could still be in Iraq in 2005. Maybe even longer than that and I think you all have sort of verified that. I just have to once again say, following up from my colleagues questions, really, what kind of sovereignty is that? The horrifying photos that the whole world has seen on the news, the brutal killing of Nicholas Berg and even the more appalling pictures that we here in Congress have seen, and with all due respect, they are really windows into the culture and the climate created by this Administration's destruction of international laws, abuse of human rights and the denigration of the Geneva Convention. I believe that the world is far more dangerous now than before.

Dealing with these questions of transition really requires us to deal with the abuses that produce these photos and we cannot move on until we have dealt with them, because they are symptomatic of much larger problems than with the ongoing occupation of Iraq.

Let me just ask you, in light of this incredibly damaging and deplorable reports and photos and videos, how do you think that United States troops can realistically regain credibility with the Iraqi people, understanding that the majority of our troops are not part of this madness that we witness? But how are they going to fulfill their obligations under international law to provide the security and remain in Iraq without fueling more fire and being subject to more violence?

That is my first question. And secondly, let me just mention, I am developing legislation that would call for the creation of an international committee to really monitor the whole situation, which will be composed of representatives from the Iraq transitional government, the Iraq civil society, the International Committee of the Red Cross, the International Committee of Red Crescents, the United Nations, the coalition forces, and also the United States. I wanted to talk to you and see what your feedback would be as it relates to such a committee and do you think this would help restore the faith of the Iraqi people and the international community that we are abiding by the Geneva Convention?

This recommendation was made by the Center for American Progress and I think we should get your feedback on this, because I definitely am writing a bill to this end.

Mr. RODMAN. Let me try. Your second question, the proposal, I am not in a position to give a formal Administration response to this idea, but I am sure it is something that the Administration will consider and take a formal position on.

The first question, I mean, I do not accept some of the premises of the question, but you asked how do we maintain our creditability or restore our credibility on the ground in Iraq as our forces try to continue their mission.

Ms. LEE. And also protect our forces, make sure they are not subject to more violence.

Mr. RODMAN. That is an important consideration. Our impression is that as operations are going on and our forces are working with Iraqis to restore peace and order in different parts of the country,

that we worked successfully with Iraqis. We think the overwhelming majority of the Iraqi people want security. They do not want to be dominated by the thugs and the extremists. So we find a number of instances where after the Marines have gone into a town, and this happened northeast of Fallujah a couple of weeks ago, that after the Marines went in and cleaned the place up, the townspeople came out and thanked them, because they considered that they had been held hostage by these extremists.

So as you said correctly, the overwhelming majority of our men and women out there are doing their job well and nobly and I think what our impression is is that most of the Iraqi people are with us and want us to succeed in restoring order or helping them restore order. And secondly, making sure that this political transition proceeds as we discussed.

Ms. LEE. But, Ms. Secretary, but when the President declared this mission was accomplished subsequent to that declaration, many, many young men and women have died. I am trying to ascertain from you what is it going to take to protect them and to—personally, I think they need to be placed out of harm's way with regard to the transition strategy to develop into an exit strategy to bring them home, quite frankly.

Mr. RODMAN. I would say that our strategy is political as well as military and that we believe it is partly this process of turning authority back to the Iraqi people as well as assisting them in maintaining security, training, continuing the process of training them so that they can take on greater responsibility for security themselves. That is the definition of the mission. I do not think we should have an exit strategy. I mean, I think an exit strategy means accomplishing the mission, it does not mean exiting before then.

Chairman HYDE. The gentlelady's time has expired. Mr. Houghton.

Mr. HOUGHTON. Thank you, Mr. Chairman, very much. Gentlemen, these are tense times, everybody is interested, everybody is concerned and the fact that you, General, Secretary and the Ambassador, are up here trying to answer the questions, we really appreciate it.

I do not want to get into anything specific. What I would like to do is talk a little bit or ask about the process. Because as you go along here and, Mr. Ambassador, you said you have a book full of all sorts of tasks and objectives and things like that, who steps back and every so often says, wait a minute, this may not be the right direction? We have everything all detailed, we have the plan, the people in place, the money allocated—who steps back and just says, hey, let us cool it for a bit, because things will change inevitably? And that process is extremely important. Maybe you can help?

Mr. GROSSMAN. Yes, sir. Well, I think as I testified if you look back at the November 15 agreement, as both the Chairman and the Ranking Member said, some things have changed in that. And we have tried to step back and look and make sure we were making the right arguments and the right decisions.

And I do not mean to show you a book saying we are automatons here. We are trying to do this in a thinking way. And I believe, sir,

that one of the best things that will happen to us now is Ambassador Negroponte being confirmed by the Senate. And he comes in and says, you know, are we going in the right direction? And I think he will play an important role in that, but the President and Secretary do, as well.

So we are trying to get these tasks done but we are thinking people, as well, and I hope that you will give us credit.

If you are leading, though, to the idea that perhaps cooling it in this case might mean changing the 30th of June, first of July date, that we have considered over and over again and for all the reasons that we have testified, I think that is a date we hope will stick.

Mr. HOUGHTON. Well, yes, do you want to take a crack at that?

Lt. General SHARP. Sir, just on the military side about relooking how we are doing the strategy and how we are doing the mission, that is continuously evaluated by both Secretary of Defense, General Myers and then also General Abizaid and the theater commanders. We have gone through numerous reviews from the tactical all the way up to the strategic level and it has produced such results and the establishment of this new headquarters, this Multinational Force Headquarters which will work very closely with Ambassador Negroponte. Based upon not only what we saw in Iraq, but the lessons learned out of successfully doing that in Afghanistan with General Barno and Ambassador Khalilzad. Also, taking a look at pulling the security sector, training, equipping and organizing together under General Petraeus so that we could get what he learned out of Northern Iraq, so we continuously evaluate, not only in country, but also what we learned from other theaters such as Afghanistan, that have been successful, and apply it to here. So military perspective, we do that continuously.

Chairman HYDE. If the gentleman will be kind enough to yield the balance of his time, I am trying to get the few remaining Members in before the whistle blows.

Mr. HOUGHTON. Yield.

Chairman HYDE. Thank you very much, you are a gentleman. Ms. Watson.

Ms. WATSON. Thank you so much, Mr. Chair. I think the gentleman in front of me, I know the hard job you have to do, especially Ambassador Grossman. I am going to raise some questions and you can send them to me in writing. We all are concerned about the transition imminently ahead of us because of the behavior of a few of our troops in this now infamous situation. And we have lost a lot of credibility worldwide. The optimistic picture that is trying to be painted here might have worked 3 weeks ago, but possibly something will go wrong. So let me just raise my questions as we hand sovereignty back to the Iraqis and you can put your answers in writing.

First, what powers of sovereignty will the interim government have and will it have authority to enter into treaties, to control the monetary policy and to form diplomatic relations? And I can put these in writing to you so you do not have to do shorthand.

What powers will the interim government have with respect to forming a national security force and Army that I think you alluded to it earlier? If the current CPA is to be closed down on June

30, what entity will assume its powers and to what extent do all the Shiites and Sunni clerics support the process that you have described to us? And most fundamentally, how will the executive branch of the new transitional government be chosen? And those are some of my concerns. I would appreciate you responding in writing and I also will appreciate hearing from the Secretary of Defense as to what he learned on his current trip. I do hope that we will take some position so the world will understand and see who we really are and that we do not tolerate the complete destruction of the rule of law. Thank you very much, gentlemen and thank you, Mr. Chairman.

