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OUTLOOK FOR IRAQ AND U.S. POLICY

THURSDAY, SEPTEMBER 10, 2009

HOUSE OF REPRESENTATIVES,
COMMITTEE ON FOREIGN AFFAIRS,
Washington, DC.

The committee met, pursuant to notice, at 9:39 a.m. in room 2172, Rayburn House Office Building, Hon. Howard L. Berman (chairman of the committee) presiding.

Chairman BERMAN. The committee will come to order. First, let me indicate that at some point, around 10:30 or 10:40, I am going to have to leave for a while and Mr. Ackerman, the vice chair of the committee and chair of the Middle East Subcommittee, will preside during that time. I also wanted to make clear our committee's policy on handling protests.

We have no objection to audience members wearing T-shirts and hats expressing their views, but to maintain order in the hearing room, we request that the audience members do not hold up or wave signs, make gestures to attract attention, stand up and protest, shout or yell their views or otherwise disrupt the hearing. We will ask the Capitol Police to remove anyone from the room who violates this policy. It is the policy of the Capitol Police to arrest anyone who is ejected from a hearing room.

I will now recognize myself for an opening statement. Six months ago, President Obama set out his vision and timetable for United States involvement in Iraq. Since that time, Christopher Hill, one of our most talented and skilled diplomats, was appointed and confirmed as the U.S. Ambassador in Baghdad. We are very pleased to welcome him back to the committee for the first time in his new role, and look forward to his assessment of whether the President's vision is taking hold, and whether his timetable is on track.

In his February 27 speech at Camp Lejeune, President Obama emphasized that all United States combat forces would leave Iraq by the end of August 2010—a little less than 1 year from now. Under the agreement reached with the Iraqi Government in the final weeks of the Bush administration, we are, in fact, obligated to remove all our forces from Iraq 16 months after that, by the end of 2011.

President Obama also made clear that Iraqis had been given what he called "a precious opportunity" to shape their own future. He emphasized, "the long-term solution in Iraq must be political, not military," and that "the most important decisions about Iraq's future must now be made by Iraqis." Two thousand and ten will be a milestone year for Iraq, as well as the United States.

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In January, Iraqis will go to the polls to elect a new government. Over the following 7-plus months, our combat forces will depart.

We have already withdrawn from Iraqi cities, as of June 30. Based on the most recent figures, we are currently at the pre-surge level of roughly 130,000. Well over half those troops will be withdrawn by this time next year.

Mr. Ambassador, we would like to know: Will the Iraqi security forces be able to maintain order and protect their borders as the United States presence dramatically dwindles? Are the Iraqis ready to step up? More broadly, we would like to know whether Iraqis are, in fact, seizing the opportunity they have been given.

In his Camp Lejeune speech, President Obama also noted, "Too many fundamental political questions about Iraq's future remain unresolved."

Mr. Ambassador, we would like your assessment whether this remains true today.

Do the Iraqis have the political will to maintain national cohesion? Do they share sufficiently a national vision that will sustain peace with their neighbors but independence from the encroachments of neighbors, such as Iran, that would dominate them? What is the attitude of Iraq's neighbors as we prepare to withdraw?

How strong is Iran's influence and what are Iran's intentions? Is Syria harboring Iraqi Baathists who direct acts of terrorism, as Baghdad claims, and still facilitating transit of anti-Iraqi terrorists across its border?

Do we foresee any pitfalls ahead in Turkey's relations with Baghdad, and particularly with Iraqi Kurdistan, which have heretofore developed in a positive direction that would have surprised us just a few years ago?

What sort of relationship should we anticipate with Iraq—politically, economically and militarily—in the wake of our withdrawal? Are the Iraqis committed to repatriating, in the fairest and most humane way possible, the millions of their citizens who have been internally displaced or made refugees as a result of the war? This last question reminds us of our own ongoing responsibilities, which are likely to outlast our troop presence.

I want to commend our Embassy in Baghdad and the State Department, which, along with the Department of Homeland Security, have launched a rare, in country processing program to help settle Iraqis in the United States—Iraqis who have helped us and found their lives endangered as a result.

A great deal of the credit for this program belongs to our late and much-missed friend, Senator Ted Kennedy, who first raised alarm bells about Iraqi refugees on Capitol Hill and later used his notable skills as a negotiator to ensure passage of the Iraq Refugees Act of 2007. We will make sure that the United States continues to offer protection to those who have risked their lives on our behalf in Iraq.

Mr. Ambassador, we look forward to your answers to these and other key questions about the future of Iraq and our involvement there.

I now turn to the distinguished ranking member, my friend, Ileana Ros-Lehtinen, for any opening remarks that she might wish to make.

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Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. Thank you for those remarks and for the opportunity to give my statement. I also will be following you to our next meeting, unfortunately, off the Hill, so I will ask Mr. Burton if he would be kind enough to step in for me when we depart. Thank you. So thank you for holding this important hearing, Mr. Chairman.

The last time the full committee reviewed United States policy toward Iraq on April 9, 2008, General Petraeus and former Ambassador Crocker reported that all major violence indicators, such as the number of attacks against United States and Iraq forces and Iraqi civilian deaths had been reduced to close to the low spring 2003 levels. As a result, the surge was declared as having ended on July 31, 2008.

Among the surge accomplishments, some areas formally written off as al-Qaeda strongholds are experiencing normal life. Similarly, Iran-supported Shia militias in Basra, Baghdad and throughout the southern portion of the country were confronted by the Iraq Government and United States forces in March 2008 and have since seen their capabilities greatly reduced.

Even with great recent gains in security, both al-Qaeda and affiliated insurgent groups, as well as some Iranian-supported militias, remain potent threats in Iraq and there can be no room for complacency. The administration must reinforce a policy which demonstrates that success in Iraq remains a national priority.

In a speech earlier this year the President stated that by August 31, 2010 our combat mission in Iraq will end. He also asserted his intention to remove all United States troops from Iraq by the end of 2011. However, the United States' strategy must look at more than just when and how quickly U.S. forces should and must be removed. A conditions-based strategy must be developed and implemented to ensure that U.S. strategic interests are preserved beyond the departure of U.S. forces.

The key U.S. mission is to execute a transition over the period up to 2011 and beyond that will create a strong, democratic, independent Iraq that will be a strategic partner in bringing further security and stability to the Gulf. The U.S. must prepare to make the transition to a civilian lead that is backed by an adequate mix of U.S. resources and capabilities.

One thing is certain. The United States cannot sit idly by and allow the situation in Iraq to determine its own course. U.S. involvement, particularly the role of our diplomats, in shaping and achieving an outcome supportive of our national security priorities is vital. The United States strategy must include a training mission that will help Iraq become truly independent not only of U.S. forces, but in dealing with the ambitions of all of its neighbors.

With respect to those neighbors, particularly Iran, I am concerned about Iraqi actions being undertaken at the behest of the Iranian regime with respect to Ashraf. On that issue, Mr. Ambassador, what specific measures have been undertaken in the interim to ensure that the rights of the residents in the camp are being preserved, especially against their involuntary repatriation to Iran?

Given the tensions of dozens of Ashraf residents, what is the position of the State Department on this situation? How is the United States protecting Ashraf residents from physical and other harm?

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As we can see, we have some folks in the audience who are concerned with that as well. Mr. Ambassador, these requirements raise the following questions. Does the U.S. have a strategy, an integrated, civil, military plan that is operational, for overseeing the transition from a Defense Department to a State Department-led mission?

How will the State Department take over the lead from the U.S. military? What has the administration identified as the actions to be taken, the resources required and the estimated benefits, risks and measures of effectiveness for carrying out such a transition? While we understand that some of this planning is already under way with the United States team in Iraq, could you elaborate on how much of the planning has been completed?

What set of contingency plans and options for dealing with serious crises is the State Department developing, particularly as our ability to respond diminishes steadily as our forces drop and Iraqi politics dominate events? It is my hope that the same successful collaborative relationship that existed between General Petraeus, the different generals and Ambassador Crocker will continue under your leadership, Ambassador Hill.

A strong civilian-military relations and a robust civil-military framework are instrumental to achieving success in Iraq. Mr. Chairman, it is my sincere hope that this committee will methodically take stock of what has transpired in Iraq since April 2008, what is the current situation, what our long-term priorities are, and determine the best way forward. As always, Mr. Chairman, I thank you for your kindness and your generosity and your spirit of bipartisanship in this committee. Thank you, my friend.

Chairman BERMAN. Thank you very much, Madam Ranking Member. I am now pleased to recognize for 3 minutes the chairman of the Middle East and South Asia Subcommittee, Mr. Ackerman.

Mr. ACKERMAN. Thank you, Mr. Chairman. Welcome, Ambassador Hill. Most Americans don't think much about Iraq anymore, not unless they still have family or friends there. The fact is in Iraq today there are still close to 130,000 American troops, more than 3,200 other government employees, and almost 34,000 American contractors.

Since 2003, the United States has provided close to $50 billion in reconstruction assistance to Iraq, and by the end of this year, the United States will probably have spent more than $700 billion in the war in Iraq. More precious still, so far this year another 113 American troops have died in Iraq, bringing the total losses to 4,261. In the pain of their families and that of their tens of thousands of wounded comrades, the human cost rises past measurement.

The loss of American lives and expenditures of such colossal sums should attract more public attention but Iraq is no longer something Americans want to think about. Collectively, and I include Congress here, we have disengaged far more rapidly than our troop withdrawal plan suggests and probably much faster than our national security interests should allow.

Just because we have committed to withdrawing our combat brigade by next summer and our advisors and trainers a year later does not mean Iraq is no longer our concern. Truly grave peril

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awaits us if we should turn our backs on this country as we chose to ignore Afghanistan and Pakistan following the defeat of the Soviets.

Tomorrow is the eighth anniversary of 9/11. A lesson we should have learned that day is that even if we don't visit bad neighborhoods, they can still visit us. The planet has become a very small place. Because of its size, its resources, its population and location, Iraq is not a nation we can safely ignore. Neither Iran, nor al-Qaeda, is going to forget about Iraq, and also, we, too, must not forget about Iraq.

Since May, Iraq has suffered from growing violence as the reality of United States departure sinks in. The movement of United States troops out of Iraqi cities was a day of celebration among Iraqis and a key milestone for ourselves, but that moment was also a signal to all the players in the country and the region that the rules had changed and the future of Iraq was back in play. Not every player wants to see Iraq succeed.

Within the constraint of absolute respect for Iraq's sovereignty and the spirit of partnership, I believe we must maintain for our own national security interests an ongoing effort to help Iraq emerge as a truly independent, sovereign state capable of defending its own borders and maintaining law and order within them. Our troops will be going home, but that does not mean we will be walking away. Thank you, Mr. Chairman. I yield back the balance of my time.

Chairman BERMAN. Thank you, Mr. Ackerman. Now, I am pleased to recognize the ranking member of the Middle East and South Asia Subcommittee, Mr. Burton, for 3 minutes.

Mr. BURTON. Mr. Chairman, I would like to have my whole statement submitted for the record and just make a few brief comments.

Chairman BERMAN. It will be included.

Mr. BURTON. Mr. Chairman, the Iranian Government still are involved in Iraq. They have sent explosive form projectiles into Iraq, and it was reported I think just today, if I am not mistaken, that they have found these Iranian produced EFPs in Afghanistan as well. The President's anticipating sending more troops over there. We must stop Iran's involvement in both Iraq and Afghanistan.

So, Mr. Chairman, you know how much I admire you, and you know how much I respect you. I respect you so much that I am cosponsoring your bill called the Iranian Sanctions Act. We tried to, in a number of ways, bring that bill to the floor and you said we had to wait until September. Well, Mr. Chairman, it is September. We sure would like to have your bill to the floor. I want you to know I will do everything in my power to work with you to make sure that bill gets passed.

I want to thank the ranking member of the full committee, Ms. Ros-Lehtinen, for her opening remarks because I think it covered most of the things that we need to discuss today. Nevertheless, I am rooting for you, Mr. Chairman. Let us get that bill to the floor. I yield back.

Chairman BERMAN. With your support, what could stop us? Now, because of the importance of the subject, if there are any other members who wish to speak for 1 minute, I am prepared to recog-

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nize them. Let us see. Mr. Connolly? The gentleman is recognized for 1 minute.

Mr. CONNOLLY. Mr. Chairman, I have a prepared statement I will just enter into the record. I want to welcome the Ambassador here today. I had the opportunity to travel to Iraq in February. I am most eager to hear the Ambassador's assessment of the situation in Iraq. Obviously, things when I was there seem to have stabilized.

Since then we have seen a number of additional attacks which raises questions about the stability of the country and the ability of the Iraqi security forces to be able to try to move us toward a more stable situation, and so I am going to be looking forward to Ambassador Hill's assessment of that situation this morning.

I thank you, Mr. Chairman, for holding these hearings.

Chairman BERMAN. Time of the gentleman has expired. The gentleman from California, Mr. Rohrabacher.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. There are many of us who supported President Bush when he initiated this action in Iraq and some of us feel that perhaps that support was something that we now regret, quite frankly. We have, the American people, given the Iraqi people a chance: A chance to have a better life, a chance to have a more democratic system, a chance to live in some modicum of freedom and democracy, but we have paid an awful, a dreadful price to give those people, those 20 million or 30 million people of Iraq, this opportunity.

Mr. Chairman, what is most disconcerting about this whole episode in American history is here we have paid the price in blood and treasure, $1 trillion, but we see so little gratitude from the people of Iraq, and now they seem to be giving the economic benefits of a relationship to the Communist Chinese rather than doing business with our own businesses.

Chairman BERMAN. The time of the gentleman has expired. The gentleman from New York, Mr. McMahon.

Mr. MCMAHON. Thank you, Mr. Chairman. I, too, will be brief and submit a more formal statement to the record. Just to say, Ambassador Hill, what an honor it is to have you with us today. Your longstanding career in Foreign Service is a tribute to your dedication to this nation. Your experience dealing with difficult regimes, if you will, in the past certainly makes you a wonderful candidate for this post.

I would just like to, I think it has been stated already, but just the concerns that we have about the growing influence of Iran in Iraq, and if you will speak to that at length. You know, I think we have to stand strong against Iran. It poses a major security threat to Israel and to the Sunni Arab-led governments in the region. We would like to hear your insights on that as you go forward. I yield the remainder of my time. Thank you, Mr. Chairman.

Chairman BERMAN. The time of the gentleman has expired. Does anyone on the—Mr. Poe seeks recognition. The gentleman from Texas is recognized for 1 minute.

Mr. POE. Thank you, Mr. Chairman. I am concerned about Iranian influence in Iraq directly and indirectly, the violence they are causing, and also, the influence on now the Iraqi security forces, specifically Camp Ashraf, when on July 28 the security forces came

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into Camp Ashraf, killed 11 people, captured these 36, now holding them even though an Iraqi Judge has ordered these individuals to be released 2 weeks ago. They are still in captivity.

What obligation, other than a letter that has been sent by the State Department to the Iraqi Government to do the right thing and obey the law, that has obviously been filed, what are we doing to make sure we have the ability to secure the safety of these people, especially as we turn down or leave the area next year and the year after? We have the moral and legal obligation to secure the safety of these individuals. What are we doing? Thank you. I yield back.

Chairman BERMAN. The gentleman from Texas, Mr. Green, seeks recognition and is recognized for 1 minute.

Mr. GREEN. Mr. Chairman, I would like to place a statement in the record and welcome Ambassador Hill. Look forward to your testimony. I yield back.

Chairman BERMAN. Anyone else seek recognition on the minority side? Mr. Scott, the gentlemen from Georgia, is recognized for 1 minute.