Chairman HYDE. Thank you, Ms. Watson. And Ms. McCollum is the last of the Mohicans here, and Mr. Faleomavaega, as well, from American Samoa and Mr. Payne? We have about an hours' worth of votes coming, so if you do not mind, I would like to let this panel go. They have other duties and appointments and the next hearing we have, I will bump you all up first, if you will extend that courtesy to the panel, I would appreciate it?

Ms. MCCOLLUM. Mr. Chair, I would be happy to do that. I am going to submit questions. If we were here, we would have a fast response. If I submit a question, do I wait 30 days to get a reply? That is all I want to know.

Mr. GROSSMAN. No, ma'am.

Chairman HYDE. Ambassador Grossman gives you his personal guarantee of a speedy answer.

Mr. GROSSMAN. And I would just say the same to Ms. Watson and anyone else. We are glad to answer any questions and we are very grateful for your consideration.

Chairman HYDE. Thank you and with that, the Committee stands adjourned. And thank you, gentlemen, very much for instructive testimony.

[Whereupon, at 12:51 p.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE DAN BURTON, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF INDIANA

Mr. Chairman, I commend you for convening this hearing today addressing the transfer of sovereignty in Iraq. The foundations for the transfer are being established by the Coalition Provisional Authority, our partners in Iraq committed to shaping their democratic future, and the courageous coalition troops.

The atmosphere in which we are attempting to transfer sovereignty in Iraq has greatly deteriorated since I visited Iraq at the end of February. We have seen Moqtada Sadr and his band of thugs choose a dangerous path of escalating hostility and violence. We have seen Americans being burned and dragged through the streets of Fallujah and hung up by terrorists. We have seen an American, an innocent American civilian—Nicholas Berg—having his head cut off. We have seen appalling misconduct by some of our forces detailed to the Abu Ghraib prison. Political infighting among Iraq's ethnic and political factions, represented on an appointed Iraq Governing Council (IGC), coupled with a persistent Iraqi insurgency, has slowed progress on drafting a constitution. Sadly, many lives have been lost on both sides.

This is a new, disturbing, and difficult set of circumstances to unravel.

But I continue to support our President and our Secretary of Defense and our troops because I believe in this important mission. We need to help those Iraqis who have not enjoyed freedom and democracy to assume control over their country and safeguard a climate conducive to change. The outstanding American men and women in uniform, and the morale of the soldiers I spoke with personally, was very high in February. These brave men and women play a mission-critical role, and they need our continued strong support if the mechanisms for a transfer of sovereignty are to function properly.

I hear some of my colleagues criticizing the President and the Secretary of Defense over and over again. The fact of the matter is we don't need 535 would-be Commanders in Chief. We don't need people second-guessing everything that's going on. Unfortunately mistakes are made in times of war and there will likely be more.

The terrorists are on the defensive, and we must not send signals to them that they have a chance to win this with their tactics. And that's the kind of message many of my colleagues are sending.

The vast majority of the Iraqi people were grateful to Coalition troops for deposing Saddam Hussein. I fear the abuses of prisoners that have received wide coverage in the international press have damaged our credibility. We need an immediate investigation and prosecutions of those who committed these egregious abuses of detainees in Abu Ghraib. Secretary Rumsfeld has ordered an independent inquiry into institutional and systematic failures that may have contributed to the problem. An open and transparent accounting is needed and until this is completed, many Iraqi citizens will hold us in contempt.

This was not the atmosphere we had hoped for as we attempt to transfer sovereignty. And the perpetrators of these alleged crimes at Abu Ghraib have exacted a heavy price on our cause—that of establishing a legitimate democracy within Iraq where protection of basic human rights is firmly enshrined and protected in Iraq's constitution.

The U.S. armed forces and the American people have a legal and moral responsibility to return sovereignty to a legitimate Iraqi government. I have some misgivings about the Lakhdar Brahimi proposal for a U.N.-appointed interim government to assume major governance functions on July 1. It will take time for Iraqi

institutions to develop the capacity necessary to assume sovereignty, and I am not convinced there is consensus among Iraq's ethnic and political factions.

The soldiers and guardsmen who are accused—not yet convicted—of abusing their captives made questionable decisions. They will probably pay for them with their military careers, and in some cases with time behind bars. They have already paid with their reputations. It is important, though, not to judge all our servicemen and women by what happened in Abu Ghraib or to judge what happened there by the standards of behavior applied to civilian society.

One year after Coalition forces entered Iraq to depose Saddam Hussein, Iraqis are engaged in the enormous challenge of rebuilding their country after decades of neglect, and are working with the Coalition toward the creation of a secure, stable, sovereign and peaceful nation. There is ample evidence that our Coalition forces are helping the Iraqi people: Electricity is now more equitably distributed and more stable, instead of, as during Saddam Hussein's rule, being supplied to Baghdad at the expense of the rest of the country; Water supply in many areas is now at pre-conflict levels, Iraqi hospitals are up and running, and healthcare, previously available only for Ba'athist elite, is now available to all Iraqis; Repairs and modernizations are being made to the antiquated and neglected oil production and distribution systems; repairs to roads, airports, bridges and other critical infrastructure such as the Port at Umm Qasr have improved access and mobility for the Iraqi people.

This has not been an easy transition but we must remain committed to the task at hand to deliver the Iraqi people from oppression and tyranny to the promise of democracy and freedom. The successful transfer of sovereignty will create meaningful equity for Iraqi citizens in the process of shaping their future, and hope for prosperity and democracy for them and their children.

PREPARED STATEMENT OF THE HONORABLE NICK SMITH, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF MICHIGAN

I want to thank Chairman Hyde for holding this hearing today. And I would also like to thank our distinguished witnesses for joining us. We are entering one of the most difficult phases of the transformation of Iraq.

Fourteen months ago in March of last year, I told the Secretary of Defense that there were two battlefields for this war: political and military. We were going to have to win the support of the Sunni, the Shia, and the Kurds. We were going to have to defeat an insurgency with some popular support in both Iraq and in America. We see today that the Iraqi people are going to have to work together in a way that is completely alien to their previous experience. In the end, Iraqification will have to cover all aspects of the Iraqi government. Iraqis will have to control the political apparatus, the security apparatus, and the economic apparatus.

We should recognize that there has been significant progress. Oil and power production have been increasing. Half of the Iraqi Civil Defense Corps (ICDC) has been trained and. Several of the functions of government have already been turned over to the people of Iraq. Iraqis are beginning to experience participatory government through local councils. Wages are rising, and prices are stabilizing. The architecture of a normal life is coming together in Iraq.

While this progress is important, it does not address some of the largest problems that must be overcome. The first problem is security, especially in the short-term. Given all the other pressures on an Iraqi government, it must provide basic security. The second problem is creating a constitution providing an Iraqi identity and legitimacy and finding balance between Shia, Sunni, and Kurds. In successful democracies, multiple regional, ethnic, and ideological groups are held together because they all have an investment in the state. They recognize that only by playing by the rules of the state can they collect on their investment. Eventually identification with the state settles into enough of the constituencies that hopefully the country becomes stable. It is these intangibles that are less apparent in Iraq, and these will threaten the stability and success in the long-term. Terrorism can continue after transition. Selection and training Iraqi security forces is critical to long-range success of a democratic Iraq.

Our responses to April's uprisings demonstrated a way of handling the situation. These were limited actions by groups that did not feel like they were invested in the future of Iraq. Sadr is an outcast Shia cleric who appeals to some of the poor in Baghdad and other areas. We responded by rolling back the uprising and encouraging Sistani and other parts of the Shia establishment to reject the uprising. In Fallujah, we followed a similar path. After our soldiers responded to a planned slaughter on four civilian contractors, an uprising began. American troops contained the uprising, and brought in Iraqi leadership and troops to put down the uprising.

In both cases, Iraqi legitimacy was combined with American force to sustain and advance the progress that has been made. In an odd way, these events may have helped to unify the Iraqi people against the insurgents and presented Iraqi faces to those who seek to undermine the future of Iraq. Over the long term, our work in Iraq will be successful when Iraqis themselves stop threats to Iraqi legitimacy. Earlier this week, David Brooks made the point that this political cohesion may come together around demanding our exit.

One of my concerns is that the entity to which the CPA will pass authority on June 30th will lack legitimacy within Iraq. The Secretary-General's envoy, Lahkdar Brahimi, has been tasked with putting together a transitional government, but the danger is collecting technocrats. It will be hard for these people to make difficult decisions without having constituencies that are genuine stakeholders. Similarly, if representatives of important constituencies are excluded, those constituencies will not feel invested in the Iraqi state. Official elections are critical and the sooner the better.

Again, I would like to thank the Chairmen for holding this hearing. Without denying the difficulty and sacrifices of the last year, we are entering an even more complicated phase of the reconstruction of Iraq. Our influence will appropriately be lesser and less direct. However, this is the next step in what we all hope is stability, security, and democracy in a region that has known all too little of these.

PREPARED STATEMENT OF THE HONORABLE ROBERT WEXLER, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF FLORIDA

Mr. Chairman,

As the United States faces its most difficult foreign policy challenge since Vietnam, it is critical that Congress exercise oversight, commensurate with our obligation to the American people and the constitution. In the past year, Congress has abdicated its responsibility to provide the proper "check and balance" to this Administration's reckless foreign policy, and this Committee has been regrettably absent in the decision making process concerning Iraq. The American people are desperately waiting for decisive and strong leadership to guide America through the challenges that lie ahead, and they will judge this Administration and Congress harshly for the tragic events of the past year.

Despite the President's premature and brazen declaration of "mission accomplished" in Iraq, one year later it is clear that our mission has only just begun. The Administration grossly underestimated the number of troops and money required to win the peace, in addition to miscalculating the strength of the opposition. America was not greeted as a liberating power, we were not stronger going it alone, we were not prepared for guerilla warfare or a Shiite uprising and oil revenue has not paid for post-war operations in Iraq. We must now learn from the President's mistakes—as opposed to repeating them—so that we may place our troops in a stronger position to stabilize, rebuild and minimize the loss of innocent life in Iraq.

As the "coalition of the willing" quickly deteriorates to the "coalition of the few and far between," the cost of post-war operations continues to exponentially increase. Now, more than ever, America needs international assistance—especially that of NATO and the UN—to share the military and financial burden and assist in creating a legitimate governing entity in Iraq. Unfortunately, it has become increasingly difficult to garner international support because America's credibility has reached an all-time low. After all, there was no link between Al Qaeda and Saddam Hussein, Iraq posed no imminent threat and there were no "smoking guns" or weapons of mass destruction.

To add insult to injury, even President Bush's "backup" justification for war—Saddam's history as a violator of human rights—has been overshadowed by the horrific images of prisoner abuse at Abu Ghraib. While President Bush could have used this regrettable event to reach out to the Iraqi people and our allies in the Middle East, he has instead offered a half-hearted apology that could best be characterized as too little, too late. He has refused to hold accountable those who concealed these atrocities—including Secretary Rumsfeld—and has instead withheld information and turned a blind eye to the mounting calamities taking place under his watch.

Serial deception is a disease plaguing this Administration, and they must now come clean regarding the grave mistakes of the past year in an attempt to minimize the damage of Abu Ghraib. The Bush Administration must demonstrate that America respects and upholds fundamental human rights as we demand that others do the same, especially as President Bush prepares to present the Greater Middle East Initiative for Arab reform at the G-8.

In light of these developments, the Administration must change its policy in a manner that reflects recognition of mistakes made in Iraq, including the events at Abu Ghraib. How can we regain the moral high-ground to pressure Arab countries to uphold the tenets of democracy, freedom and human rights when we apparently have had great difficulty doing so ourselves?

PREPARED STATEMENT OF THE HONORABLE EARL BLUMENAUER, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF OREGON

Today's hearing on the Iraqi transition of sovereignty is interesting, but the real need for this committee is in policy development and oversight. I hope this will be the first in a series of activities in oversight of the war in Iraq and War on Terrorism. Deferring to the administration might have been understandable, if still questionable, in the immediate aftermath of September 11th, but certainly not today. Congress cannot afford to be a rubber stamp. We can't continue to rely on the media to embarrass us into action.

Had we held this hearing two years ago, Iraq, our troops, the world, and our taxpayers would be better off today. We could have clarified that the challenge was never to win the war and remove Saddam Hussein; that was a given. The real challenge was winning the peace and we were unprepared.

I will submit some questions for official response for the record, on the status of the new Security Council resolution, on getting international donors to deliver over \$2 billion in outstanding pledges, and whether we are going to short change Iraq's needs after the transition of sovereignty like we have Afghanistan. But the most important question for us as a committee and for individual members of Congress is to see if this committee can play a role in moving this situation forward:

One, can we help the President, who is unable to think of any mistakes, understand, admit, and even be candid about where we have fallen short of the mark? Can we provide real budget numbers as we can clearly see a \$300 billion price tag? The public demands an open and honest budget process.

Two, can this committee make it easier to get rid of the architects of this failed policy?

Three, can we, as a Committee, help place less emphasis on shadowy military contractors and more emphasis on working through the NGO community. I would note Mercy Corps, a cost efficient and extremely effective group who works with foreign nationals. To the extent that we use private military contractors, can this committee rethink how that happens to clear up the ambiguities in law and policy and have rigorous standards for performance and cost accountability?

Four, can we help the administration avoid using artificial deadlines based on our political calendar?

Five, can we help train attention on the real threat: global terror. Can we focus our resources and attention away from things that are positively loopy, like national missile defense, and on to homeland security and finishing the job in Afghanistan?

It's time for this Congress to act like a co-equal branch of government. Had we been doing this since 9/11, we would have saved money, saved lives, and saved our legitimacy and effectiveness around the world. The world, Iraq, and our troops all need us to do our job. Even the administration, while it may not recognize it, will be better off if we do our job.

Secretary Grossman said that he appreciates the reference in the two opening statements about "staying power" in Iraq. The real key to staying power is the trust and confidence of the American people. The administration's performance and inability to acknowledge its mistakes are undercutting the confidence of the people I represent and people I meet from around the country. I hope this committee and other relevant committees do their job to help rebuild the confidence, so badly shaken, of the American people.

RESPONSES FROM THE HONORABLE MARC GROSSMAN, UNDER SECRETARY FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

Question:

What is your assessment of how the United Nations is viewed by most Iraqis? To what extent, if at all, does the Administration plan to defer to the United Nations in political reconstruction and upcoming elections?

Response:

We believe that Iraqis view the United Nations as having an important role to play in Iraq. The UN has made a significant contribution to the political process—in coordination with the Iraqi people—through the work of its Special Envoy Lakhdar Brahimi, the electoral assistance mission led by Carina Perelli, and through the work of the Secretary-General's late Special Representative (SRSG) Sergio Vieira de Mello before them.

With regard to the UN's other activities, since the August 19, 2003 attack on the UN's Baghdad headquarters, it has continued to carry out limited humanitarian and reconstruction programming from outside Iraq via in-country national staff. We appreciate the efforts of the acting SRSG, Ross Mountain, and the UN Assistance Mission to Iraq (UNAMI). The UN has an important role to play in reconstruction and development in Iraq through the UN Development Group's Trust Fund (the Fund). The United States is among the countries contributing to the Fund.