Mr. SCOTT. Yes. Thank you, Mr. Chairman. Mr. Hill, I think that given what is happening now and with the situation and the relationship that is impending with the borderous states of Iraq and Syria, with blame being placed on the former Hussein Baathists, a combination of that and al-Qaeda Sunnis, the arguments between now the President of Iraq and the Prime Minister of Iraq, all of this spells a formula of imminent disaster.

In the midst of all of that, the troops, our troops who are maintaining order and security in the region, have left, we have got the issue of the refugees needing protection, so it begs the question at what point is there a tipping point? Is there any indication where we could get to that point where we alter the schedule of withdrawal of troops in the face of the need to maintain order? Is there that point?

Is there that set of circumstances that the President could say wait a second, we may need to pause, we may need to slow this withdrawal, we may need to keep these troops in there to maintain order? I think that is the fundamental question that we need to examine today as well.

Chairman BERMAN. The gentleman from South Carolina, Mr. Inglis, is recognized for 1 minute.

Mr. INGLIS. Thank you, Mr. Chairman. I think others have mentioned this. Mr. Ambassador, we look forward to hearing from you about what is happening at Camp Ashraf, and really would join in expressing concern about the violation of Geneva Convention and hope that the United States can put appropriate pressure on the Iraqis to act in a humane way and consistent with the conventions. So look forward to hearing from you about that, as well as other things. Thank you, Mr. Chairman.

Chairman BERMAN. Thank you. The time of the gentleman has expired. Does anyone—the gentleman from California, Mr. Costa, is recognized for 1 minute.

Mr. COSTA. Thank you very much, Mr. Chairman, for this important hearing. Mr. Ambassador, I, obviously with the other comments that members have made, am interested in your testimony

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on those points. Like others, I have been in Iraq a number of times over recent years. I am interested in also in your testimony a focus on how well this effort to put together a democracy where it has never existed before is coming together and what is your outlook for potential success with future elections.

They haven't made progress yet on a carbon bill that will share the wealth. It seems to me that the success of this government is all about sharing power and sharing the economic wealth. I would like to know where you think they are going on those points. I look forward to the testimony. Thank you very much.

Chairman BERMAN. Time of the gentleman has expired. The gentleman from American Samoa, Mr. Faleomavaega, is recognized for 1 minute.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. Appreciate your leadership in calling this hearing this morning. I want to offer my personal welcome to my dear friend and former Assistant Secretary for East Asia and Pacific Affairs, Chris Hill, and now as our new Ambassador to Iraq. Looking forward to hearing from Ambassador Hill, and, as I am sure, we are going to have a very lively discussion of the issue of Iraq. Thank you, Mr. Chairman.

Chairman BERMAN. Thank you. The time of the gentleman has expired. Seeing no other requests for recognition, I would now like to introduce our witness. I would again like to welcome Ambassador Chris Hill, a career member of the Senior Foreign Service and the current U.S. Ambassador to Iraq. I have already sung his praises, as have others on the committee. Here is some supporting evidence.

Ambassador Hill is a familiar face to the committee having testified previously as Assistant Secretary of State for East Asian and Pacific Affairs in which capacity he also was the lead United States negotiator at the Six-Party Talks on the North Korean nuclear issue immediately prior to his arrival in Baghdad.

Ambassador Hill has also served as U.S. Ambassador to South Korea, Poland, Macedonia and a special envoy to Kosovo. Earlier in his career he completed tours in Warsaw, Seoul, Tirana and served on the State Department's policy planning staff and as senior director for Southeast European affairs at the National Security Council.

He has twice received the Secretary's Distinguished Service Award, the Department of State's highest award, for his work in Bosnia and in the Korean peninsula. He also received the Robert S. Frasure Award for peace negotiations for his work on the Kosovo crisis. No stranger to Capitol Hill, Ambassador Hill was an American Political Science Association fellow in the office of Congressman Steve Solarz some years ago.

A graduate of Bowdoin College with a B.A. in economics and a graduate degree from the Naval War College, Ambassador Hill has also served as a Peace Corps volunteer in Cameroon where I recall reading he helped expose fraud in rural credit unions. Ambassador Hill, it is yours.

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STATEMENT OF THE HONORABLE CHRISTOPHER R. HILL, AMERICAN AMBASSADOR TO IRAQ

Ambassador HILL. Thank you very much, Mr. Chairman. I have a statement I would like to submit for the record.

Chairman BERMAN. That statement will be included in its entirety.

Ambassador HILL. Thank you. Chairman Berman, members of the committee, I want to thank you very much for the opportunity to speak today about this historic opportunity we have in Iraq as we transition from a military to a civilian-led mission and about our efforts to develop a strong and a long-term normalized relationship with this key country in the Middle East.

This is the start of a 12-month period at the end of which all United States combat forces will be withdrawn from Iraq. It is, therefore, a very critical 12 months. It is the 12 months in which we will have to work very carefully, and very closely, together to ensure that the gains we have made, gains that as a number of you have pointed out cost us dearly, but gains that nonetheless we can consolidate.

Mr. Chairman, we have a huge interest in capitalizing on the opportunities that Iraq presents. Iraq is at the center of the Middle East. It is bordering key countries, like Saudi Arabia, Iran and our NATO ally, Turkey; it is where the Scion world meets the Shia world; it is where the Kurdish world meets the Arab world. Indeed, the Iraqi people are also blessed to have some over 100 trillion barrels of oil making them the third largest oil, having the third largest oil reserves in the world.

For the first time in decades now, Iraq has a real chance to become an engine for regional stability and regional growth rather than a source of regional tension and dispute. Mr. Chairman, as we transition to this civilian effort, we look to help foster security through active diplomacy, to contain and begin to resolve internal disputes, disputes within Iraq, and to foster longer term stability by assisting Iraqis in building a market-oriented economy and a genuinely representative and accountable government.

Over time, as our programs make progress on these economic and political goals, we will significantly reduce our civilian presence both in the provinces and at the Embassy in Baghdad. Iraq has suffered a series of attacks over the past several weeks, including several on minority communities. Particularly horrifying were the attacks on the Iraqi Foreign and Finance Ministries on August 19.

The reality is that the Iraqi people have stood firm and have rejected retribution and a new cycle of violence such as the ones that brought Iraq to that brink in 2006. There has actually been some good news. Iraq during this past year staged two rounds of successful elections, the provincial council elections and 14 of their 18 provinces in January elections, and the Kurdistan regional government in July.

Today, in fact, new provincial councils operate aware that voters will have an opportunity to judge their performances in the next elections. Preparations have begun for the national elections scheduled for January 2010. The council representatives, that is, their Parliament, is working on an election law to govern the conduct of

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the elections, and Iraq's high electoral commission has begun to register voters, and political parties are negotiating coalitions, several of which are likely to be cross-sectarian.

We will continue to work with the Iraqi leadership to ensure that this process is completed, but I am pleased to report that politics has definitely been embraced in Iraq. There is no question that Iraq has the resources to become stable and successful, but it needs to better mobilize these resources, starting with oil. On June 30, the Iraqi Ministry of Oil held a bid round with 32 international oil companies competing for six oil fields and two gas fields.

One field was awarded. That field is one of Iraq's largest producing oil fields, one that could help boost, possibly even double, Iraq's current oil production. The bid went to a British firm with a Chinese minor partner. There are other bids for the other fields that were not successful, but there are continuing discussions to see if they can find success in those other fields.

A second bid round planned for later this year will include larger fields that have been minimally developed. In the run up to the next bid round we are urging the Iraqis to recognize the opportunity it presents. This round needs to be a success. We have discussed intensively with Iraqi Government how it can make its investment climate in the sector more attractive.

Provided the Iraqis can also reach consensus on a hydrocarbons legislation and on revenue sharing, it could be a real game changer for the country. Iraq really needs to focus on its economy. I would put economy right up there with security and the political situation if Iraq is going to be successful. I can assure you we will keep urging progress on market reforms.

During his visit to the United States in July, during which Prime Minister Maliki met with a number of our senior officials and also made a visit to Arlington Cemetery to honor those who have fallen in this war, Prime Minister Maliki announced plans for the first U.S.-Iraq business and investment conference to be held October 20 and 21 here in Washington.

Some 200 representatives from Iraq will attend the conference, led by delegations of senior government officials. Preceding that conference, we will have several high level Iraqi officials here for dialogues on economic cooperation, which is a bilateral economic policy discussion, to highlight the steps they need to take.

These events will be significant steps as we help Iraq attract foreign investors, stand up a market economy and pay their bills. A market economy in Iraq can generate economic growth and increased employment opportunities and it will also weaken the insurgents and the extremist networks. Were Iraq to rebuild its infrastructure and economy on the scale that its neighbors in Saudi Arabia and the Gulf did in the 1970s and 1980s, it could be that engine that would help the regional economy. Indeed, beyond that, to the world.

Beyond bilateral and economic issues, I want to stress that the Iraq issues do not exist in a vacuum. A look at a map will clearly show that Iraq is located in the center of a highly complex neighborhood. Iran's influence is a reality, and I look forward to discussing that with members of the committee.

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We recognize that elements of Iran's influence, such as trade and religious tourism, can have a positive impact, but too often it plays a negative role, meddling in internal politics. With Syria, tensions persist between Baghdad and Damascus and tensions have risen in recent weeks. Iraq's history with Kuwait is also difficult, and, as we all know, the problems reach back beyond 1990.

So there is a fundamental question that I think we need to look at: Will the Sunni Arab world make room for an Iraq, an Arab state which will probably have the Shia in a leading role? That is a critical question. Another critical question is, of course, will Iran respect Iraq's sovereignty and understand that we, the United States, intends to have a long-term relationship with Iraq, and that we, the United States, consider a strong Iraq a positive element in the region?

There are many internal threats to Iraq's stability although the extreme Sunni Shia violence of 2006, 2007 has abated and often because of our direct intervention, our work with people, our political and other efforts there. Nonetheless, the bombings in recent months show that we still have to deal with al-Qaeda in Iraq that tries to rekindle violence.

To the great credit of the Iraqi people, however, they have not risen to the bait. Our diplomacy has a vital role to play. We look to be active in supporting resolution of disputes, territorial disputes, in northern Iraq between the Kurds and the Arabs. I, myself, was just in Iraqi Kurdistan discussing with President Barzani how we could move ahead on these issues.

We would like to see the vital oil sector. Again, I think oil is a crucial component of getting that country on its feet, and we would like to see those issues resolved, especially in the thorny area of Kirkuk. So we have a lot of work to do together, but we feel we are very much engaged with Iraqi Kurdish partners as well. I am pleased to tell you, Mr. Chairman, that the U.S. Embassy, we consider ourselves very much joined at the hip with our military colleagues.

The U.S. military has been an extremely positive force in that country, not only in liberating it from Saddam Hussein, but in working with the various political elements there in trying to get the economy going and in keeping the country together, and I think we can all be very, very proud of what our military has succeeded in doing there.

I worked very close with General Odierno and I am pleased to say that we have an excellent relationship and it is based on we move forward and during this year will ensure that our troops are withdrawn on schedule by the President's timetable and that in their place will remain a very strong, healthy relationship between the United States and Iraq, one that has moved from a military face to a political face, and a relationship that it is our hope will serve our interests for decades to come.

Today, we have a security agreement that is utterly crucial in setting out the parameters for our military relationship. We also have something called a strategic framework agreement which lays out all the elements of a relationship that we intend to have with Iraq for decades to come. Mr. Chairman, I would say to you that this year is going to be absolutely crucial.

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It is absolutely crucial that those of us who serve in Iraq and talk to you and to members of your committee and make very clear how we see the situation on the ground. I have been very pleased to see so many Members of Congress come out to Iraq. I hope many more will come out. Any time I am in Washington I look forward to meeting with you and any members of the committee who would like to meet. Thank you very much.

[The prepared statement of Ambassador Hill follows:]

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Statement by
Ambassador Christopher R. Hill
House Foreign Affairs Committee
September 10, 2009

Chairman Berman, Representative Ros-Lehtinen, Members of the Committee, thank you for the opportunity to speak today about our historic opportunity in Iraq as we transition from a military to civilian-led mission, and about our efforts to develop a strong, long-term normalized relationship with Iraq. Such a relationship could serve as a model for how we approach the aftermath of other conflicts, based on the strategic interests of both states.

We have huge interests in capitalizing on this opportunity. Iraq is at the center of the Middle East, bordering key countries like Saudi Arabia, Iran and our NATO ally, Turkey. For the first time in decades, Iraq has a chance to become an engine for regional stability and regional economic growth rather than a source of regional tension and dispute.

A convergence of events presents the possibility of genuine advancement. Our military is in the process of drawing down combat forces and transitioning to a predominantly advise and assist role. Our civilian effort, under my direction, will help foster security through active diplomacy to contain and begin to resolve internal disputes and to foster longer term stability by assisting the Iraqis in building a market-oriented economy and a genuinely representative and accountable government.

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Over time, as our programs make progress on these economic and political goals, we will significantly reduce in our civilian presence both in the provinces and at the Embassy in Baghdad.

Reality on the Ground

Iraq has suffered a series of attacks over the past several weeks, including several on minority communities. Particularly horrifying were the attacks on the Iraqi Foreign and Finance ministries on August 19. The reality, however, is that the Iraqi people have stood firm and rejected retribution and a new cycle of violence such as the one that brought Iraq to the brink in 2006.

This does not mean we don't take the attacks seriously. We do. Our civilian and military personnel have been cooperating extensively with Iraqi counterparts on investigations, security and medical treatment.

There has been some good news. Iraq staged two rounds of successful elections this year – the provincial council elections in 14 of Iraq's 18 provinces in January, and elections for the Kurdistan Regional Government in July. Today, new provincial councils operate, aware that voters will have an opportunity to judge their performance in the next elections. Preparations have begun for the national elections scheduled for January 2010 – the Council of Representatives is working on an elections law to govern the conduct of the elections, Iraq's High Electoral

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Commission has begun to register voters, and political parties are negotiating coalitions-several of which are likely to be cross-sectarian. We will continue to work with the Iraqi leadership to ensure that this process is completed.

Iraq's economy remains a work in progress, beset by drought, inadequate reforms and falling oil prices earlier this year, which hurt the budget. As production and export levels have increased and oil prices recovered in recent months, Iraq's budget situation has improved somewhat. Nevertheless, we have concerns about near-term fiscal stability in Iraq. The Iraqi government must continue to pursue a responsible fiscal policy, which includes negotiating another Stand-By Arrangement with the International Monetary Fund. It also needs to undertake the economic reforms necessary to join the World Trade Organization and integrate into the global trading system. We stand ready to broaden our economic cooperation, and toward this end, we look forward to the Iraqi government's ratification of several pending bilateral cooperation agreements. We can be helpful, but on the economy, the time has come for the Iraqis to step up to the plate.

The Iraqi government has the resources to become stable and successful but it needs to better mobilize those resources, starting with oil. On June 30, the Iraqi Ministry of Oil held a bid round with 32 international oil companies competing for six oil fields and two gas

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fields, one field was awarded. It is Iraq's largest producing oil field, one that could boost considerably Iraq's oil production. A second bid round, planned for December, will include larger fields that have been minimally developed. In the run-up to the next bid round, we are urging the Iraqis to recognize the opportunity it presents. This round needs to be a success, and we have discussed intensively with the Iraqi government how it can make its investment climate in the sector more attractive. Provided the Iraqis can also reach consensus on hydrocarbons legislation, and on revenue sharing, it could be a real game-changer for the country.