The United States, together with the international community, believes that the UN has a leading role to play in the political process and an important role in humanitarian and economic reconstruction activities. UN Security Council Resolutions 1483, 1500, and 1511 contain a number of different authorities that provide the UN much scope for action.

We plan to return to the Security Council to discuss a new resolution on Iraq in which we envision the UN's role in Iraq being further defined. It is premature to speculate further on this, as we also need to hear from the Secretary-General on the post-June 30 UN role he envisions.

We continue to look forward to a reestablished UN presence in Iraq. That said, we understand the UN's concerns regarding security and are dedicated to assisting in that regard.

Question:

How confident are you that free and fair elections can be held for the 250-seat National Assembly by the end of January 2005, as planned?

Response:

Planning is in the early stages for the January 2005 elections. The United Nations Secretary-General has dispatched a team to Iraq, headed by Carina Perelli, to develop recommendations on preparing for Iraqi elections.

The Coalition Provisional Authority is also working closely with the Iraqi Governing Council and the UN to establish an independent Iraqi elections commission.

The United States will work closely with the UN, the proposed Iraqi Interim Government after June 30, and the Iraqi elections commission, once established, to ensure that free and fair national elections are held by January 31, 2005.

Question:

To what extent is Moqtada Sadr likely to challenge the sovereign Iraqi government after June 30, 2004?

Response:

The Multi-National Force will remain in Iraq after the transition of governing authority to the proposed Iraqi Interim Government (IIG)—in order to contribute to the maintenance of security and stability in Iraq, including ensuring that the Iraqi political process proceeds peacefully and democratically.

Al-Sadr's movement is attractive to those who simply do not believe that the Coalition will transfer authority in a meaningful way and/or who believe the Coalition Provisional Authority and, later, the IIG can be challenged or cowed by violence. As we turn over complete governing authority to the IIG while assisting Iraqi security forces to maintain stability, al-Sadr's appeal should decline over time.

Question:

What are the prospects for major force contributors, such as France or Germany, to send forces to Iraq after the handover? What criteria will these countries use in assessing whether or not to get involved in post-war Iraq?

Response:

The United States continues to solicit international support for the stabilization of Iraq. The Coalition contains about three dozen countries and, after the transfer of sovereignty, the United States will continue to emphasize to all potential contributors to the Multi-National Force the value of (and shared fate that the international community has in) establishing a democratic and stable Iraq.

Ultimately, the decision of how to contribute to this effort is one that each nation must make within the context of its own domestic and foreign policy considerations. We put the probability of French or German forces in Iraq as very low.

Question:

What are the prospects for NATO to assume jurisdiction for some or all foreign forces in Iraq? What issues would other NATO members weight most heavily in such a decision?

Response:

At present, NATO is providing logistical and planning support to the Polish-led Multinational Division, which is part of the Multi-National Force (MNF).

We continue to solicit international support for the stabilization of Iraq. After the transfer of sovereignty, the United States will continue to emphasize to all potential contributors to the MNF the value of (and shared fate the international community has in) establishing a democratic and stable Iraq. This will include discussions with our NATO partners regarding the contribution the Alliance can make to freedom, democracy, human rights, and security for the Iraqi people, perhaps including training Iraqi forces.

Question:

To what extent has the recent upsurge of anti-U.S. violence slowed reconstruction? What effect has the reconstruction slowdown had, if any, on the attitudes of the Iraqi population toward U.S. policy?

Response:

The recent upsurge in violence has brought with it an increase in attacks on electricity and oil infrastructure. The Ministries of Electricity and Oil, with help from the Coalition Provisional Authority, generally repair the damage quickly. But the effort draws resources from and delays our reconstruction programs in these sectors. By maintaining fuel stockpiles, the Iraqis have been able to minimize disruption caused by attacks on infrastructure.

In terms of public sentiment, polling data since before the recent increase in violence consistently showed that the lack of reliable, full-time electric power was a leading complaint about Coalition presence and efforts.

Question:

We note that the de-Baathification policy has been slowed considerably, and that some Baathists are regaining their former jobs. What, if anything, is the Administration doing to ensure that the Baath Party is not organizing clandestinely to seize power again, as it did in the 1960s?

Response:

The Coalition Provisional Authority (CPA) has promulgated orders to ensure that those who committed crimes or who benefited from their high-level Ba'ath Party affiliation during Saddam Hussein's rule are removed from public office, but that also ensure that due process is respected and that the de-Ba'athification process is not used for personal or political ends.

The local implementation of this policy, however, has been poor and inconsistent. The recent changes you note are a result of the CPA taking action to correct these shortcomings.

In particular, many teachers, professors, and other civil servants, for whom Ba'ath Party membership was essential to maintain their jobs, were fired under the de-Ba'athification policy and denied pensions. CPA is working with the Iraqi Ministries of Education and Higher Education and the Iraqi De-Ba'athification Committee to redress this situation as soon as possible. They have already established a process to consider, within three weeks, all appeals for reinstatement from affected primary and secondary school teachers.

CPA and the Multi-National Force will continue to ensure that members of the former Ba'ath Party cannot threaten the Iraqi people or Iraq's stability.

Question:

When will the CPA and IGC amend the Transitional Administrative Law—or at least to publish the anticipated annex—that will establish the temporary governance for Iraq? Or will this be overtaken by a new Security Council resolution?"

Response:

We expect the Iraqi Governing Council will conclude the Annex to the Transitional Administrative Law (TAL) after United Nations Special Envoy Brahimi completes his consultations in Iraq. The TAL Annex would come into effect on June 30,

but would cover only the duration of the proposed Iraqi Interim Government (IIG)—that is, until elections are held no later than January 31, 2005. The TAL would continue in effect until a government is formed on the foundation of a ratified, permanent constitution.

We believe the UN Security Council should endorse the IIG with a new resolution—and will work to ensure that occurs. But it is the TAL Annex, and not a UN Security Council resolution, that will provide the legal basis for the IIG.

Question:

Are American concerns and interests being taken into account? What are our current sticking points with Ambassador Brahimi or with others in the Secretariat, and with the members of the Security Council?

Response:

Our discussions with Ambassador Brahimi continue, and we look forward to a positive outcome.

We look forward to a reestablished United Nations presence in Iraq and to a strong working relationship between the UN and our future Embassy Baghdad. We welcome the continued efforts, cooperation, and contributions of Ambassador Brahimi and other UN representatives.

Question:

If (sic) is not clear precisely what is included within the concept of 'security,' which may be committed to the responsibility of the Multi National Force, is there a mechanism being established to work out difficulties between the MNF and the new Iraqi government?

Response:

Following the transition of authority to the proposed Iraqi Interim Government (IIG) by June 30, the Multi-National Force (MNF) will continue to provide security in Iraq, to include the types of operations being carried out today.

There will be a difference, however, in that MNF will be operating in support of sovereign Iraqi efforts and supplementing Iraqi security forces in the fight against insurgents and other threats to Iraq's stability.

The MNF will work closely with the IIG to develop coordination mechanisms at the national, regional, and local levels that will promote information sharing and operational cooperation. These mechanisms will facilitate joint operations and will ensure that the MNF keeps the IIG informed of any operations it will undertake independent of Iraqi security forces. During joint operations, the MNF will continue to maintain operational command but the IIG will maintain sovereign control of its forces.

Question:

What plans do we have during the forthcoming weeks to improve our communications with the Iraqi people? Would you agree that our opponents are doing a better job communicating with the Iraqi people than we are?