Nonetheless, long-term growth and stability will require a more diversified economy with greater foreign direct investment. The Prime Minister says that his government will take measures to address legal and regulatory hurdles to investment. There are many hurdles, the legacy of Baghdad's adherence to socialist ideology for decades lingers in the minds of many Iraqi's, who remain suspicious of free trade, foreign investment, and other reforms needed to open the economy and spur employment. We review these issues in detail with the Iraqis, ranging from the aviation sector to agriculture. We will keep urging progress on market reforms. During his July visit to the United States, Prime Minister Maliki announced plans for the first U.S.-Iraq Business and Investment Conference to be held October 20 and 21 here in Washington. About 200 representatives from Iraq will attend the conference, led by a

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delegation of senior government officials. Preceding the conference, on October 19, we will host several high-level Iraqi officials for the Dialogue on Economic Cooperation, a bilateral economic policy discussion where we will highlight steps the Iraqis can and should take to spur investment. These events will be significant steps as we help Iraq attract foreign investors and stand up a market economy. A market economy generating sustained economic growth and increased employment opportunities will weaken insurgent and extremist networks. Were Iraq to rebuild its infrastructure and economy on the scale that its neighbors in Saudi Arabia and the Gulf did in the 1970s and 1980s, it would be an engine that would help the regional economy and indeed that of the world.

Beyond bilateral and economic issues, I want to stress that Iraq issues do not exist in a vacuum. A look at a map shows clearly that Iraq is located at the center of a complex neighborhood. Iran's influence is a reality. We recognize that elements of Iran's influence, such as trade and religious tourism, can have a positive impact on Iraq's economy. Too often, however, Iran has played a negative role, meddling in internal politics or arming and training violent militias. With Syria, tensions persist between Baghdad and Damascus. Iraq's history with Kuwait is difficult – and the problems reach back beyond 1990. Against this backdrop, there is a fundamental question: is the Sunni-Arab world

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prepared to make room for an Arab state that will be led – by a government in which Shia play a leading role? How Iraq deals with its neighbors will define what kind of region emerges in the coming years. We need to help Iraq find solutions to longstanding regional disputes. We want to see an Iraq that is at peace with its neighbors, one that can be an anchor of stability and prosperity, where the chances of having to put our excellent service members back at risk are small.

Iraq still faces internal threats to its stability. The extreme Sunni-Shi'a violence of 2006-2007 has abated, thanks in part to some of our efforts, such as enlisting the help of the Sons of Iraq. In the bombings we have seen in recent months we detect an effort by al-Qaeda in Iraq to rekindle that violence, but to the great credit of the Iraqi people, they have not risen to the bait. At the same time, there is a risk of escalation in tensions between Arabs and Kurds around the disputed areas in northern Iraq. And we are working with Iraq to address the return of refugees and internally displaced persons in ways that will help avoid instability and contribute to Iraq's development.

Our diplomacy has a vital role to play. I have expanded our effort to facilitate first containing, and then beginning to resolve, disputes in northern Iraq between the Kurds and the Arabs. I was just in Iraqi Kurdistan discussing how we can move forward on issues like developing the vital oil sector in a way that benefits all Iraqis and also how to address

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the thorny dispute in Kirkuk. We need to begin the process of getting various ethnic and sectarian communities engaged in settling their disputes through discussion. The UN has an important role here. All of us want to ease tensions and cool the emotional temperature so individuals and families can start to build stable lives -- and develop the economy. In this context, our diplomatic track is designed to fully complement our military's effort to foster cooperation between Kurdistan regional security forces and those of the central government in Baghdad.

Changing Role in Iraq

A major visible sign of how the times are changing was the drawdown of combat troops from cities and villages on June 30. The President has made clear our intention to drawdown all combat troops by August 31, 2010, and drawdown all U.S. forces from Iraq by the end of 2011. As the military draws down and the role of the State Department increases, we are working with General Odierno and the rest of the military and other civilian agencies to make the transition from a military-led effort to one led by civilians as seamless as possible.

In general, we are not seeking to replicate the programs of the military but instead to transition to a more normalized relationship. This is what I believe we want as a country and this is what the Iraqis tell us they want as well.

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Helping Iraqis make their country secure will require that we continue to partner closely with Iraqi military and police. The military has had the lead role in supporting the development of a capable and non-sectarian Iraqi Security Forces and we have seen huge gains in terms of Iraqi forces' capabilities and cohesion, although the Iraqi police in particular still have far to go in terms of establishing a fully professional and self-sustaining force. As the military prepares to drawdown all its forces in a little over two years, it is our intent that the State Department take over the lead on police training. Our programs will focus more selectively on the higher order skills that the Iraqi police now need.

All of these issues have a political dimension; solutions that focus on security alone can only go so far. Through the strong civilian effort that President Obama has committed to, we will step up when our Iraqi counterparts ask for our help on issues that are important to us. Our assistance will be useful in settling disputes, supporting the national elections, building more transparent and professional state institutions, and creating conditions that minimize the likelihood of conflict. For example, Secretary Clinton announced $100 million in new assistance to support the return and reintegration of displaced Iraqis after her July 24 meeting with Prime Minister Maliki.

The transition to a civilian-led mission presents other challenges for us as well. Some have already become apparent. To make sure our

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diplomats and other staff are active beyond the Embassy walls, we are moving our civilians around Iraq more than ever. Our civilians in Baghdad and in the provinces are slowly but noticeably making progress helping Iraqis better manage Iraqi affairs and Iraqi projects in areas like education, economic issues, energy, and transportation.

For example, international airlines like Gulf Air are starting service to the new airport in Najaf - a project we didn't pay for but for which we provided expert advice through our mission staff in Baghdad and the PRT. That is the model of how we will operate in the years ahead.

Najaf, one of the most important cities for Shia Muslims, was once wracked by violence and terrorism at the hands of Sunni extremists and Shia militias. Now it is generating many investment projects in religious tourism and education, with the airport a major factor. This is the kind of growth and stability that we want to see elsewhere in Iraq.

Strategic Framework Agreement

As our relationship with Iraq transitions, the SFA will become the framework for our bilateral relationship. The SFA outlines areas of cooperation and allows us to continue our civilian programs that address the concerns of the GOI and the U.S. goal of a sovereign, stable and self-reliant Iraq. Under the SFA, we are stepping up our work in areas ranging from educational exchanges, to the environment, to economic

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development and trade promotion; all to capitalize on this opportunity to make Iraq genuinely stable and secure. Najaf's airport is but one small example of how we do this. The broad plan is detailed in our *Strategic Framework Agreement for a Relationship of Friendship and Cooperation between the United States of America and the Republic of Iraq* that lays the basis for a long-term partnership.

Our Iraqi colleagues are keen partners in implementing the agreement and this was a focus of Prime Minister Maliki's recent visit. On July 24, Secretary Clinton and Prime Minister Maliki convened the second meeting of the Higher Coordinating Committee under the Agreement to review the progress made since it entered into force in January.

The Agreement calls for the establishment of Joint Coordination Committees, as necessary, to execute and oversee implementation. To date, four such working groups have convened.

The Committee on Services and Information Technology provides a structure for cooperation on capacity development and institution building, an area where improvement would yield great benefits for Iraqi society. Our programs work with Iraqi ministries and executive offices to develop civil service skills and ministry leadership. For example, we have helped our Iraqi counterparts improve electricity service delivery

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and have provided intensive training on specialized medical treatment for Iraqi doctors.

The Committee on Economic and Energy Cooperation has overseen technical assistance and training for the Ministry of Oil on contracting, licensing, the tender process, and dispute mitigation. The U.S. Commercial Service has made it possible for eight delegations of Iraqi businessmen to attend trade shows in the United States. And we are working with the Government of Iraq and the World Bank to develop a regulatory framework for, and to invest in, microfinance institutions currently operating in Iraq.

The Committee on Law Enforcement and Judicial Cooperation focuses on strengthening the judicial and corrections systems. There are courts operating now in parts of Iraq where there used to be none, such as the new one in Ramadi that we helped build in once violence-wracked Anbar. International human rights organizations such as Human Rights Watch have acknowledged that the treatment of detainees in Justice Ministry prisons – whose guards we train – has improved. Meanwhile, legal clinics and judicial training we provide has reduced the time prisoners wait to get trials. Better detention conditions and faster resolution of cases takes some of the edge off of sectarian divisions and ultimately reinforces stability in Iraq.

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Finally, the Committee on Education, Cultural, and Scientific Cooperation provides an umbrella for our many Fulbright and International Visitors Programs, which bring scholars and experts to the United States for long and short-term study. Iraq recently committed $2.5 million to the Fulbright program, making it the largest Fulbright contributor in the Middle East. We are also partnering with Prime Minister Maliki in his ambitious program to send 10,000 young Iraqis for university studies abroad. I mentioned the problems that hinder Iraq's economy because of discredited socialist ideologies and practices. Iraqis – both the people and the government –hunger for better education and, in the end, only better educated graduates can ensure that Iraq is prosperous and stable in decades to come.

We are not alone. United National Assistance Mission for Iraq or UNAMI has ambitious plans. Our NATO allies are helping with training programs. The World Bank and International Monetary Fund are contributing as well to our shared objectives in Iraq. But all of them need to do more.

<u>Elections and Government Formation</u>

Under the Strategic Framework Agreement we have agreed to work with the Government of Iraq to support and strengthen Iraq's democracy and democratic institutions on a purely nonpartisan basis.

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A legitimate national elections process and subsequent government formation is key to improving stability. The successful conduct of the provincial council elections in 14 of Iraq's 18 provinces in January was encouraging, and we hope to help the Iraqis build on that success.

The national elections and subsequent government formation carry high stakes for many political actors, successful election and a smooth transition to the new government are critical for Iraq's developing democracy and its people. What is happening now is that various politicians are reaching into other communities in an effort to put together a coalition they think could win in January. This is heartening. But politicking and jockeying for position will also continue following the elections, when Iraq's elected leaders will have to work together to create a government. This may be a long process, but it is imperative that we show our continuing support for Iraq's democracy. Our focus is on building a long-term relationship with Iraq that can survive the uncertainty surrounding elections.

Our Continuing Presence and Activities on the Ground

As the U.S.-Iraq relationship continues to change, our civilian presence and programs will necessarily shift along with it. In Baghdad as the relationship between the U.S. Mission and the Iraqi Government continues to normalize, the embassy will be rightsizing it's presence

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down from the extraordinary staff levels that were required to support the interim government a few years ago. In provinces, as our military presence draws down, the number of PRTs will decrease too, but we want to maintain significant engagement in important provinces. Consistent focus on key provinces could help prevent violence and instability that may spread to other areas. We are currently engaged in a deliberative process within the administration on the future footprint of the U.S. mission in the provinces and we will be happy to update you as we move forward.

The intrepid men and women serving in our PRTs have amassed a record of achievement that all of us can be proud of. They have contributed significantly to the decline in violence in most parts of Iraq; helped prepare for provincial and now national elections; provided capacity building assistance for provincial officials; spurred good governance and reconciliation; strengthened civil society and much more. More importantly, it is a record of achievement that local Iraqi communities are eager to build on.

The transition from a military to civilian-led mission will involve significant programmatic and management challenges. We are planning for the civilian-led programs to follow on from military ones that have yielded successes and will need to be continued, such as police training.

An effective transition from a military-led presence to a civilian-led

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presence will require strong civilian leadership in Baghdad and the provinces. Part of the transition will involve making necessary, sometimes tough, decisions about the types and degrees of programs that will be critical for us to continue in order to secure and build on the achievements made to date. As the State Department takes the lead from the Defense Department, we will be developing a resource plan that enables us to carry out the mission in Iraq.

We will align our assistance efforts, both in Baghdad and in the provinces, towards the goals most important to achieving economic growth, stability and ultimately a secure Iraq. Ambassador Pat Haslach is coordinating our foreign assistance programs in Iraq, as well as the transitions those programs will undergo as the military presence draws down. Helping develop capacity in Iraq's government institutions, assisting women and widows who have suffered disproportionately from the violence, and aiding returning refugees and internally displaced persons seeking to reintegrate into Iraqi society are some of the important aspects of our activities on the ground in Iraq. Our programs also support the President's Cairo initiatives – improving economic development and access to opportunities, education exchanges, and so on – and make it possible for Iraqis to participate in American programs with citizens of other countries in the region.

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Looking out longer term, we can see where our civilian effort reaches its objectives. We will have finished training programs and helped the Iraqis establish sustainable economic growth, and stable governance and management systems. We can then continue to ramp down our effort. Already the embassy is planning for a gradual reduction in the number of agencies and American personnel both in the provinces and at the Embassy starting in 2010.

Conclusion

We are at a new stage in our relationship with Iraq. We must maintain strong engagement to prevent backsliding and build close and constructive ties. Such ties are squarely in our interests, in Iraq's interests, and in the interests of the region.

An Iraq focused on economic development will want stable, predictable relations with its neighbors.

An Iraq where different ethnic and sectarian groups work together to solve common problems will improve security – and free people to get down to building businesses, not bombs.

An Iraq where people go safely to the polls and have a say in the decisions that affect their lives will make for a better future. To paraphrase a former mayor of New York, issues-based politics will help

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drive home the point that there is no Shia or Sunni way to clean the streets.

The Strategic Framework Agreement provides a solid foundation for civilian engagement and cooperation. We hope this will help us develop that relationship. As we transition responsibilities from military to civilian agencies, we will need your support to make sure that our men and women on the ground – military and civilian – have the resources they need to do their jobs and cement the new phase of our relationship with Iraq.

Our help is still essential on these fronts. Iraq's successful transformation will be the ultimate justification for the sacrifice of the American people, especially our service members.

The August 19 bombings and other recent attacks were awful. But they have not discouraged the Iraqi people and government from working toward a better future, and they should not discourage us from assisting them, where appropriate, in that endeavor.

In closing, I want to thank all the men and women who have served in Iraq, both military and civilian. They have done a truly brilliant job in a very different type of war. My thoughts are with those we have lost, those who have suffered serious injuries, and their families. We will continue to be indebted to them for their service, we will never forget their sacrifices, and we thank them all for their service.

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Chairman BERMAN. Well, thank you, Ambassador Hill. I will yield myself 5 minutes to start the questioning. According to Ken Pollack in the most recent issue of The National Interest, over the past year "Maliki has been deploying more of Iraq's nascent military power to the north and goading the Army into regular provocations with the Kurdish militia, the Peshmurga."

My questions are: Is Pollack's assertion accurate, and, a little more detail—you touched on this—but what are the prospects that there will be a serious outbreak of hostilities between Arabs and Kurds? Are growing Kurdish Arab tensions the biggest threat to Iraqi stability? We learned this morning of another mass casualty bombing in a Kurdish village just outside Mosul and a number of casualties.

In addition, could you provide details of General Odierno's proposal to deploy United States forces in northern Iraq in order to build confidence between the government and the Kurdish security forces. How many U.S. troops would be involved? How many Kurdish Peshmurga and Iraqi security forces would be involved? What are the criteria for success of this plan? What would determine that such deployments are no longer needed?

Ambassador HILL. Mr. Chairman, the internal issue of the relationship between the Kurdish regional government and the Iraqi Arabs is of course a very crucial element of the cohesion of Iraq. I am pleased to say that it is an issue that is receiving a great deal of attention, both by our military, but also by the Embassy. We also have a U.N. mission there, UNAMI, that is very active in this area.

The issue is, like many issues in Iraq, complex, but there are, for starters, a number of territorial questions and it goes along the border, which is called the disputed internal boundary areas, and there are some 15 features along that border in which there are disputes. Some are less disputed than others. Indeed, sometimes you will hear, like in Makhmur one side said no, it is not disputed, the other said it is.

Certainly in Kirkuk this is probably the most sensitive of the areas because Kirkuk is probably the most economically developed and it is also has probably got the greatest economic potential in terms of oil reserves. So these 15 features along this border need to be resolved. I want to stress this is an internal border, it is not an external border.

One hopes that as these issues are resolved, that is, to determine which is in the Kurdish regional government area and which is in the rest of Iraq, tensions will subside, economic activities will get going and you will have less of a, it will calm things down such that the actual internal boundary will be less important.

One of the first issues, and our military has really taken this issue up, is to try to make sure you don't have any accidental contact or conflict between Iraqi forces and the Peshmurga, and so General Odierno has been working with the Baghdad government and the government in Irbil on some ideas to do some joint patrolling. Now, this is a work in progress.

He had some discussions in Irbil Saturday on this, he had discussions previously in Baghdad in which the Kurdish Interior Minister

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and Defense Minister came to Baghdad, last Saturday he had the National Defense Minister and Interior Minister come up to Irbil.

The concept is essentially to have patrolling that includes setting up some checkpoints which are to be determined where those checkpoints are to be, but also to have some mobile checkpoints involving three elements: United States, Peshmurga and the Iraqi army.

Chairman BERMAN. Let me just interject because I only have about 20 seconds left.

Ambassador HILL. Yes.

Chairman BERMAN. Is this assertion regarding purposeful deployments in the nature of provocations by the Iraqi army to the north?

Ambassador HILL. Yes. I haven't read Dr. Pollack's article. I think what he is referring to is the deployment of the Iraqi 12th Infantry Division, which, in the minds of some experts, was provocative in that it had fewer Kurdish members and less Kurdish leadership in the Iraqi army in that division. I think it certainly was a problem a couple of months ago.

Chairman BERMAN. Ambassador, I hate to do this to you, and I am interrupting the answer to my own question, but my time has expired and so I have got to——

Ambassador HILL. Okay. I just want to emphasize that I believe those issues have stabilized, but we need to get the political issue moving. The two major features are Kirkuk and Mosul. If we can find solutions in those areas, and when I say Mosul I mean Nineveh more broadly, then I think we can work through the other 15. We are working very closely with the U.N. and we have someone from the U.S. Embassy full-time on this job assigned to Kirkuk.

Chairman BERMAN. My time is more than expired and I now recognize the gentleman from California, Mr. Rohrabacher, for 5 minutes.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. We lost 4,323 American lives so far in this endeavor. Again, let me repeat what I said in my 1-minute opening statement, and that is it is somewhat dismaying for Americans to see what appears to be a total lack of gratitude on the part of the Iraqi people for the sacrifice that has been made. I have yet to hear Iraqis who I have been in direct contact with without prodding say thank you to America and express their gratitude.

The Kurds, on the other hand, seem to be very appreciative of the efforts that we have made. As American troops were withdrawn from the cities recently in Iraq, there were celebrations all over Iraq except in the Kurdish areas.

The Kurds have expressed to me that they believe that those celebrations, the withdrawal of American troops was, frankly, a terrible sign of disrespect for the American sacrifice that we have made for the people of Iraq, and so it was a sign of, you know, seeing those people out celebrating our withdrawal doesn't sit well with some of us who know how much suffering we have had here among our own people.

People losing their sons and daughters and having their faces blown off and have these people not being grateful for it, it is just,

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it is heart wrenching for the American people to understand, and then to find out that the Communist Chinese are ending up with oil deals that perhaps should be going to American companies or just perhaps maybe not to a country like Communist China.

So let us get to some specific questions, Mr. Ambassador. I echo the alarm that our chairman expressed about possible moves against the Kurds. We need to make sure that we send a very strong signal that it is unacceptable. What stronger signal could we send but to join 12 other nations who have a consulate in Irbil? I will be proposing legislation soon that will require us to have a consulate in Irbil. What is your reaction to the idea of joining the other nations that have established such consulates?

Ambassador HILL. With regard to the issue of a consulate, the U.S., first of all, has probably the largest mission in Irbil of any of the countries you mentioned. Ours is a provincial reconstruction team led by a very senior diplomat there, Andy Snow, with many years of experience in the Foreign Service. In short, we have a very strong diplomatic presence.

I think the issue of whether or when to have a consulate is something that the State Department will need to make a decision on. It goes beyond my capacity to decide. I want to assure you, though, that we are in very close contact with the Kurds. In fact, I just spent 36 hours over the past weekend just Saturday and Sunday with President Barzani up in his home village in Barzan, so we are in very close contact with him.

I also want to assure you that we look to reduce tensions and we look to make sure that everyone understand what the rules of the road are. We are pleased, actually, that we have a Prime Minister in Baghdad who has actually gone up to Kurdistan in recent weeks to meet with President Barzani and meet with the other leadership.

Mr. ROHRABACHER. Well, thank you very much. Let me just note that if we want to make it real for those people, we have a chance now. If we instead of hedging make it an official consulate, if we have a presence in the Kurdish town in this area, certainly making it real at this point by making it an official consulate would be a great message, I think, that would deter people who have other plans in Iraq.

Let me say the other thing that is disturbing to me is of course that we have seen this attack on Camp Ashrah, and I would hope that you take back with you to the Iraqi Government that there are senior members of the United States Congress that are watching what they are doing, and holding, going in and taking prisoners from that camp in order to do the Iranian Mullahs a favor is not acceptable. Their human rights are being violated, as far as what we can see, and we should put an emphasis on that as well.

Ambassador HILL. I will carry that message.

Mr. ROHRABACHER. All right.

Mr. ACKERMAN [presiding]. Thank the gentleman.

Mr. ROHRABACHER. I guess that is the end of my questions. Thank you.

Mr. ACKERMAN. Yield 5 minutes to myself. Ambassador, thank you very much for your testimony and for your service again. Could you tell us what role Iran is playing inside of Iraq?

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Ambassador HILL. Iran has a longstanding relationship with Iraq. There are obviously many Shia in Iraq and Shia in Iran who feel very close kinship. There is a cultural relationship, a religious relationship, a commercial relationship, but, frankly, sir, there is also a very malevolent relationship. We see continued signs of Iranian weaponry finding their ways into various insurgent groups in Iraq.

Indeed, one of the Iranian weapons I found in my front yard at my house when we were rocketed a couple of months ago, 107 millimeter rockets, which were Iranian made. So there is no question that Iran and Iraq should have a longstanding relationship, they are, after all, neighbors, but I think Iran needs to do a much better job of respecting Iraq's sovereignty and they should start by ceasing to provide weaponry to various extremist groups in Iraq.

Mr. ACKERMAN. Thank you. It seems a lot of time has gone by where the Iraqis have been talking about, or not talking about, the hydrocarbon law. Is anything happening? If they can't come to a basic conclusion about that, which is, I would presume, an important, if not the important, component of what would be their economy, how are they going to be able to run a country?

Ambassador HILL. Yes. I believe the hydrocarbon law is long overdue. We have urged that they pass this legislation for many years now. There are clearly some differences. Some of the differences are between the Kurdish Government and the Kurdish Government authorities in Irbil and the Iraqi Government authorities in Baghdad, but I think the issue goes well beyond that.

There are a lot of differences between people in the Council of Representatives, that is their Parliament from the south, and people in the central part of the country. It is a very complex piece of legislation. It actually involves several pieces of legislation.

The question is can Iraq make progress on its oil sector in the absence of getting this very tricky piece of legislation through their parliament? The answer to that is yes, they can do a lot more in terms of getting out these fields through international bids, and they have begun to do so.

They will need a hydrocarbons law. It will help set out the relationship between what the provincial authorities, what their requirements are in terms of paying for infrastructure and issues like that. It will also set out the bureaucratics of what kind of national oil company, if any, that they have. They have not been able to reach an agreement. My prediction to you is that they will not do so prior to the January elections.

At the same time, I do believe that they will move ahead with other international oil companies, as they have started to do, in leasing out fields. I want to emphasize the importance of that because Iraq has not done that for decades and decades. Well before Saddam Hussein there has been this predilection in the country not to give out oil fields to foreign entities.

They have begun to do so and it is a very healthy development. I think it could signal an end, or the beginning of an end, to Iraq's self-isolation with regard to its economy. So it is a delicate political issue but they have begun to do so. If they are able to do so, they will be able to export far more oil and they will be able to pay their own bills.

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Mr. ACKERMAN. Excuse me, Ambassador. You have now said when and if in the same sentence. Do they have the ability to do that?

Ambassador HILL. Ability to? I am sorry.

Mr. ACKERMAN. To solve this problem.

Ambassador HILL. Yes.

Mr. ACKERMAN. I mean, they are besieged with problems in trying to run a country. If they don't, how do they solve Kirkuk? How do they solve all their other problems?

Ambassador HILL. They put up six oil fields and two gas fields for bid in June. One of the fields was given out to a British entity, British Petroleum. Those negotiations to complete that deal are ongoing, and we believe they will be successful.

The others, we believe, are also under discussion so that by this fall, and I am mentioning this because you asked about the hydrocarbon law which I don't think as a realistic matter is going to get done this fall, I do believe they are going to get foreign investment in their oil fields. They have a lot of work to do on infrastructure, which has fallen down.

They have pipeline problems, other things. I think it is very encouraging that they are doing this because, Mr. Chairman, our desire is to see that Iraq starts paying its own bills.

Mr. ACKERMAN. Thank you. Mr. Poe.

Mr. POE. Thank you, Mr. Chairman. Thanks for being here, Mr. Ambassador. I want to follow up on my opening statement. I am concerned about the Iranian Government. The Iranian Government wants to develop nuclear weapons, they are involved in Iraq directly and indirectly, they cause mischief, they kill people, and now they are involved in Camp Ashraf with influence on the Iraqi Government.

Apparently the United States knew that there was trouble in Camp Ashraf, that there might be some type of problem, and, of course, there was a problem with the invasion of the Iraqi security forces killing 11 people, capturing 36 others, being ordered by a Judge to release these people. They are still in captivity, and we have the legal and moral obligation, right or wrong, we are in that situation to protect Camp Ashraf.

We are on our way out. How do we know that this camp with these Iranian dissidents will be secure? That their lives are not in jeopardy? Is the fourth Geneva Convention going to use this as a designated persons and make sure that we, as the United States, push to protect these individuals?

My personal opinion is our quarrel is not with Iranians, either in Iran or Iraq, our quarrel is with the government, and so what are we doing specifically to make sure that the people of Camp Ashraf are safe when we leave town?

Ambassador HILL. Well, first of all, we sought and received written assurances from the Government of Iraq that it will treat the Mujahedin-e-Khalq humanely. It will not forcibly transfer them to any other country.

Mr. POE. Excuse me. Just to clarify the question and answer, was this before or after the security forces came into Camp Ashraf that we got this assurance?

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Ambassador HILL. This was before because the U.N. mandate for us to be responsible for this camp ended at the end of 2008. After 2008, that is, starting January 1 this year, it is the sovereign and sole responsibility of the Iraqi Government. Because of that, we sought from them written assurances they would treat them humanely and that they would not forcibly repatriate them where they could be tortured or persecuted based on their religious or political belief.

Mr. POE. It doesn't appear that they have been treated humanely if 11 of them were murdered and 36 others were arrested.

Ambassador HILL. Well, on July 28, Iraqi forces went in to try to set up a police station. They regarded that as an exercise of their sovereignty because Ashraf is in Iraq.

Mr. POE. Did we know about that before it happened?

Ambassador HILL. I understand that they told us that, yes, they were going to do this.

Mr. POE. Okay.

Ambassador HILL. Yes. As you are well aware, the operation of setting up this police station resulted in violence and the deaths of several of the residents. The United States gave immediate medical attention to the injured and provided medical supplies and expertise to the clinic there. We also evacuated most seriously injured to U.S. medical facilities.

We have continued, the U.S. has continued to monitor the treatment of the 36 Mujahedin-e-Khalq members who were arrested on charges relating to the rioting and illegal residence in Iraq, so we have continued to monitor them and we have continuously and clearly told the Iraqi Government of our interest in their treatment.

I can assure you, sir, that we are continuing to be in touch with Iraqi Government and urge that they live up to their written assurances to us with respect to the treatment of individuals, and especially to the issue of repatriation because it is repatriation that I think we have to make sure does not happen.

Mr. POE. Let me ask you a question in the limited time I have left. Let us just cut to the chase. When we leave, what is your personal opinion about the safety of the people in Camp Ashraf?

Ambassador HILL. Well, we have made it very clear to the Iraqi Government, I think this committee, in fact, has made it very clear as well, that we are interested in the well-being of these people, we are interested in the preservation of their human rights, we are interested in the fact that they should not be forcibly repatriated to Iran. It is therefore my view that the Iraqi Government respects our concerns in this regard and will work with us on those.

That said, they do want to exercise sovereignty over their own territory, but that sovereignty should not come at the expense of human rights or repatriation. So, Mr. Congressman, I can assure you we will continue to be very vigilant on this matter.

Mr. POE. Thank you, Mr. Chairman.

Mr. ACKERMAN. Mr. Scott.

Mr. SCOTT. Thank you, Mr. Chairman. Welcome again, Ambassador Hill. Let me ask you, do you foresee any circumstances in which the Iraqi Government will ask the United States and ask the

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President of the United States to review his scheduled deployment of troops out of Iraq? Do you foresee any circumstances?

Ambassador HILL. I do not.

Mr. SCOTT. Do you see that there may be a problem with Prime Minister Maliki putting on the ballot in the upcoming elections a referendum on that precise question?

Ambassador HILL. I think a referendum would be more possible if there were a perception that we were not living up to the security agreement. We are living up to the security agreement. Our withdrawal of U.S. forces from the cities on June 30 was widely understood in Iraq as a clear example that the United States lives up to its commitments.

Based on that, I do not expect to see a referendum, but I want to make very clear, whether they have a referendum is entirely their decision. It is entirely theirs. Our focus is not the referendum. That is their focus. Our focus is on making sure the U.S. lives up to all of its obligations under the security agreement, and we are doing so.

Mr. SCOTT. Let me stay on that for a moment. Now, Prime Minister Maliki has said that this is what he wants to do and that this is what he is going to do, to hold a referendum on the United States' status of force agreement on January 16, the very same day that the national elections will be held. Now, you have stated very clearly that it is not our intention, this is not what we want to do, but if in fact as it looks that that will be done, what impact would that have on U.S. policy?

Ambassador HILL. Well, again, it is their sovereign decision whether to do it. It is contained, a referendum is envisioned in the security agreement. Our concern is to make sure we live up to our provisions of the security agreement. It is not for us to be giving advice to the Iraqis with respect to the referendum, so I am not sure I want to get into the hypothetical question of if they have a referendum, and then depending on what the referendum reveals, then what would we do?

It is too many hypotheticals. I can tell you, though, that our focus is on the complete fulfillment of our obligations and we are doing so, and we are widely understood by the Iraqi people as doing so, and I think that is what we should continue to focus on.

Mr. SCOTT. Are you worried, Ambassador Hill, that conditions will so deteriorate that civil war could very well break out in Iraq?

Ambassador HILL. Well, there is no question the security situation remains a challenge, but I want to stress that the U.S. military is the world's greatest fighting force and it is also the world's greatest training force. We have done a lot of work with the Iraqi forces, and so we have a lot of confidence in their ability to manage a difficult environment.

I would say that one of the reasons why some of these sectarian attacks on Shia mosques, for example, on Shia mosque-goers, in Shia neighborhoods and this sort of thing in an effort to try to stimulate some sort of intersectarian violence, one of the reasons it has not happened, that intersectarian violence, is that the perception is that the Iraqi security forces, unlike a few years ago, the perception is that they play it fair and they do their jobs, so I am confident that our forces have done a tremendous job of training

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those forces so that they remain disciplined and are not part of the violence as they were alleged to be some years ago.