Response:

The Department recognizes the critical need to communicate effectively with the Iraqi people and is devoting considerable resources to our public diplomacy outreach activities in Iraq. Embassy Baghdad will include the largest public diplomacy section in the world and will aggressively engage the Iraqi media, Pan-Arab media, and key decision- and opinion-makers in Iraq. Additionally, we are working closely with the Department of Defense and the National Security Council to ensure that the United States continues to present the Iraqi people with a clear, consistent set of policy objectives and messages.

Question:

Will the American components of the Multi National Force have any responsibility for communicating with the Iraqi people after June 30 and how will that be carried out?

Response:

Embassy Baghdad will take the lead in communicating U.S. policy to the proposed Iraqi Interim Government and the people of Iraq. The Embassy will coordinate closely with the Multi-National Force (MNF), which will communicate directly, when necessary, with the Iraqi people on matters pertaining to ongoing MNF operations in Iraq.

Question:

What communication plans does the United States have on the civilian and military sides, post-transition?

Response:

We are developing a post-transition communications strategy, in coordination with the Department of Defense and the National Security Council, to ensure that the United States presents a unified, consistent, and clear message to the proposed Iraqi Interim Government and the Iraqi people.

The message will reinforce the U.S. commitment to Iraq's success and to negating insurgent and terrorist activities. In particular, our message will reinforce U.S. support for future national elections, continued provision of reconstruction funds and technical assistance, and commitment to the security and stability of Iraq.

Question:

Will the new Iraqi government have a sufficient capacity to communicate with its own people?

Response:

Through Embassy Baghdad, we will provide public affairs training programs for public affairs and press officers representing the proposed Iraqi Interim Government.

Although the Coalition Provisional Authority has developed several Iraqi spokesperson training programs, we believe that the public affairs skills and capabilities within many of the Iraqi ministries will continue to need support and development.

We are encouraged by the desire of officers from Iraqi ministries to acquire public affairs skills, and, following the transition, will continue to nurture and develop these capabilities.

Question:

Will the Coalition-controlled 'Green Zone' in Baghdad continue to exist? For how long? Will the Iraqi people 'feel' occupied, even if sovereignty is turned over to an Iraqi government? How much if any sovereignty will Iraq lack?

Response:

We will work closely with the proposed sovereign Iraqi Government (IIG) to ensure the safety and security of U.S. and other personnel currently working in the Green Zone in Baghdad. We expect that this secure area will continue to exist until the security situation is sufficiently stabilized such that the IIG and Coalition military forces determine in concert that a security perimeter is no longer necessary.

All governmental authority will be transferred to the IIG by June 30, and it will exercise full sovereign powers for Iraq. Iraqis from most sectors of society have stated their desire that long-term, binding decisions be reserved for an elected government. We expect that Iraqis will agree that the IIG should have the power to conclude international agreements in the areas of diplomatic relations and economic reconstruction, including regarding

Iraq's sovereign debt. The new IIG's primary responsibility will be to administer Iraq's daily affairs, in particular by providing for the welfare and security of the Iraqi people, promoting economic development, and preparing Iraq for national elections.

Iraqis have made clear their desire to choose their government through a process of democratic elections, which must be held no later than January 31, 2005.

Question:

The running costs of supporting 1000 Americans (and perhaps 2000 associated foreign service national employees) in the Embassy will be in excess of one billion per year. That comes to more than one million per American per year for operating expenses—and even more than that per person, if the total amount of persons is reduced. Are agencies proposing to place people in the compound ready to pay the one-million-dollar-plus per person, per-year, cost? If the Department of Commerce, to pick an agency at random, decides they want an extra American there, and they can get the approval of the chief of mission, will they have to come up with the money up front?

Response:

We assume that agencies will staff personnel to the Embassy based upon specific needs, including how the particular missions performed will help the USG accomplish the overall goal of supporting Iraq's development into a free, independent, and stable country.

For the present, the agencies will be responsible for supporting their personnel's salary, benefits, and other compensation. Neither we nor the agencies are planning to fix the actual costs of supporting these personnel until FY 2006, when it is expected that they will be able to prepare budgets based on the actual demands faced. For that reason, we have not agreed with the agencies any particular per person per year cost, such as the \$1 million figure cited in the question.

It should be noted that within the \$1 billion figure cited in the question, over 30% of that cost stems from logistical support requirements and over 60% is driven by security considerations.

The logistical support cost results from servicing both an embassy and its regional outposts in an immature theater across an entire country.

The security costs are the result of keeping a large presence in a volatile combat environment with the expectation that all will be done to protect every individual sent into theater. Security costs are further driven by rising market costs for personal security details and support costs (both embassy and regional sites), fixed site security (embassy and regional sites), and a large armored vehicle requirement.

Question:

Given the colossal expense of security, would it not be worthwhile to make greater-than normal investments in technology—or in airplane transportation—so that more jobs could be carried on, or more people reside, outside of Iraq? Have you changed your procedures for deciding what work needs to be done at post and what work can be done elsewhere?

Response:

We are in the midst of analyzing what required tasks can be moved to locations outside of Iraq. We will carry out certain non location-specific functions for Embassy Baghdad at sites outside Iraq. Much of the work we do, however, must be done inside a country.

We will leverage technology, in the areas of human resources and information management, to ensure that traditional in-processing procedures for Embassy Baghdad are done here in Washington, prior to departure. This includes, but is not limited to, computer logons, identification cards, and training.

The Department will also set up Embassy Baghdad's unclassified communications/computer network in Washington, reducing the need for technical personnel in Baghdad and allowing domestic support personnel to provide services from Washington.

The Department will also establish an Iraq Support Unit in Amman, Jordan to assist Embassy Baghdad by providing financial management, human resource support, procurement, shipping, and travel services.

We will continue to look for additional ways in which to remove additional support tasks from embassies located in high threat regions.

Question:

The Administration is proposing the creation of a reserve fund for the military's expenses in Iraq. Will you be expecting to be permitted to cover State Department expenses from monies in that fund? Do you want to receive authority to use such a fund for that purpose?

Response:

We do not have the specifics on this proposal; however, we will look forward to continuing consultations with Congress to ensure that we have the means, resources, and authorities to support U.S. political, reconstruction, and military objectives in Iraq.

Question:

The Administration told us that it will use the State Department's one-percent share of Iraqi reconstruction funds appropriated in the supplemental for the short-term purpose of running an Embassy in Iraq for the balance of this year. Doesn't this contradict the purpose of the one-percent share, which was to provide for administrative expenses related to a program that will go on for several more years?

Response:

The Emergency Supplemental Appropriations for Defense for the Reconstruction of Iraq and Afghanistan, Title 2, Chapter 2, Other Bilateral Economic Assistance, Iraq Relief and Reconstruction Fund, states: ". . . Provided further, that up to 1% of the amount appropriated in this paragraph may be transferred to the Operating Expenses of the Coalition Provisional Authority, and that any such transfer shall

be in accordance with the regular notification procedures of the Committees on Appropriations and section 634A of the Foreign Assistance Act of 1961 . . .”

Section 2208 of the Act further provides that the Coalition Provisional Authority “shall be deemed to include any successor USG entity with the same or substantially the same authorities and responsibilities . . .”

Accordingly, these funds are available for Department and Embassy operating expenses and are available for expenditure in FY 2004. As recognized in the Conference Report [p. 52]: “Since the CPA is less than a year old and it is possible that the organization could require additional operational resources during this year, the managers also have included bill language in the Iraq Relief and Reconstruction Fund that provides authority, if needed, to transfer up to 1 percent for CPA’s operating expenses.”