So I think that has been very important and I think we need to stay at it. As for, you know, the level of violence, it is obviously, it is a tough proposition to stop all of this violence, yet, I think the Iraqi military, who is really very much in the hot seat now, they are really in these areas, in these urban areas, their checkpoints are being attacked, things like that, they are going to have to look at their tactics and see what needs to be done.

Mr. SCOTT. Let me just quickly. My time is about gone, but how do you describe the relationship between President Talibani and Prime Minister Maliki? The tensions appear to be high, they are criticizing one another. What is your take on that relationship?

Mr. ACKERMAN. You can answer that if you are able to do so in 15 seconds.

Ambassador HILL. Based on my observation, their relationship is very businesslike and productive.

Mr. SCOTT. Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you. Mr. Costa.

Mr. COSTA. Thank you very much. As I said in my opening comment, I am interested in terms of how well this effort to create democratic institutions where none have existed historically. Now, the de-Baathification effort was a step in that direction. Could you give us greater descriptive in where you see the milestones here in the next year for a continuing effort to make this democratic form of government successful?

Ambassador HILL. I think Iraqis, as I mentioned earlier on, have really embraced politics. What you are seeing now in the 5—or 4 now—months leading up to the January elections is many of the Iraqi politicians moving around and trying to build coalitions. We are pleased to see that these coalitions that they are trying to build are often cross-sectarian. That is, a Shia party may look to see if it can get in coalition with a party that has largely Scion in their——

Mr. COSTA. So the cross-sectarian lines you think are actually taking place?

Ambassador HILL. So it is actually taking place. Now, it doesn't mean that that is the only phenomenon going on. For example, there has been an effort to have a Pan-Shia party. This is something the Iranians have wanted to see, a Pan-Shia party, yet, many Iraqis understand that you cannot run this country, you cannot run the country with only a Shia coalition so you——

Mr. COSTA. And the role that the Kurdish are playing in these parties?

Ambassador HILL. I think the Kurdish parties will very much play a role in the January election. I think they have not endorsed any particular coalition yet. President Barzani in Irbil has hosted many political leaders up from Baghdad who are looking to see if he would join them in a coalition. So I think the Kurds will have a big opportunity, really, to cast their vote with a coalition, and probably make it the winning coalition. So that is why many people are interested in getting a strong Kurdish party.

Mr. COSTA. So they are trying to play that balancing role.

Ambassador HILL. Yes.

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Mr. COSTA. The last time we were in the Kurdish area there was a lot of economic activity taking place. Is that continuing?

Ambassador HILL. Yes. If you go to Irbil, you will see——

Mr. COSTA. The airport is completed?

Ambassador HILL. The airport is expected to be completed in a matter of months. Frankly, when you drive by it, it looks completed but I think there are a lot of technical issues, so I think the expectation is it will be completed by the end of the year. There is a lot of Turkish investment in Irbil and also Lebanese investment, but it is very politically significant that the Turkish private sector companies are very much invested there.

Mr. COSTA. It seems to me that one of the reflections of success of that activity that you are describing is whether or not institutions that any country depends upon growing and being able to function well, like educational institutions. We had an exchange from University of Anbar out in California earlier this year with my university. Are the universities, are the schools, are those kinds of institutions demonstrating their own ability to function as they are supposed to?

Ambassador HILL. I have been very pleased to see the development of a lot of partnerships with U.S. universities. I think at last count I saw some 13 partnerships, including in California, but also South Carolina and some others. I think it is also significant that Prime Minister Maliki has set out as a goal of having 10,000 Iraqi students come and study in the U.S.

You know, the Iraqis are historically very proud of their educational institutions, and yet these were quite laid to waste during the Saddam Hussein era. I recently hosted in my home the Fulbright students who went this summer, some 25 Iraqi scholars studying in the United States, and I also invited previous Fulbright students from before the Saddam Hussein era, including a woman, the first, 1952——

Mr. COSTA. My time is almost up.

Ambassador HILL. Yes.

Mr. COSTA. Another area related to this. During the height of the war, the diaspora that took place among those who were professionals, and educated and that group to Jordan and other places was significant. Are folks starting to come back?

Ambassador HILL. I would say the returns of refugees in neighboring countries has been disappointing. I would say equally disappointing is that I believe the Iraqi Government needs to make a greater effort in this regard. I think they need to make a greater effort because many of the people you describe are indeed people that they need back in the country.

They are the educated classes in some cases. So I think one of our tasks in Baghdad is to push this issue further up on their list of priorities, to be very frank with you.

Mr. ACKERMAN. Thank you. Mr. McMahon.

Mr. MCMAHON. Thank you, Mr. Chairman. Ambassador Hill, obviously to all of us the relationship between or the influence that Iran has in Iraq is of great concern for Iraq, as well as for our allies, like Israel, in the area. How much of an influence does Iran have over Prime Minister Maliki personally?

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As you know, there was a report where, citing an Iraqi intelligence official as a source, David Ignatius wrote on August 25 that the Prime Minister uses an Iranian jet with an Iranian crew for his official travel. Is that claim accurate, and should we be concerned?

Ambassador HILL. Yes. I think with regard to the jet my understanding is it is accurate. I do not, however, subscribe to the view that he is acting at the behest of the Iranians. I think he is very much an Iraqi Prime Minister. I want to stress, though, that these are very political times there. All times there are political, but we are coming up against an election, and, you know, he has his supporters, but he certainly has his detractors. In our dealings with him he is very much an Iraqi Prime Minister.

Mr. MCMAHON. With regard to the elections, and we all know all politics is local, or it is a rule we are never allowed to forget, with regard to those elections that are coming up in January, what is the lay of the land of the local parties? Which ones are more aligned to Iran? Which ones are more opposed? Can you give us an overview of that?

Ambassador HILL. Yes. First of all, parties often kind of come together for elections. Parties, there are a few that are more longstanding than others, but there are a lot of smaller parties that come together and then will join with other parties. In terms of, you know, Iranian influence is mainly felt in the south of the country where the population is far more Shia.

I want to stress one thing that I think people should bear in mind which is that when Saddam Hussein fought an 8-year war against Iran, he fought it with an army that was 80 percent Shia, so I don't want anyone to be left with the impression that because Iraq has a large Shia population that they are somehow, you know, Iranian surrogates. They are very much Iraqis first. Iraq is a country that I think people have a very strong national identify of being Iraqi.

So to be sure, there are some parties that are thought to be more under Iran's influence. You know, I think most analysts would point to the Sadrists as an example of that. If you asked Sadrists, they would not agree with that. So it is an ongoing issue. Everyone has an opinion about it.

I think what is important is that the Shia in Iraq need to believe that the rest of the Middle East, which is exclusively Scion-led governments, that those Scion-led governments are prepared to make room for a government that is Shia-led. I mean, I don't want to say Shia-dominated, but Shia-led.

I think to some extent we do need more of a regional approach to this because what we don't want is a situation where Scion countries will feel they need to back Scion parties in Iraq because they are worried that the Iranians are backing Shia parties. I think that would be very dangerous, and I do know that that is something people in Iraq worry about, so I think it is very important.

Turkey has been very active in Iraq and they have decided to be active in a positive way. They have decided to go in there with investments, see what they can do to help Iraq. I hope that other Scion countries will come to the view that it is better to be there helping Iraq and not just leave the place to Iran.

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Mr. MCMAHON. Thank you. With the little time I have left, regarding Turkey and its recent attempts at rapprochement with the Kurds that have been received by both applause and skepticism by the Kurdish communities in Turkey, how are Turkey's efforts to ease the decades-old tension received in northern Iraq? Do you think Turkey's efforts will aid in its battle against the PKK terrorist group which has killed, as you know, over 30,000 civilians since the PKK took up arms?

Ambassador HILL. I think we welcome Turkey's interest in forging a good relationship with Iraq and, in particular, its interest in a dialogue with Iraq's Kurds. Turkish businesses have already made their views clear because when you go to Irbil these days you see construction project after construction project that is from various Turkish companies, so I think there is a lot of very positive developments there.

You know, Turkey still has a big concern about the PKK. There is no question. There is a concern that the PKK uses various sort of places in Iraq to launch attacks in Turkey and that is an issue of continued concern and one that we are in touch with the Turks on, but I would say Turkey has, you know, made an important decision to work with Iraq and to work with Kurds, very specifically.

Mr. MCMAHON. Thank you. Thank you, Mr. Chairman.

Mr. ACKERMAN. Thank you. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. Again, Mr. Ambassador, welcome. Always a pleasure working with you as I have had in the past years. Mr. Ambassador, our history and the concerns that I have in terms of sometimes there are so many inconsistencies in our policies and that we have already expended over $900 billion in waging war against Saddam Hussein at the expense of some 4,300 of our finest American soldiers who lost their lives, not to mention, even thousands more wounded and maimed for life.

I guess a little bit in terms of my colleague from California, Mr. Rohrabacher, had said earlier, if there is any real sense of appreciation the people of Iraq for the sacrifices that our country have had to make, especially, in my humble opinion, that our first priority in really wanting to wage war against Saddam Hussein was to get rid of nuclear weapons and not necessarily to democratize the good people there in Iran.

Now, after us doing all the dirty work the past 6 years, we have got 30 of the biggest corporations in the world bidding for the Iraqi oil, and I wonder if there is any agreement somewhere that maybe as compensation or a little token of appreciation or something, that the Government of Iraq could monetarily, maybe, reimburse or recompensate the losses and the tremendous amount of resources that we have had to spend to give them democracy.

Is there anywhere where to suggest that now they have the third world largest oil reserves in the world, is there anywhere that maybe some way that as a token of their appreciation for our sacrifices that they could at least maybe a little payment of appreciation of what we have done?

Ambassador HILL. Well, first of all, Mr. Congressman, I want to stress that I have been in many, many, many conversations with Iraqis who have expressed their gratitude for our sacrifice. I really want to stress that. I mean, I hear that every day from Iraqis. I

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share the view that, frankly, I would like to hear it more, but I do hear it every day and it is really quite gratifying to hear it.

I have heard it expressed in quite emotional terms from Iraqis about how our sacrifice has made them free, so I want to stress that that goes on. That is a daily occurrence in my life there. With regard to the issue of contracts, I think the best thing we can do for our companies, frankly, is to ensure that the Iraqis play by the rules and have a transparent system.

I was very pleased with the way they handled the oil bidding in June. I mean, it was at the Al-Rasheed Hotel, there was a big glass jar. It looked like something out of a state lottery or something as they pulled bids from it, and really, I think, were very transparent. They did it on national TV and live. This was not some back room deal or some deal where you go into someone's tent and come out with an oil concession. This was very much open.

I am sure that as they go forward and if they continue this type of approach, our companies will do fine in this. It was a British company that won the contract, but I am sure United States companies will do fine. I also take note of the fact that our companies are very interested in working in Iraq. I believe that Iraq holds the promise for our companies of strong exports to Iraq.

They need a lot of infrastructure sorts of things, our companies can build well, so I think we are going to do just fine there.

Mr. FALEOMAVAEGA. It is my understanding that out of a population of 23 million people, over 1 million now are refugees in other countries, like Jordan, Egypt, and the other million, I believe, are also homeless within Iraq. Sixty percent of the population is Shiite, 20 percent is Sunnis, for which Saddam Hussein was a Sunni, and one of the big ironies that I find interesting in history is the fact that we supported Saddam Hussein during the 8-year war that he had with Iran because we hated the Ayatollah more than we did Saddam Hussein.

Who do we appoint as a special envoy to Saddam Hussein at the time? A fellow named Donald Rumsfeld. Talk about contradictions of history and what we are dealing with here. I just wanted to ask, I appreciate the fact that you are sharing this, that they do appreciate, but, boy, I am telling you, I am not hearing it in our media, the American people have not heard it as often, maybe it should in some way or somehow.

I for one, and I am sure there is not one member here that does not have relatives and friends who have served and died in the war there, but I really, really would deeply appreciate if you can convey that message. How about a little more public acknowledgement of what we have sacrificed for? Thank you, Mr. Ambassador.

Ambassador HILL. Just a postscript on that. I would like to stress that Prime Minister Maliki, when he came here, he asked to go to Arlington Cemetery, it was his idea to do that, and pay respect to those who have fallen. Mr. Congressman, believe me, I hear you loud and clear on that issue.

Mr. ACKERMAN. Thank you. Ms. Jackson Lee.

Ms. JACKSON LEE. Ambassador, let me thank you very much for a very long tenure of service. I don't think anyone can deny the commitment that you have had to the American people. We are most grateful. We are grateful to this President, and we are grate-

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ful to the Secretary of State for a new attitude on the issue of the face of America as it relates to foreign policy.

That success, although short, has been shown by polling numbers in Europe on how Europeans, who are, many of them our allies, believe that we are handling our foreign policy and the attitudes that we have internationally. You are speaking to someone that you are obviously aware had no stomach for the Iraq war, not because I am a wimp, not because I don't believe in American values and don't support in totality the valor and the courage of our young men and women who are on the front lines.

I think we who opposed the war got it right. We stood solidly linked with our soldiers and public servants, civil servants and others who were on the front lines. Many of us have visited Iraq, Afghanistan, Pakistan in places where our soldiers were. We never can equate our visits to the tough conditions that they live in. So here are my questions as it relates to where we are in Iraq.

You are in the diplomatic arena. I assume that you are meeting constantly with the foreign policy representatives and head of state. I hope to be in Iraq over the next couple of weeks to assess for myself. My first question, quickly, is: Is Iraq maturing enough, is there sufficient maturity, to really handle their own business?

Frankly, I want all of our troops out of Iraq, and I would say to you that they have been an enormous disappointment. You have to put a good face on it, but as far as I am concerned, they are complete failures. Why? They pushed us out. I am glad to be gone. Not enough of us are gone. They have done nothing but create havoc, tolerate bombers and spew venom on us.

Now, I would like to add to my question on the Camp Ashraf, we note that there are 36 detainees who were arrested and being held after the raid. Where are they, and why are we just monitoring the situation? We need to do something about it. What has happened to the 1,000 women that have been attacked by, I am told, Iraqi nationals.

There is no excuse for these individuals who are minding their own business, who are not threatening Iraq that have to be condemned and attacked. My own constituent has a person there, Mitra Surabi. So my question, if you can answer those three questions quickly. I am only giving you about 1 minute and 30 seconds. I understand that.

I would ask unanimous consent to submit into the record report and legal opinion dated July 28 to 30, Mr. Chairman, 2009, and a newspaper article from the Washington Times regarding the faith community that is sick and tired of the treatment of these individuals in the Ashraf camp. I ask unanimous consent.

Mr. ACKERMAN. Without objection, both will be made part of the record.

[NOTE: Only the Executive Summary of the report/legal opinion is reprinted here. The complete material is available in committee records.]

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EXECUTIVE SUMMARY

REPORT AND LEGAL OPINION

IRAQI ASSAULT ON CAMP ASHRAF

28-30 July 2009

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Executive Summary

The PMOI in Ashraf, Iraq

The People's Mojahedin Organisation of Iran (PMOI or MeK), hereby referred to as the PMOI), were founded in 1965 with the aim of overthrowing the dictatorial regime of the Shah. The organization played a major role in the nationwide protests that led to the overthrow of the Shah and emerged after the revolution as a major political party. Due to its opposition to Islamic fundamentalism, the PMOI soon found itself in a confrontation with the radical forces of Ayatollah Khomeini. This led to a campaign of violence by the Revolutionary Guards and Bassij militia against the PMOI and its sympathizers. The Iranian regime engaged in mass arbitrary arrest of hundreds of thousands of PMOI sympathizers. Between 1981 and 1988 it is estimated that tens of thousands of PMOI members were executed in Iranian prisons or forcibly disappeared.