Question:

What size would a normal Embassy in Baghdad be, taking into account that it will be a relatively large Embassy with a large assistance program? The greatest cost in an embassy is taken up in the offices in which classified work is undertaken. Inasmuch as the great bulk of the new Embassy to be constructed for a staff much larger than will be using it relatively soon, is there a way to provide adequate, secure, temporary chancery space alongside a permanent building? In other words, can we avoid constructing a ‘white elephant’ that will quickly become much too large for any reasonably-sized staff?

Response:

The size of Embassy Baghdad will be determined by the Chief of Mission in accordance with NSDD–38 procedures and in consultation with the Department of State and other appropriate agencies. The determination of mission size will be based on an assessment of the number of the personnel required to meet U.S. national objectives.

Agencies are requesting space in the Embassy through the NSDD–38 process now. The NSDD–38 process is designed to facilitate long-term planning by all USG agencies, including the Department of State, to ensure that we have the appropriate facilities in Iraq to serve and support U.S. interests effectively.

Temporary secure space in Baghdad is being created at the Embassy Annex, and will be flexibly responsive to short-term requirements. The Annex will be used until permanent, secure buildings are funded by Congress and built by the Department’s Office of Overseas Buildings Operations.

As we go forward, we will strive to lower the cost to the American taxpayer while providing USG employees in Baghdad a safe and effective place to conduct USG affairs.

Question:

What will be the fate of contracts made by CPA (Coalition Provisional Authority) or the IGC (Iraq Governing Council)?

Response:

United Nations Security Council resolution 1483 established that Iraq’s oil export revenues would be deposited in a special fund, the Development Fund for Iraq (DFI).

Until the transfer of sovereignty, the Coalition Provisional Authority (CPA) has signature authority over DFI, enters into contracts for goods and services for Iraq using funds from DFI, and also uses U.S. funds for such purposes. An international body called the International Advisory and Monitoring Board (IAMB) acts as an external audit committee for regular DFI audits.

We expect that full signature authority over the DFI will transfer to the proposed Iraqi Interim Government (IIG) at the time governing authority is assumed by that body. We also expect that the IAMB will continue to ensure that proper DFI audits are carried out.

The CPA has also reconstituted the Iraqi Board of Supreme Audit and established inspectors general for Iraqi ministries, which remain in operation under the IIG comes into existence.

We expect that all contracts legally entered into by CPA or the Iraqi Governing Council will be honored by the IIG. The Iraqi Minister of Finance agrees that the Iraq Reconstruction Management Office, to be a part of the U.S. Embassy in Baghdad, will provide management oversight, in coordination with relevant IIG officials, on contracts that were awarded by the CPA before the transfer of sovereignty. This arrangement will benefit the Iraqi people by facilitating the continuation of contracts entered into by the CPA on behalf of Iraq.

Question:

What will be the security requirements of an ongoing United States presence in Iraq including the contribution to be made to the latter by United States Armed Forces?

Response:

The Department of State will be responsible for the security of as many as 1,500 Embassy Baghdad personnel in Iraq. Providing for the security of facilities and residences, transportation security, and information security will require substantial resources because of the critical threat environment in Iraq and the large USG presence there.

Until an Iraqi government can provide internal security to its citizens and to foreigners working and living in Iraq, the Department of State will look to the U.S. Armed Forces to provide security support for Embassy and other USG activities.

Question:

How will you transition from American-funded reconstruction, and the transition of current assistance arrangements, now directed by the CPA (which reports to the President through the Defense Department), to more conventional arrangements directed by an American ambassador and a AID mission?

Response:

Programs funded by the \$18.4 billion Iraq Relief and Reconstruction Fund (FY 2004 Supplemental) will continue to be implemented by the five USG agencies possessing authority to spend those supplemental funds (the Department of State, the Department of Defense, the U.S. Agency for International Development, the Department of Health and Human Services, and the Department of Treasury).

The Department of State, through its Chief of Mission, will have oversight responsibility for those funds. There will be an Iraq Reconstruction Management Office at Embassy Baghdad and a Coordinator for Iraq Assistance at the Department of State to support the Embassy and coordinate among the implementing Washington agencies.

Question:

What is the current state and future of Iraqi security forces? By permitting the Kurds to keep their units intact, aren't you setting up a potential struggle with Shia and Sunni who are obliged to enter Iraqi forces as individuals?

Response:

The multinational effort in developing Iraqi security forces is a work in progress. The Department of Defense has the Coalition lead in providing training to all Iraqi security forces. The United States and other Coalition members are currently implementing a strategy to properly and successfully integrate combatants who opposed Saddam into the Iraqi security forces.

Question:

Will you continue to help arm people like those in the Fallujah unit who according to press reports say they have recently been fighting American forces? What are you doing to keep this from happening, or did you do this on purpose? What controls exist on this unit?

Response:

We have supported the deployment of an Iraqi force under Coalition control in Fallujah. It is clear that over the long term it will be Iraqis who must govern and provide security in Fallujah and across Iraq.

The Iraqi force in Fallujah is charged with rooting out terrorists, establishing a secure environment, removing heavy weapons from the city, and bringing to justice those responsible for killing the four American contractors.

It is headed by former Major General Latif, who was properly vetted by Coalition military commanders, and the force operates under Coalition command.

Question:

What percentage of Iraqi forces which were initially to have been deployed in Fallujah a) deserted b) fought against us c) fought inefficiently d) fought efficiently. What does that tell us about the planning process for standing up this force or other forces?

Response:

We were disappointed by the initial performance of several Iraqi security force units, particularly in Fallujah, and are taking the necessary courses of action to re-

constitute these forces. I would refer you to the Department of Defense for the specific percentages you requested.

Question:

What will we do with the terrorist, pro-Saddam, anti-Iran organization the 'Mujahadin e-Khlak' (MEK or PKO) [sic] prior to transition? Thereafter? Where is Mr. Rajavi, the head of the MEK?

Response:

MEK members in Iraq have been consolidated and cordoned in Camp Ashraf, northwest of Baghdad. They have been separated from their heavy military equipment and a CJTF-7 military force maintains security at Ashraf to ensure the MEK members are not a threat to Iraqis or anyone else. We are treating the individuals at Ashraf in accordance with our international legal obligations.

The MEK members in Ashraf will remain cordoned until a final disposition can be arranged. We do not expect that situation, or the U.S. role, to change appreciably due to the transfer of governing authority to the proposed Iraqi Interim Government.

At this time, we do not know Mr. Rajavi's whereabouts.

Question:

What have we promised the Turks we will do about the PKK? What will we do about the PKK prior to transition? Thereafter?

Response:

The PKK is a designated Foreign Terrorist Organization. The United States is committed to ensuring Iraq is not used as a base for any form of terrorism, including attacks against its neighbors. This, of course, includes potential PKK activity against Turkey.

After the transfer of sovereignty, the United States will work with the proposed Iraqi Interim Government to continue to ensure that Iraq is not a haven for the PKK and other terrorist organizations and groups.

RESPONSES FROM THE HONORABLE MARC GROSSMAN, UNDER SECRETARY FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE TOM LANTOS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Question:

What legal powers will the post-June 30 caretaker Iraqi government have? There have been reports that it will lack legislative authority. Is that accurate? Every society needs new laws to address new contingencies from time to time. Who will make these laws, if not the caretaker government?

Response:

The proposed Iraqi Interim Government (IIG) that will assume authority by June 30 will exercise full sovereign powers over Iraqi affairs. The Council of Ministers, with the unanimous approval of the Presidency, is expected to be able to issue orders or decrees with the force of law.

Iraqis have noted publicly their desire for the IIG to refrain from making long-term decisions that will bind a future elected government. We expect that the IIG will have the power to conclude international agreements in the areas of diplomatic relations and economic reconstruction, including regarding Iraqi sovereign debt.

An Interim National Council of 100 members will be selected by a National Conference. The Interim National Council will advise and oversee the IIG, and will have other substantive powers specified in the Annex to the Transitional Administrative Law.

The IIG's primary responsibility will be to administer Iraq's day-to-day affairs, in particular: providing for the daily welfare and security of the Iraqi people; promoting economic development; and preparing Iraq for national elections to be held no later than January 31, 2005.

Question:

Who, in fact, will be in charge of the DFI, with its current balance of \$10.2 billion, after June 30? Will all Iraqi oil revenue continue to be deposited into the DFI? Who will be in charge of auditing the fund if it is placed under the authority of the interim government? Are there adequate and effective procedures in place for an interim government to audit the fund?

Response:

All Iraqi oil revenue will continue to be deposited into the Development Fund for Iraq (DFI), and there will be adequate and effective procedures in place for the proposed Iraqi Interim Government (IIG) to audit the DFI.

United Nations Security Council resolution 1483 established that Iraq's oil export revenues would be deposited into the DFI. The Coalition Provisional Authority (CPA) will retain signature authority over DFI until the transfer of sovereignty to Iraq—at which time that authority will be transferred to the IIG.

The International Advisory and Monitoring Board (IAMB) was established to act as an external audit committee for the regular audits of the DFI, and we expect that the IAMB will continue to ensure that proper audits of the DFI continue to be carried out after the transfer of sovereignty.

The CPA has also reconstituted the Iraqi Board of Supreme Audit and established inspectors general for Iraqi ministries, which will remain in operation under the IIG.

Question:

I understand that discussion continues on whether the Defense Department will provide security and other services to the new embassy on a reimbursable or non-reimbursable basis. Won't this have a huge effect on the costs of the embassy? When will these decisions be made?

Response:

We expect that the Department of Defense will provide security, logistics, and other administrative support to Embassy Baghdad on a non-reimbursable basis.

Question:

What controls are we putting in place, both for vetting the individuals and for the rules of engagement that they will follow?

Response:

Contractor vetting requirements are drawn from existing USG authorities and guidelines and are clearly outlined in the contract documentation for protective services contracts.

Question:

To what extent are Syria, Iran, Jordan, and Turkey supporting or undermining stability in Iraq?

Response:

The answer is mixed. We have seen support for Iraq from some neighbors, but also indications that others are less willing to be cooperative or are even working at cross purposes to Iraq's best interests.

We have repeatedly pressed the Syrian government to take tougher measures to improve border security and prevent the movement of foreign fighters and weapons into Iraq. The Syrian government has taken some steps to tighten border controls, but Syria remains a preferred transit point for foreign fighters. Much more needs to be done by Syria to contribute to the security of Iraq, and we encourage the Syrian government to work closely with the proposed Iraqi Interim Government (IIG) toward that end.

We continue to have concerns about the motives of the Iranian government and its activities in Iraq. We have called on Iran to: improve border controls; support a credible and representative political transition process in Iraq; and to end unhelpful Iranian activity inside Iraq.

The Jordanian government has played an extremely constructive role in supporting Iraq's reconstruction and reintegration into the community of nations. Specifically, Jordan is hosting training programs for Iraqi police cadets and military officers, in addition to offering training for a wide-range of Iraqi civilian officials. The Jordanians have publicly supported Coalition efforts in Iraq, including hosting high-level officials from the Iraqi Governing Council and coordinating positive Arab League statements on Iraq. Jordan appreciates the importance of a secure, democratic, and stable Iraq.

Terrorists based in Iraq have targeted Jordanian facilities in Iraq, including in the August 7, 2003 bombing of the Jordanian Embassy in Baghdad. The Iraq-based Zarqawi network has plotted to bomb key Jordanian government facilities and Embassy Amman in April 2004. The plot was foiled by the Jordanian security services.

The United States and Turkey are working together closely to ensure Iraq's successful reconstruction. Turkey is facilitating the supply of humanitarian assistance

and commercial traffic into and out of Iraq. Turkey opened an air force base to the rotation of U.S. troops to and from Iraq—60,000 troops have transited that base.

Question:

Once sovereignty is passed to a new Iraqi government, will that government be allowed by the U.S. to permit inspectors from the International Atomic Energy Agency to come in and assess the degree to which radioactive materials may have been looted from unsecured Iraqi sites?

Response:

As a sovereign country, Iraq will make any such decision. Of course, we fully expect Iraq to comply with its international obligations to allow the International Atomic Energy Agency (IAEA) to inspect all nuclear material in Iraq in order to verify that such material is not diverted elsewhere. While Iraq is not obligated to allow IAEA access to other radioactive materials, we have and will encourage Iraq to work closely with the IAEA to enhance its control of radioactive materials that remain in Iraq and are intended for use in medical, scientific, industrial, or other legitimate scientific endeavors.

RESPONSES FROM THE HONORABLE MARC GROSSMAN, UNDER SECRETARY FOR POLITICAL AFFAIRS, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE EARL BLUMENAUER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF OREGON

Question:

On April 1, 2004 Secretary Powell announced that the administration would seek a new Security Council resolution governing American and Coalition involvement in Iraq after the transfer of sovereignty to Iraqis. At what stage is this new resolution and what progress is being made? What other efforts are being made by the administration to increase international support for a stable Iraqi government after June 30?

Response:

As the Secretary has said, we plan to return to the United Nations Security Council to discuss a new resolution on Iraq. We expect to actively pursue this in May, but need to ensure that it is done in a way that will reinforce Ambassador Brahimi's efforts vis-à-vis development of the proposed Iraqi Interim Government (IIG).

The Secretary and others have spoken about what elements might be in a new resolution, for example: addressing the end of the occupation; supporting the political transition; structuring the UN role after June 30, focusing on supporting the process towards elections and a new constitution; addressing the continuing need for security to enable the Iraqi people to advance the political process (although UNSC 1511 authorizes the Multi-National Force [MNF], we expect a new resolution would address the role of the MNF after June 30); encouraging other nations and regional organizations to assist with both security and reconstruction efforts; and addressing economic reconstruction activities, including passing control of the Development Fund for Iraq to the IIG.

Question:

What efforts are being made to get international donors to deliver on the over \$2 billion in outstanding pledges from the Madrid donors' conference?

Response:

Of the \$32 billion in pledges for 2004-2007 at the Madrid Donors Conference, \$13.584 billion was from non-U.S. sources. Of this, \$5.55 billion was pledged by the World Bank and International Monetary Funds in lending programs. The remaining \$8.034 billion was pledged by 36 countries and the European Commission.

The bulk of disbursements so far has been in the form of deposits to the International Reconstruction Fund Facility for Iraq (IRFFI), comprised of United Nations and World Bank trust funds. Disbursements and implementation have been complicated by the security situation in Iraq, but nonetheless continue.

In our efforts to press other donors to make disbursements of their Madrid pledges, we have worked diplomatically through our embassies. We have also worked with other key donors, the UN, and the World Bank to hold a successful meeting of the IRFFI Donors Committee. At the meeting in Abu Dhabi in February, donors committed to support the IRFFI with about \$1 billion from their Madrid pledges, and they have started making deposits to the IRFFI. The next such meeting will be in Abu Dhabi at the end of May. We will continue to press other donors

to make progress in disbursing their pledges both before and after this next meeting.

Question:

Since the end of the war in Afghanistan, reconstruction efforts have been hampered by a lack of attention, focus, and funding. What can you do to assure me that Iraq reconstruction efforts will not be shortchanged after June 30, as Afghanistan's needs were after the establishment of the interim Karzai government.