At that time, the PMOI went into exile, mainly in France. In 1986, the French government concluded a deal with the Iranian regime, which led to the PMOI being pressured to leave France. The PMOI settled in Iraq and since then it has operated independently of the Iraqi government. In 1987, the National Liberation Army of Iran ("NLA") was formed in Iraq with the stated goal of overthrowing the Iranian regime. Between 1986 and 1988, the NLA was involved in many military confrontations with the Revolutionary Guards and armed forces of the Iranian regime. The PMOI ended its military activities in the summer of 2001.

Before the US led invasion of Iraq in 2003 the PMOI declared that they would remain neutral and would stay in their camps. During and after the conduct of the hostilities between the members of the Coalition and the Iraqi army, the United States reassembled the PMOI in Camp Ashraf in Iraq and they were decommissioned. The people of Ashraf were then recognized as *"protected persons"* under the Fourth Geneva Convention and provided protection by the US led Coalition. Following the negotiation of the Status of Forces Agreement in 2008, the Iraqi government made assurances to the US that the people of Ashraf would continue to be protected, in accordance with the international obligations of the US and Iraq following the transfer of security to Iraq on 1 January 2009.

Attack on Ashraf

Despite these assurances and in breach of its obligations under international humanitarian law, Iraqi forces attacked Ashraf on 28-29 July 2009. During the assault, Iraqi forces killed 11 residents and wounded a further 450, 43 of them seriously. Of the 43 seriously wounded, 14 residents suffered gunshot wounds, 13 had been run over by military vehicles and a further 16 had suffered other injuries, including serious head injuries. Following the attacks, 36 Ashraf residents were forcibly removed from Ashraf and were detained in Iraqi prisons. The Iraqi government is threatening to return the people of Ashraf, political dissidents against the Iranian regime, back to Iran where they face certain persecution, torture and even execution.

Legal Opinion

The purpose of this legal opinion is to provide analysis of the violations of international law committed during the Iraqi assault on Ashraf and subsequent events in August. It draws upon the earlier opinions of eminent jurists such as The Rt. Hon. Lord Slynn of Hadley GBE QC, as well as Professors M Cherif Bassouni, Guy Goodwin-Gill, Eric David, Marco Sassoli, William Schabas, Jean-Yves de Cara and Vera Gowland-Debbas regarding the status of the residents of Ashraf under international law.

Consideration is given to Iraq's obligations to the people of Ashraf under international human rights law and international humanitarian law, as well as the obligations of the international community.

The factual portion of the report relies largely upon information provided by the National Council of Resistance of Iran (NCRI). The facts relied upon have been taken, wherever

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possible, from international reports by media agencies and international organisations, such as Amnesty International. Reports have also been received directly from the detainees in Khalis police station.

Conclusions

The opinion concludes that the Iraqi government has breached its obligations to the people of Ashraf under international human rights law and international humanitarian law. In particular, the Iraqi government and its armed forces have breached international human rights law and committed grave breaches of the Geneva Conventions by violating the right to life, freedom from torture and inhuman treatment, unlawful confinement and the failure to grant a fair trial. There is a serious risk that the people of Ashraf will be forcibly displaced in Iraq or removed to Iran, where they face certain persecution, torture and even execution. Should the Iraqi government implement its stated policy and agreement with Iran and return the people of Ashraf to Iran, Iraq will commit a grave breach of international humanitarian law, and arguably, a crime against humanity.

This opinion reminds the Government of Iraq and its officers of their international obligations and the potential consequences of further violations in terms of both state and individual responsibility.

Recommendations

The Government of Iraq must guarantee the rights of the people of Ashraf and abide by its obligations under the Geneva Conventions. The new Government of Iraq must respect these international obligations and the obligations it assumed to the United Nations pursuant to Security Council resolutions to ensure the protection of human rights in Iraq. The Government of Iraq has the opportunity to demonstrate to the world that it is a functioning democracy that protects human rights and, in particular, the rights of minorities and political dissidents. The suppression of political dissent within Iran in the past 6 months has been the subject of international outrage. The repression of the people of Ashraf, Iranian political dissidents living in exile outside of Iran, in Iraq, cannot be considered outside of this context. The international community must be cognisant of these connections and the implications of the violations identified in this report.

The US must make a request to Iraq to ensure the safety of the people of Ashraf in accordance with its obligations under International humanitarian law (Article 45, Fourth Geneva Convention). The US must, as the transferring power, ensure the safety of the people of Ashraf. The US should take temporary control of the safety and security of Ashraf until such time as a permanent UN presence is established in Ashraf. Given the special role of the US in MNF-I, the US must exert its influence to stop violations of international humanitarian law in Ashraf.

In highlighting the risk of future violations, this legal opinion calls upon the United Nations, under the auspices of the United Nations Assistance Mission for Iraq (UNAMI), together with the United Nations High Commission for Refugees (UNHCR) and the Office of the High Commissioner for Human Rights (OHCHR), to create a permanent presence in Ashraf in order to ensure the protection of the people of Ashraf in accordance with its mandate set down in UN Security Council Resolution 1830 (2008): to *"promote the protection of human rights...in Iraq"*.

The international community of states must exert their individual influence, to the degree possible, to stop violations of International humanitarian law occurring in Ashraf, in accordance with international humanitarian law and the responsibility to protect. Given the risk of the commission of a crime against humanity and other grave breaches of international humanitarian and human rights law, the international community has an obligation pursuant to the emerging norm of the responsibility to protect to intervene to provide protection to the residents of Ashraf against imminent violations.

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INTERNATIONAL COMMITTEE FOR IMPLEMENTATION OF THE FOURTH GENEVA CONVENTION
FOR ASHRAF RESIDENTS
(FGC-ASHRAF)

August 28, 2009

Chair:
The Very Rev.
Dr. David B. Lowry
Director of the Center for Peace and Reconciliation at the Desmond Tutu Center

Honorary Members:
The Venerable Canon Dr.
Howard K. Williams
Archdeacon of Brooklyn, New York

Professor Rabbi
Daniel M. Zucker
Chairman of
Americans for Democracy in the Middle East) New York

Rev N.J Skip L'Heureux,
Jr, Executive
Director of Queen's federation of Churches, New York

Francis X. McQuade
(Attorney at law), Law Office of Francis X. McQuade , New York

Mother Margaret Clark
Trinity Episcopal Church, Roslyn, New York

Mother Bernice Coleman
Black Clergy Association, Jamaica, New York

Rev Ernest Kalahweire
The Epiphany and Saint Simon Church, Brooklyn, New York

Deacon Charles Perrin
Historic Grace Church, Jamaica, New York

Rev Pierre- Andre Duvert
Church of the Resurrection, East Elmhurst, New York

Rev Lloyd Land
First Christian Church in Tompkinsville, New York

Honorable Barack Obama
President of the United States of America
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear Mr. President,

As chair of International Committee for Implementation of the Fourth Geneva Convention for Ashraf Residents, I write to draw your attention to a letter concerning the plight of the residents of Camp Ashraf, Iraq, home to 3,400 members of Iran's main opposition movement. The letter has been affirmed by Christian and Jewish leaders across the United States.

As you are no doubt aware, on July 28 and 29, Iraqi security forces, under the pretext of establishing a police post, launched an unprovoked and deadly assault on the residents of Ashraf, which resulted in 11 killed and 500 wounded. The 36 residents arrested were ordered released by the Judge, but the Government has intervened to prevent the release.

We are aware that all issues about Iran and Iraq are complicated foreign affairs concerns for the United States. We are further aware that the United States wishes to avoid all appearances of interfering in the internal political affairs of Iran and Iraq. However, we believe that the United States must take a decisive leadership role in the issue of Ashraf because of the paramount humanitarian significance of the events that have taken place in Ashraf over the last month.

The people of Ashraf gave up all protective weaponry in 2003 at the behest of the United States. In exchange, after an intensive investigation by the United States military and intelligence communities of the people of Ashraf and their activities, the United States pledged to protect the residents. When the United Nations mandate for Iraq expired at the end of 2008, all protective services by American troops for the people of Ashraf ceased. Since then the residents of Ashraf have lived in fear. Now their greatest fears have been realized with on-going brutal attacks on unarmed residents, including women and children.

We realize that there are no easy solutions for the people of Ashraf and for the United States government. Even though the agreement between the Iraqi and American governments stated that the Iraqi police and military forces would treat the people of

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Ashraf 'humanely;' it is now clear that such humane treatment and protection is not and will not be forthcoming.

Therefore, we urgently ask the United States government to be as creative as possible in finding a way to forestall an unfolding humanitarian disaster. It appears to the Committee that there are two possible options:

1. The United States United States Department of State could remove the MEK from the terrorist watch list (as it has been in the United Kingdom and the European Union). If that were done it would be possible for the people of Ashraf to leave Iraq and be humanely relocated in Iranian-exile communities throughout the world.
2. The United States Government could initiate action that would lead to a permanent presence of a United Nations' representation at Ashraf so as to monitor the conduct of the Iraqi forces and safeguard the rights and well-being of the residents.

The Committee recognizes that the people of Ashraf are part of a larger political movement and party and the Committee in no way recommends by our support of the people of Ashraf the political aspirations of the MEK. We hope the United States government might find a way to make a similar separation of political and humanitarian aspirations and find a fair, judicious and creative way to aid the people of Ashraf in their time of need.

The members of the Committee hope that this information will be of help to you and the others in the government in efforts to support peace and justice in Iran and Iraq.

Sincerely,

The Very Rev. Dr. David Lowry
Director of the Center for Peace and Reconciliation at the Desmond Tutu Centre
The General Theological Seminary
175 Ninth Avenue
New York, New York 10011

212-243-5150x305

Copy: The Honorable Hillary Rodham Clinton
Secretary of State
The Department of State
2201 C Street NW
Washington, DC 20520

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Ms. JACKSON LEE. Mr. Ambassador?

Ambassador HILL. First of all, I do believe Iraq is making progress such that the President's timetable for withdrawal of our troops, which was something that was supported by the previous administration when it drew up the security agreement, is absolutely achievable.

By the end of August 2010, all of our combat troops will be out. By the end of December 2011, all of our troops, even the assisting troops who are assisting and training, will also be out. So we are holding to this timetable. We have worked very closely with Iraqis. We do believe their institutions can stand up. Iraq is a country that will have or has the economic potential and will have the economic means to run itself.

We expect this to get done. With respect to Camp Ashraf, I don't have a lot to add to what my previous answer was except that we do monitor the situation closely. We monitor it for two commitments that we have seen and what we have had in writing from the Iraqi Government: 1) that they will respect the human rights of the camp residents; and 2) that they will not engage in any forced repatriations to Iran.

We are also monitoring the treatment of the 36 individuals who were arrested for violence and how the Court cases against them will proceed. Thank you.

Ms. JACKSON LEE. Mr. Chairman, I close here. I just want to pose a question to you, Mr. Chairman. Whatever the protocol is, and I appreciate Ambassador Hill, it might be appropriate to have the Ambassador to the United States from Iraq. Obviously, what Ambassador Hill is saying is that this is Iraqi business.

Well, I think they are handling their business poorly, and I would ask that if there are human rights violations this glaring, we need to have answers. I appreciate if we will have the opportunity to get them. I thank you, Mr. Chairman, and I yield back.

Mr. ACKERMAN. Mr. Fortenberry.

Mr. FORTENBERRY. Good morning, Ambassador Hill. Thank you for appearing. A question about the status of Iraqi religious minorities. What is the security situation for the Chaldean Right Christians, Yezidis, Mandeans, remnant Jewish populations? Then, beyond that, is there appropriate movement of them into representative governance positions and embrace of their rights within both central as well as provincial governance?

Ambassador HILL. Mr. Congressman, I met with the leaders of the Christian minority soon after I arrived in Iraq. It is an issue of great interest to us. The purpose of meeting with them was to monitor precisely how they regard the situation on this. Obviously it has been a difficult time for Christian minorities, and you probably heard a few weeks ago that there were bombings of about seven churches mainly in the Baghdad area.

My purpose in meeting with them was to assure or to find out how they feel their relations with the government are and whether the government is actively doing things to assist them. They have had police protection. Indeed, our forces have been helpful to them, in some cases actually giving them physical barriers as we have for many of our facilities.

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The religious leaders expressed concern, especially the Christian religious leaders, that many of their members have taken advantage of immigration programs to leave Iraq and to live in other countries, including in Western Europe, especially Western Europe. Many of these religious leaders were very concerned that this process is resulting in a reduction in their numbers.

I was talking to a Catholic priest there who reported on the number of baptisms he was having, but also reported on the fact that many young adults were leaving. So it is a big concern there, and I think it is something that we need to be very much vigilant on and very active with. After the bombings I went and visited a Chaldean cardinal there to express my concerns to him.

It was interesting. He didn't want me to go to the actual churches, which I was prepared to do, because he was concerned that we would be attracting attention and therefore possibly further violence. That is a sign, I think, of how pragmatic he is trying to be, but I think it is also a sign of the problems that really exist, that a visit of a U.S. Ambassador to a church could actually cause further violence against that church.

So let me just say this is a major concern of mine, I know it is a major concern of some members, and I would be happy to be in touch with you by letter, if you like, as I have with other members, on this precise issue.

Mr. FORTENBERRY. Well, I appreciate that sentiment. If we need to dialogue on how to perhaps more creatively assure protections for the communities, but also more fuller integration into civilian political structures if that is not occurring. I assume there is some movement in that regard. Would you address that as well?

Ambassador HILL. Yes. First of all, local police tend to reflect the community sort of ethnic or religious composition of the local community, so I don't think it is a local police problem. There have been issues like that in the past. Those issues are getting better. There is no issue that is solved in Iraq. Everything is a sort of labor of love. You keep having to work on it.

Certainly there are Christian communities in the Mosul area that continue to be at risk and need to be taken care of. Secondly, with regard to integration in government, I have met with government officials who, you know, are from these communities, talked to them about what the challenges are about getting more people from the communities here.

I think the Iraqi Government, with respect to their civil service, they are open. There is no sort of religious test for getting to becoming a member of the government. One of the big issues, and they gave me quite a history lesson on this, was the actual formation of how the constitution was set up. You know, there are some people who wanted it to be an Islamic republic.

These minorities were among the people who of course did not want to see that, so there was quite a push and pull on this issue. So I think it has worked out in terms of their constitutional protection. I think that is okay. I just want to emphasize that a lot of work and a lot of vigilance needs to be continued on this.

Mr. ACKERMAN. Thank you. Mr. Ellison.

Mr. ELLISON. Thank you, Mr. Chairman. Mr. Ambassador, thank you for being here. Could you elaborate on the recent violence that

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we have seen in Iraq? As I read, over 100 people were killed, you know, around the weekend of September 8. I think in your comments you suggested it may be al-Qaeda inspired violence.

I mean, I know that you may have limitations in terms of just, you know, disclosing all that you know, but can you tell us what you can tell us now in a little bit more detail about what is actually happening here and how it is connected to our withdrawal?

Ambassador HILL. Well, these were what are called in the business high profile attacks. They were essentially truck bombs which were of a variety that many Americans remember from the Oklahoma City bombing, that is, agricultural products that came together to make a bomb. They took place simultaneously, or almost simultaneously, with two major ministries dealing with Iraq's outreach to the world, its foreign ministry and its finance ministry.

As such, they carry all the hallmarks of a kind of classic al-Qaeda bomb or al-Qaeda action. Now, the Iraqi Government believes very strongly that there are strong Baathist elements here.

Indeed, as we look at the relationships between al-Qaeda, which is essentially a very extremely radical religious approach, the notion that, you know, Iraq should be turned into a caliphate and this sort of thing, and we look at al-Qaeda versus Baathist, they are not, they don't have the same ideology at all, yet, I think there is concern that there has been some at times tactical hook up between the two, so the question is what is the Baathist element in this?

I think it is fair to say the investigations are ongoing in that regard. The United States, of course we are available to the Iraqi Government to assist in the investigation. Indeed, we have had people at the crime scenes and we are doing all we can to assist. I am not prepared at this point to, you know, point the finger at any one group, obviously, because the investigation is ongoing.

Mr. ELLISON. Is there any reason to believe that, well, as I understand it, part of what has happened over the last several years is that the United States has helped to inject money into the Iraqi economy by essentially helping people in the Sunni community and tried to stabilize there, create some jobs and things like that, but as we withdraw and as people may either lose that source of revenue, or may feel abandoned, or may anticipate the loss of that, is there any sense that there might be a deeper chasm forming than simply, you know, because al-Qaeda, essentially, they got taken on by the uprising, the awakening movement.

Ambassador HILL. The awakening movement where a lot of Sunni militias who essentially switched sides, that is very important, one of the elements of that Sons of Iraq program of course has been to integrate these people into ministries, and that has been ongoing and something we track very carefully because we want to make sure that the payrolls are met. In our view, that is a program that is going well.

I think it is important to emphasize that it is true the United States has injected a lot of cash, a lot of money into Iraq, but is also true that Iraq does have the means to deal with its future. You know, no one likes to hear about just an oil-based economy, you like to have a more mixed economy, but they have a lot of possibility for——

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Mr. ELLISON. Forgive me, Mr. Ambassador, but, you know, I guess if your reality is today that you have got to feed a certain number of people today and then there is the possibility of oil revenues in the future, you may choose to do what you need to do today, and so I guess what I am wondering is does this violence represent a sort of breaking away of, you know, the commitment that I mean the awakening movement represented in its coming together with the Iraqi Government——

Ambassador HILL. I think the violence represents an effort to undermine Iraqi authorities, to undermine them at a time when it is widely understood that United States forces are beginning a departure.

Mr. ELLISON. Thank you.

Ambassador HILL. I think what is important is that the Iraqi authorities and the Iraqi people have understood that they cannot allow them to get away with this.

Mr. ELLISON. Appreciate that.

Mr. ACKERMAN. Thank you. Ms. Lee.

Ms. LEE. Thank you very much. Good morning, Mr. Ambassador. Good to see you again. Congratulations. Thank you for your service. Let me ask you a couple of things. I probably have a different point of view than most members on this committee. Of course I oppose the war, but also, I oppose the authorization to use force in Afghanistan.

I see what is happening now as it relates to Afghanistan, and I think we all are beginning to see that this blank check has got to be looked at in a different way. Unfortunately, I hope, well, I don't want to see Afghanistan go the same direction as Iraq, but I am not sure that that can happen. I have a concern about several things.

One is, yes, Iraq has the means to deal with their future, their economic development, but I have to just say we bombed the heck out of that country, first of all, and so I believe we have an obligation to help rebuild and reconstruct. Again, I did not support the bombing, and the invasion and occupation, but once it occurred, I believe that we do have to make sure the country becomes whole.

Secondly, I wanted to ask you about the refugees. How many refugees have left Iraq? How many are back? Do we know? How many civilians were killed? In fact, are there any underlying issues that we need to know about? You say the Iraqis are very happy that we are there, but after Abu Ghraib and after the torture, after the killing of the civilians and the refugee crisis, I just have to wonder and be concerned about any lingering affects of all of that, and, in fact, if we are really sticking to our timetable in getting out as it relates to the establishment of permanent military bases.

We want to make sure that not only we don't establish permanent bases there and have a permanent military presence, but also that these contractors that are being used as security forces, the private contractors, once we leave, in terms of our military operation, will they now become the new military forces for the United States Government even though they are private contractors?

Ambassador HILL. Well, I want to make very clear that we are living up fully to our obligations in the security agreement, that is, we are not going to try to get around that, we are not going to try

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to, you know, privatize the Army in some way. We live up to the letter and the spirit of the security agreement, and so the timetable we have for departure has been set out very clearly and I know that our military is working directly with that timetable.

Ms. LEE. Let me just say, though, it is my understanding that the private security forces, we are looking at maybe $1 billion for contracts for these private companies.

Ambassador HILL. Well, there are various private security contractors for various purposes. For example, at the Embassy we have a number of private security contracts in order to, you know, protect us. Now, we have our own security people who oversee all these. In fact, every time I go from the Embassy to a ministry I have a security detail which is led by State Department security, but within that security detail there are contractors simply because we don't have enough who are on direct hire status.

Ms. LEE. They are not perceived as a private mercenary force, or you think that in the future, once we leave, will be?

Ambassador HILL. Not at all. They are there for the specific purpose of providing protection. Similarly, we have a private security contract for security guards along the perimeter of our Embassy to protect against truck bombs or that sort of, you know, forced entry into our compound. I want to stress, though, with regard to the damage in Iraq, you know, we have provided an enormous amount of funds to Iraq.

We have provided funds for reconstruction of facilities that were damaged, we have provided funds for training of not only their security forces, but also training of their civilian sector in healthcare and other things like that. At some point these need to start coming down. We are getting to the point where some of these outlays are going to start reducing in the coming years. That is why it is very important that the Iraqis pick up the pace in terms of developing their own sources of funds.

Ms. LEE. What about any permanent military bases? You know, we hear that there are, there may be some, there are some under construction.

Ambassador HILL. There has been no discussion or planning of that. Our effort is on full compliance with the security agreement. We think that is the best way to keep faith with the Iraqi people and the best way to open up what we hope will be a very good civilian relationship for years to come.

Ms. LEE. Okay. Thank you very much. Again, congratulations.

Mr. ACKERMAN. Ambassador, thank you very much for your major contribution to our deliberations and understanding of the issues. On behalf of the committee, we all express our appreciation. I would like to thank the public for their interest and participation as well on behalf of the entire committee. Hearing stands adjourned.

Ambassador HILL. Thank you very much.

[Whereupon, at 11:26 a.m., the committee was adjourned.]

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APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

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FULL COMMITTEE HEARING NOTICE

Committee on Foreign Affairs

U.S. House of Representatives
Washington, D.C. 20515-0128

Howard L. Berman (D-CA), Chairman

September 3, 2009

TO: MEMBERS OF THE COMMITTEE ON FOREIGN AFFAIRS

You are respectfully requested to attend an OPEN hearing of the Committee on Foreign Affairs to be held in **Room 2172 of the Rayburn House Office Building:**

DATE: September 10, 2009

TIME: 9:30 a.m.

SUBJECT: Outlook for Iraq and U.S. Policy

WITNESSES: The Honorable Christopher R. Hill
American Ambassador to Iraq

By Direction of the Chairman

The Committee on Foreign Affairs seeks to make its facilities accessible to persons with disabilities. If you are in need of special accommodations, please call 202/225-5021 at least four business days in advance of the event, whenever practicable. Questions with regard to special accommodations in general (including availability of Committee materials in alternative formats and assistive listening devices) may be directed to the Committee.

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COMMITTEE ON FOREIGN AFFAIRS

MINUTES OF FULL COMMITTEE HEARING

Day *Thursday* **Date** *9/10/09* **Room** *2172 RHOB*

Starting Time *9:40 A.M.* **Ending Time** *11:25 A.M.*

Recesses [-] (_____ to _____)

Presiding Member(s) ***Howard L. Berman, (CA) - Chairman; Gary L. Ackerman (NY)***

CHECK ALL OF THE FOLLOWING THAT APPLY:

Open Session [✓]
Executive (closed) Session [ ]
Televised [✓]

Electronically Recorded (taped) [✓]
Stenographic Record [✓]

TITLE OF HEARING or BILLS FOR MARKUP: *(Include bill number(s) and title(s) of legislation.)*

Outlook for Iraq and U.S. Policy

COMMITTEE MEMBERS PRESENT:

see attached

NON-COMMITTEE MEMBERS PRESENT:

n/a

HEARING WITNESSES: Same as meeting notice attached? Yes [✓] **No** [ ]
(If "no", please list below and include title, agency, department, or organization.)

STATEMENTS FOR THE RECORD: *(List any statements submitted for the record.)*

Report and legal opinion - Iraqi Assault on Camp Ashraf, July 28-30, 2009
Letter to President Obama dated August 28, 2009 from the Fourth Geneva Convention-ASHRAF

ACTIONS TAKEN DURING THE MARKUP: *(Attach copies of legislation and amendments.)*

RECORDED VOTES TAKEN (FOR MARKUP): *(Attach final vote tally sheet listing each member.)*

Subject	Yeas	Nays	Present	Not Voting

TIME SCHEDULED TO RECONVENE _____
or
TIME ADJOURNED *11:25am*

Doug Campbell

Doug Campbell, Deputy Staff Director

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Attendance - HCFA Full Committee Hearing
Outlook for Iraq and U.S. Policy
Thursday, September 10, 2009 @ 9:30 a.m. , 2172 RHOB

Howard L. Berman (CA)
Gary Ackerman (NY)
Eni F.H. Faleomavaega (AS)
Diane E. Watson (CA)
Albio Sires (NJ)
Gerald E. Connolly (VA)
Michael E. McMahon (NY)
Gene Green (TX)
Sheila Jackson-Lee (TX)
Barbara Lee (CA)
Shelley Berkley (NV)
David Scott (GA)
Jim Costa (CA)
Keith Ellison (MN)
Ron Klein (FL)

Ileana Ros-Lehtinen, (FL)
Dan Burton (IN)
Dana Rohrabacher (CA)
Donald Manzullo (IL)
Jeff Fortenberry (NE)
Ted Poe (TX)
Bob Inglis (SC)

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House Committee on Foreign Affairs
Howard L. Berman (D-CA), chairman

September 10, 2009

Chairman Berman's opening statement at hearing, "Outlook for Iraq and U.S. Policy

Six months ago, President Obama set out his vision and timetable for U.S. involvement in Iraq.

Since that time, Christopher Hill, one of our most talented and skilled diplomats, was appointed and confirmed as the U.S. Ambassador in Baghdad.

We are very pleased to welcome him back to the committee for the first time in this new role, and look forward to his assessment of whether the President's vision is taking hold, and whether his timetable is on track.

In his February 27 speech at Camp Lejeune, President Obama emphasized that all US combat forces would leave Iraq by the end of August 2010 - a little less than one year from now.

Under the agreement reached with the Iraqi government in the final weeks of the Bush Administration, we are, in fact, obligated to remove all our forces from Iraq sixteen months after that, by the end of 2011.

President Obama also made clear that Iraqis had been given what he called "a precious opportunity" to shape their own future.

He emphasized, quoting again here, that "the long-term solution in Iraq must be political, not military," and that "the most important decisions about Iraq's future must now be made by Iraqis."

2010 will be a milestone year for Iraq, as well as the United States.

In January, Iraqis will go to the polls to elect a new government. Over the following seven-plus months, our combat forces will depart.

We've already withdrawn from Iraqi cities, as of June 30th. Based on the most recent figures, we are currently at the pre-surge level of roughly 130,000. Well over half those troops will be withdrawn by this time next year.

Mr. Ambassador, we would like to know: Will the Iraqi Security Forces be able to maintain order and protect their borders as the US presence dramatically dwindles? Are the Iraqis ready to step up?

More broadly, we'd like to know whether Iraqis are, in fact, seizing the opportunity they've been given.

In his Camp Lejeune speech, President Obama also noted, "Too many fundamental political questions about Iraq's future remain unresolved."

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Mr. Ambassador, we'd like your assessment whether this remains true today.

Do the Iraqis have the political will to maintain national cohesion? Do they share sufficiently a national vision that will sustain peace with their neighbors but independence from the encroachments of neighbors, such as Iran, that would dominate them?

What is the attitude of Iraq's neighbors as we prepare to withdraw?

How strong is Iran's influence, and what are Iran's intentions? Is Syria harboring Iraqi Baathists who direct acts of terrorism, as Baghdad claims, and still facilitating transit of anti-Iraqi terrorists across its border?

Do we foresee any pitfalls ahead in Turkey's relations with Baghdad and particularly with Iraqi Kurdistan, which have heretofore developed in a positive direction that would have surprised us just a few years ago?

And what sort of relationship should we anticipate with Iraq - politically, economically, and militarily - in the wake of our withdrawal?

And are the Iraqis committed to repatriating, in the fairest and most humane way possible, the millions of their citizens who have been internally displaced or made refugees as a result of the war?

This last question reminds us of our own ongoing responsibilities, which are likely to outlast our troop presence.

I want to commend our Embassy in Baghdad and the State Department, which, along with the Department of Homeland Security, have launched a rare in-country processing program to help resettle Iraqis in the U.S. -- Iraqis who have helped us and found their lives endangered as a result.

A great deal of the credit for this program belongs to our late and much-missed friend Senator Ted Kennedy, who first raised alarm bells about Iraqi refugees on Capitol Hill and later used his notable skills as a negotiator to ensure passage of the Iraq Refugee Act of 2007.

We will make sure that the U.S. continues to offer protection to those who have risked their lives on our behalf in Iraq.

Mr. Ambassador, we look forward to your answers to these and other key questions about the future of Iraq and our involvement there.

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Opening Statement
Honorable Dan Burton
Committee on International Relations
Hearing: "Outlook for Iraq and U.S. Policy"
Date: Thursday, September 10th at 10am
Room: 2172 Rayburn Office Building

Mr. Chairman, thank you for holding this important and timely hearing on the future of Iraq six years after the start of the war. The course of events of the last three years has demonstrated an incredible change, leading to the signing of the Security Agreement by President Bush on January 1st of this year and the beginning of the withdrawal of American troops this summer.

The Iraqi people have demonstrated tremendous resolve as they have fought to build a democratically-elected government, operating under one of the most progressive constitutions in the Arab world. While Saddam Hussein intentionally aggravated ethnic and religious divisions and reigned with brutality, fear and terror, today a National Unity government- representing all of the Iraqi people- is working tirelessly to bring the

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government together. There are tremendous signs of promise as Iraqi people have greater access to essential services and an independent press that is flourishing.

As we look ahead and determine the continuing role of the United States, we must ensure that security is not compromised for the sake of political expediency and that the progress in Iraq and the lives of all those who have made great sacrifices, will not be in vain. While the policy of the last Administration was clear, we have yet to hear a clearly articulated plan from the current Administration. The last couple of months have demonstrated that sectarian violence is still a problem and that the relationship between Kurds and Arabs in the north needs to be handled very carefully to avoid more violence. I hope that this hearing will provide the opportunity to clarify some of the finer strategic points moving forward. Specifically, I am looking forward to hearing from our distinguished witness on the strategy to replace US forces with a long-term advisory effort that can assist the Iraqi government in its ongoing

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development. I am curious as to whether there is any room for the Security Agreement to be amended if violence in the cities continues to worsen.

By all objective standards we have made remarkable progress in Iraq. As Iraq's security forces have gained in capacity and taken charge of their own security, we are in the process of bringing our people home. We want our forces to leave behind them a free and stable Iraq as a shining example of democracy flourishing in a troubled region. This result is the terrorists' worst nightmare. Once freedom sets root in Iraq, it will be a mortal blow to the aspirations of extremists hoping to dominate the region and advance their hateful agenda. For this to become a reality we must restate our commitment to Iraq's success and build a clear and effective strategy going forward.