Response:

We believe Afghanistan is in the midst of a historic transition. Since October 2001, extraordinary progress on political, economic, security, and reconstruction fronts has been achieved. Much of the country is now stable and the Taliban and other anti-coalition remnants are reduced to mounting sporadic hit-and-run attacks against unarmed NGO workers. Opponents who previously settled scores through violent confrontation are now bracing to face each other at the ballot box, as the country prepares for presidential elections in the fall and parliamentary elections in April 2005. In January, Afghanistan adopted an enlightened constitution. Millions of children are back in school, health clinics are being re-built, and major efforts to rebuild Afghanistan's shattered infrastructure are bearing fruit (e.g., completion of the Kabul-Kandahar highway). There has been tremendous bipartisan support in Congress for these efforts. Through FY 2004, the United States has provided over \$4.3 billion in assistance for Afghan reconstruction, the vast majority of which has been obligated. This is by far the largest contribution of any international donor.

In Iraq, our purpose is to provide Iraqis the opportunity, for the first time in decades, to build a free, independent, prosperous, and secure state. We have already appropriated \$21 billion in reconstruction assistance, of which more than one-third has been obligated. U.S.-funded projects across Iraq are restoring basic services and putting Iraqis back to work. We expect to continue coordinating among the various U.S. assistance implementing agencies, as well as with the Iraqi ministries and the international donor community in Iraq, to ensure that our efforts respond directly to Iraqi needs and complement reconstruction initiatives by other donors to maximize the effect of our resources. We intend to focus on ensuring that U.S. assistance efforts remain concentrated on the right priorities and that funding is disbursed as quickly as possible.

RESPONSES FROM THE HONORABLE MARC GROSSMAN TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE THADDEUS MCCOTTER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN AND THE HONORABLE DIANE WATSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Under Secretary of State Marc Grossman
House International Relations Committee
May 13, 2004

Representative McCotter

Question:

Provide detailed information on both U.S. efforts (including funding) and those of Special Envoy Brahimi to develop and support local government in Iraq. How important is development of local government - both political society and civil society institutions - to success in establishing a functioning democracy in Iraq?

Answer:

The United States and our coalition partners have worked with Iraqis to dramatically increase the capabilities and authorities of local governments and to foster civil society. Even as major combat operations continued in April 2003, military units quickly established local and provincial councils of community leaders, often through local elections, to ensure that our reconstruction and security efforts were transparent to the Iraqis and responded to their needs. These councils and their responsibilities have developed over time; we have provided councils with funds for them to contract, through a Coalition Provisional Authority (CPA)-funded and -administered Local Governance Fund, for reconstruction and civil society projects.

The local councils are crucial to our efforts to promote democracy in Iraq. They are the first line of contact that Iraqi citizens have with post-Saddam governing institutions and provide average Iraqis with exposure to, and opportunities to participate in, democratic practices at the local level.

Part of this effort is being implemented through USAID's obligation of \$236,911,000 to the Research Triangle Institute's Local Governance Program. This program aims to increase access to essential services, develop more transparent and participatory local government processes, and ensure more effective advocacy through a combination of technical assistance, training, and rapid-response grants.

The CPA has issued Order 71, Local Governmental Powers (available on the CPA website, www.coalitioniraq.org), which gives governorate and local councils the primary voice in the hiring and firing of governors and mayors respectively. The Order further requires national ministries to coordinate their activities with the councils of the communities their programs affect, and gives the councils the right to oversee national ministries' local officials – such as the Ministry of Interior's police chiefs.

The Transitional Administrative Law (TAL) gives each governorate the exclusive voice in choosing its governor, forbids national officials from dismissing local officials, and grants governorates the right to review national ministry operations and budgets for the governorate and levy taxes.

Mr. Brahimi has been working primarily on fashioning consensus for the national-level Iraqi Interim Government. At the same time, the United Nations Elections Assistance Team has taken the lead in working with the Iraqis to prepare for elections, including nationwide elections for governorate councils that the TAL requires to be held at the same time as the elections for the National Assembly (no later than January 31, 2005).

To promote a vibrant civil society, CPA has also worked with Iraqis and many nongovernmental agencies to open women's, human rights, and tribal democracy centers across Iraq, supported professional and societal associations, and organized or sponsored many town hall-style meetings to discuss national and local issues.

Under Secretary of State Marc Grossman
House International Relations Committee
May 13, 2004

Representative Watson

Question:

What powers of sovereignty will the Iraqi Interim Government have? Will it have authority to: enter into treaties? form other diplomatic relations? control monetary policy?

Answer:

The Iraqi Interim Government will be the fully sovereign government of Iraq as of June 30. Iraqis are discussing now, in the context of the Special Envoy Brahimi-led process, what the particular powers of the that government will be

We expect that the Iraqi Interim Government's primary tasks will be to administer the country's day-to-day affairs and prepare for and hold elections no later than January 31, 2005 for the Transitional National Assembly. We expect that the Iraqi Interim Government will have the authority to conduct foreign relations, including establishing diplomatic relations and, indeed, the United States intends to re-establish diplomatic relations with Iraq soon after June 30.

Some Iraqis have said that decisions that have long-term implications should be reserved for an elected Iraqi government. Such limitations are for Iraqis to decide in the context of the ongoing consultations being led by Mr. Brahimi. That said, we believe it is critical that economic reconstruction efforts continue and it will likely be important for the Iraqi Interim Government to have the ability to enter into at least some agreements – such as the authority to conclude and implement binding agreements allowing Iraq to reduce its debt, engage International Financial Institutions, and conclude bilateral assistance agreements.

Iraq's independent central bank will manage monetary policy.

Under Secretary of State Marc Grossman
House International Relations Committee
May 13, 2004

Representative Watson

Question:

What powers will the Iraqi Interim Government possess with respect to forming, and subsequent command and control over, Iraq's military and other security forces?

Answer:

We expect that the Iraqi Interim Government will exercise full civilian command authority over Iraqi security forces. The Transitional Administrative Law (TAL) sets forth the civilian command structure of Iraq's forces, and we expect that this framework will also be reflected in the TAL Annex. We are helping the Iraqis build a Ministry of Defense, a Ministry of Interior, and a Ministerial National Security Council.

The Iraqi Armed Forces and Civil Defense Forces will be under the control of the Ministry of Defense. Iraqi police, Facility Protection Service, and Border Control will be under the control of the Ministry of Interior.

We anticipate that for operational purposes, and consistent with the TAL, Iraqi forces will be a principal partner under the unified command of the Multinational Force (MNF). The MNF will continue to have security responsibilities and authorities as outlined by UNSCR 1511, the TAL, and any new relevant Security Council resolution. The precise terms of the MNF's partnership with Iraqi forces have yet to be worked out with the Iraqis and will require waiting for Special Envoy Brahimi to finish his consultations. We are committed to building a strong partnership with Iraqi institutions, including mechanisms for coordination and consultation, in order to support the Iraqi Interim Government's efforts to lead Iraq to elections early next year.

Under Secretary of State Marc Grossman
House International Relations Committee
May 13, 2004

Representative Watson

Question:

If the Coalition Provisional Authority (CPA) is to be closed down on June 30, what entity or entities will assume its powers? To what extent do Shiite and Sunni clerics support the transitional process?

Answer:

As described in the Transitional Administrative Law (TAL), when the CPA dissolves on June 30, the Iraqi Interim Government will assume sovereign authority over Iraq.

The Iraqi people and Iraqi clerics are generally supportive of returning sovereign authority to Iraqis, of holding representative elections, and of Iraqis drafting and ratifying a permanent constitution under which a representative government will be elected.