In closing Mr. Chairman, thank you once again for holding this vitally important hearing. I look forward to hearing from the Committee's witnesses.

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The Honorable Gerald E. Connolly (VA-11)

Outlook for Iraq and U.S. Policy
Thursday, September 10, 2009
9:30am

A timetable for a speedy but responsible withdrawal of combat troops from Iraq is the best resolution to a years-long conflict. But if we extricate ourselves without ensuring at least a minimal level of stability in Iraq, we will have accomplished nothing.

President Obama has formulated a plan to significantly reduce U.S. troops in Iraq. By August 2010, the U.S. combat mission in Iraq will end and Iraqi Security Forces will have full responsibility for major combat missions. After this date, about 35,000-50,000 U.S. military advisors will remain to assist the Iraqi Security Forces through December 2011. By the end of 2011, the President plans to remove all U.S. combat troops from Iraq, in accordance with the Status of Forces Agreement.

The challenge is to establish a secure Iraq that is fully prepared for this U.S. withdrawal. It is a positive sign that the U.S. withdrawal from major metropolitan areas on June 30 was a source of pride for Iraqis. Prime Minister Nouri al-Maliki declared this day National Sovereignty Day.

There are signs that Iraq is beginning to establish basic institutions and services for the benefit of its citizens. In January, the country participated in a national election which was praised for its low levels of violence. Iraq's electricity production has steadily increased the last five quarters. Moreover, Iraq's Ministry of Oil has begun to accept bids to develop oil fields, and in May a power plant expansion project was completed. A major USAID initiative—the National Capacity Development (NCD) program—has trained more than 70,000 Iraqi

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government officials in administrative and planning skills necessary to run a government.

Despite the planning and progress in Iraq, there remain serious challenges in stabilizing the country. The security threat is most apparent, though there are economic issues as well. Iraq's GDP is linked to oil, a volatile and unpredictable commodity in today's global market. There also remains the issue of national identity. There are tensions among Sunnis, Shiites, and Kurds. Just in June, members of Iraq's national parliament declared that the Iraqi Kurdistan Parliament's draft constitution was unconstitutional.

Recently there has been an appreciable uptick in violent incidents even in parts of the country heretofore deemed secure. The challenges in Iraq remain as we undertake the President's phased withdrawal. I look forward to Ambassador Hill's testimony about how best the U.S. can address these challenges.

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Statement of Congressman Gene Green
House Committee on Foreign Affairs
"Outlook for Iraq and U.S. Policy"
September 10, 2009

Thank you, Mr. Chairman, for holding this hearing today and I would like to welcome Ambassador Hill. Thank you for joining us here this morning as we look at our policy towards Iraq.

Many of us here have visited Iraq and are all well aware of the conditions there and of the hard work our brave men and women in the armed services do on behalf of our country every single day. And while there is some positive news coming out of Iraq, there are still many accounts of areas that are currently stable, but apt to revert into violent, unstable areas at any time. Ultimately, whether political reconciliation between the Kurds, Shiites, and Sunnis can occur and endure will determine the success of our efforts over the last eight years.

Therefore, while I support the President's timeline for withdrawal, I look forward to your take on the political situation in Iraq, the primary political difficulties we can expect, and your policy recommendations on the Congressional side to make this transition as seamless as possible as we move forward with the troop withdrawal. Thank you again for being here.

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Committee on Foreign Affairs hearing

"Outlook for Iraq and U.S. Policy"

September 10, 2009

2172 Rayburn HOB, 9:30 a.m.

Questions for the Record

Response from The Honorable Christopher R. Hill, American Ambassador to Iraq

Rep. Barbara Lee (CA)

Question 1:

Permanent Bases
President Obama has made clear that America does not seek permanent bases in Iraq. As you know, the FY 2009 supplemental appropriations bill signed into law by President Obama in June, included provisions prohibiting permanent or long-term military bases in Iraq and Afghanistan. Does the Administration plan to close all U.S. military installations and bases in Iraq by December 31, 2011?

Answer:

The Department of State must defer to the Department of Defense for this answer.

Question 2:

Withdrawal Timeline
What activities will be undertaken by the remaining U.S. troops foll0wing the redeployment of all combat troops by August 31, 2010? Does the Administration continue to standby its assessment of the need to maintain a military presence as sizable as 50,000 troops?

Answer:

The Department of State must defer to the Department of Defense for this answer.

Question 3:

Should the Iraqi government request it; will U.S. troops remain in Iraq beyond 2011?

Answer:

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The Department of State must defer to the Department of Defense for this answer.

Question 4:

When President Obama was in the Senate, he supported legislation introduced by then-Senator Clinton, S.2426, requiring that any agreement between the United States and Iraq, including a status of forces agreement (SOFA) that involves "commitments or risks affecting the nation as a whole" to be approved in advance by the Congress.
If the SOFA is amended, or the timeline for redeployment of U.S. military troops and contractors out of Iraq is extended, will the agreement be brought to Congress for approval?

Answer:

We do not intend to amend the Security Agreement at this time, including any amendment to its provisions on withdrawal of U.S. forces from Iraq. We would not negotiate with the Iraqi Government to amend the Security Agreement without considerable consultation with Congress. We would expect to discuss with members of Congress, in appropriate settings, the objectives of any changes and the substance of any issues under negotiation, and we would expect that State Department lawyers would carefully review any proposed amendment and advise how such an amendment, as a matter of domestic law, should be concluded.

Question 5:

A memo circulated in July by Army Col. Timothy R. Reese in Iraq called for the accelerated redeploy all U.S. military forces from Iraq. In this memo, Colonel Reese asserts that our continued operations serve to "generate the extremist opposition."
Would the Administration consider an accelerated redeployment of all U.S. troops and military contractors from Iraq based upon ongoing assessments of the situation on the ground?

Answer:

The Department of State must defer to the Department of Defense for this answer.

Question 6:

Referendum
The Iraqi parliament set a deadline of July 30, 2009 to hold a referendum on the U.S. security agreement with Iraq, yet it was never held. This referendum, if not passed, would compel the redeployment of U.S. troops from Iraq within one year. Prime Minister Al-Maliki has indicated his desire to coincide the referendum with national elections in January.

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Has the Administration taken a definitive stance as to whether this referendum should be held and are they supporting efforts to conduct the referendum in order to provide the people of Iraq an opportunity to express their views on the timeline for the redeployment of U.S. troops and military contractors?

Answer:

The United States remains firmly committed to the Security Agreement negotiated with the Iraqi government last year. Whether to hold a referendum on the Security Agreement is an internal Iraqi matter, and therefore the United States has not taken a public position on it. In mid-September while in Iraq, Vice President Biden reiterated U.S. commitment to the Security Agreement while underlining the U.S. would respect any sovereign decision taken by Iraq and its people in the wake of a referendum, should it be held.

Question 7:

Should the referendum be held, and fail, will the United States honor its obligations to withdraw from Iraq within one year of that date?

Answer:

The Department of State must defer to the Department of Defense for this answer.

Question 8:

Military Contracting

Ambassador, I would like to take a moment to discuss the ongoing transition from a military-led effort in Iraq to a one led by civilians in light of recent reports indicating an increasing reliance on private security contractors in Iraq.

In fact, the Special Inspector General for Iraq Reconstruction (SIGIR) has predicted the costs for private Security at U.S. facilities in Iraq could grow to nearly $1 billion dollars per year.

I strongly believe that ending the war and occupation means redeploying all troops and all military contractors out of Iraq. We can't redeploy U.S. troops only to leave behind a private mercenary force.

What steps is the Administration taking to reduce the number of private security contractors in Iraq as the U.S. military presence is reduced according to the President's proposed timeline?

Answer:

State Department operations in Iraq have relied not only on private security contractors, but also on a high level of U.S. military support, especially in the provinces where the

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Department has often been dependent on DoD for both security and transportation. As the U.S. military withdraws, alternate security arrangements, potentially including additional contractors will be required to support these operations. Additional private security contractors, potentially along with Iraqi security forces would be needed to protect the expanded police training program should it transfer from DoD to the Department in FY 2011. The Department is developing a program that will train Iraqi security forces to augment security for USG assets including the Embassy. However, this program is still in the developmental stages and our initial assessment indicates that the implementation of this program will be phased in over several years.

Question 9:

Does the December 31, 2011 deadline for all U.S. troops to redeploy from Iraq also apply to all private security forces operating under Defense Department contracts? And those under State Department contracts?

Answer:

We refer you to the Department of Defense for information regarding private security forces contracts operating under the DoD contracts. At this time, the December 31, 2011, troop pullout does not apply to private security contractors under the Department of State.

Question 10:

What is the respective cost of employing a State Department security officer versus a private security officer to provide security for State Department officials or State Department properties?

Answer:

While the Bureau of Diplomatic Security (DS) provided cost estimates for security contractors and Foreign Service employees per year in Iraq for the Government Accountability Office's review entitled "Cost Comparison of Government vs. Contractor Private Security Services" (GAO 351281) earlier this year, DS is currently finalizing the cost comparison for the GAO review, and once it is completed we will submit our results to Congress.

Question 11:

Reports indicate that the State Department has extended an air support contract for U.S. diplomats with Presidential Airways, a subsidiary of Blackwater USA, despite the Iraqi government's refusal to grant an operating license for Blackwater and its subsidiaries beyond September 3, 2009, on the grounds that DynCorp International requested additional time to assume control of the associated task order.

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Has the Iraqi government objected to the extension of this contract? If so, until what date does the State Department plan to rely upon the services of Presidential Airways in Iraq?

Answer:

No. The Government of Iraq has been informed that additional time is needed to allow us to properly transition from the U.S. Training Center task order. The Department has extended the Presidential Airways contract until January 3, 2010, and has the option to extend the contract through to March 3, 2010. The Department is aware of the sensitivities involved with this transition and will be sure to consider both security and safety in its decision-making.

Question 12:

What steps were taken with regard to this air services contract, whether by the contracting officer or by the Bureau of Diplomatic Security, to assure that DynCorp International was prepared to assume control of this contract by September 4, 2009, including its compliance with all legal requirements and applicable regulations?

What actions will be taken subsequent to DynCorp International's request for additional time to fulfill the contract in order to ensure their preparedness and compliance with regard to the contract requirements?

Answer:

The Bureau of Diplomatic Security (DS) and representatives from the Bureau of Administration have met weekly to discuss the aviation task order since the award was made on June 15. Within one week of award, the DS Aviation Program Manager (PM) traveled to Iraq to host a site visit by DynCorp. DS procured critical equipment and engineering information for DynCorp. In July, the DS Aviation PM flew a model or progenitor of DynCorp's proposed aircraft and High Threat Protection Quality Assurance contractors began working with DynCorp to develop its operating procedures in accordance with contract requirements.

Once it became clear that DynCorp would not be ready to construct/complete the aircraft requirements, the Department exercised its right to extend U.S. Training Center's performance under Task Order 10, which is the original and current aviation contract, in order to ensure continued service to Post. The Department notified DynCorp that it was in default on the task order and asked DynCorp for a plan to begin performance.

Department management determined that it is in the best interest of the government for International Narcotics and Law Enforcement Air Wing (INL/A) to take over the operation, given INL/A's demonstrated expertise, as well as availability of U.S. government-owned aircrafts. INL/A will assume management of aviation support in Iraq, with Diplomatic Security as its customer.

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DynCorp will continue to perform under WPPS Task Order 15, but the State Department and DynCorp have modified the task order to significantly reduce its scope. The helicopters and associated personnel have been removed from the task order, at no cost to the Government. Under the modified contract, DynCorp will provide the following:

- The Government exercised the option to purchase one new light helicopter from DynCorp and provide for use as Government aircraft;
- Fixed-wing aircraft will continue to be provided as a wet lease;
- The Baghdad main operating base will be built by DynCorp, on Government provided land, and will become government-owned property upon completion;
- Durable and expendable goods (contractor-acquired property such as tools, ground support equipment, vehicles, personal equipment) purchased by DynCorp will be provided to INL/A for use in Iraq.

Question 13:

Camp Ashraf

Earlier this summer, the Iraqi Security Forces' incursion into Camp Ashraf resulted in the deaths of 11 unarmed Ashraf residents and the detainment of more than 36 residents of the camp.

Has the State Department taken a position as to whether these actions are in violation of the assurances received by the United States from the Iraqi government indicating the residents of Ashraf will be treated humanely?

Answer:

The outbreak of violence at Ashraf was an avoidable tragedy, and we deplore the injuries and loss of life. The Government of Iraq's effort to establish a police station inside Ashraf was a lawful exercise of its sovereignty. The MEK leadership rebuffed GOI efforts to arrange this peacefully and met the GOI entry into Ashraf with violent demonstrations. At the same time, we have asked the Government of Iraq to investigate any excessive use of force in the security forces' actions to quell the MEK rioting, and take appropriate action if it did occur.

Question 14:

Can you detail any specific agreements or assurances that have been provided to the residents of Camp Ashraf to date by the United States regarding their rights and protections?

Answer:

With the end of the occupation in June 2004, the United States undertook as a matter of policy to continue to treat the individual MEK members at Ashraf as "protected persons" under the Fourth Geneva Convention; this treatment continued until January 1, 2009, at which time the

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Government of Iraq assumed responsibility for the residents of Ashraf. It would not be appropriate to discuss further details at this time, given the possibility of litigation by the MEK.

Iraq has international legal obligations that apply to the MEK at Ashraf, as persons in its territory and subject to its jurisdiction, under the International Covenant on Civil and Political Rights. We are urging Iraq to abide by these obligations. This convention prohibits arbitrary deprivation of life, torture, cruel, inhuman and degrading treatment, and arbitrary arrest and detention, and includes obligations regarding fair and public criminal hearings, and respect for freedom of thought, conscience, religion, expression, and peaceful assembly. Iraq has also given the United States written assurances that it will treat the MEK humanely and will not forcibly repatriate them to any country where they have a fear of torture or of persecution based on religious or political beliefs.

Question 15:

Refugees

What is the State Department's most recent estimation of the number of a) refugees who have fled Iraq since the 2003 invasion; b) internally displaced persons (IDP's) who have been displaced within Iraq itself since the 2003 invasion; and c) the number of both refugees and IDPs that have returned to their homes in Iraq?

Answer:

a) It is difficult to arrive at an accurate estimate of the number of Iraqi refugees. Regional governments report hosting a collective total of as many as 2 million Iraqi refugees. UNHCR places their number at approximately 1.5 million, based on government and other estimates of refugee populations in Egypt, Jordan, Lebanon, Syria, Turkey, and the Gulf countries.

b) The International Organization for Migration (IOM) estimates that over 2.8 million Iraqis are displaced inside Iraq. This includes approximately 1.6 million Iraqis displaced by sectarian violence sparked by the February 2006 Samarra Mosque bombing, and 1.2 million displaced before that time.

c) As security has improved, Iraqis have slowly started to return home. UNHCR estimates that 220,000-300,000 Iraqis returned to their neighborhoods, predominantly in Baghdad, in 2008, and as of August of 2009 nearly 142,000 more have returned. In total, since 2003, UNHCR estimates that approximately 1.1 million refugees and IDPs have returned to their communities. The majority of returnees have been internally displaced persons.

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ONE HUNDRED ELEVENTH CONGRESS

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SEPTEMBER 10, 2009

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HOUSE OF REPRESENTATIVES

ONE HUNDRED ELEVENTH CONGRESS

FIRST SESSION

SEPTEMBER 10, 2009

Serial No. 111–48

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OUTLOOK FOR IRAQ AND U.S. POLICY

HEARING

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