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REPORT ON THE AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

COMMUNICATION

FROM

THE PRESIDENT OF THE UNITED STATES

TRANSMITTING

A REPORT PURSUANT TO PUBLIC LAW 107–243 ENTITLED, "AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002"

PURDUE UNIVERSITY
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THE WHITE HOUSE,
Washington, February 13, 2003.

Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243) and as part of my effort to keep the Congress fully informed, I am providing a report prepared by my Administration on matters relevant to that resolution including on matters relating to planning for post-liberation Iraq under section 7 of the Iraq Liberation Act of 1998 (Public Law 105–338). The report also discusses recent developments in the areas previously reported pursuant to section 3 of the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1) on our efforts to obtain compliance by Iraq with the resolutions adopted by the United Nations Security Council.

Sincerely,

GEORGE W. BUSH.

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REPORT TO CONGRESS

Submitted pursuant to Public Law 107-243:
"Authorization for Use of Military Force Against Iraq Resolution of 2002"

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Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

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I. Executive Summary

This report is submitted pursuant to the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243). It reports on matters relevant to that Resolution including matters relating to planning for post-liberation Iraq under section 7 of the Iraq Liberation Act of 1998 (Public Law 105-338). The report also discusses recent developments in areas previously reported under section 3 of the Authorization for Use of Force Against Iraq Resolution (Public law 102-1).

This report covers approximately the period from December 15, 2002, to February 10, 2003. During this period, rather than seizing its final opportunity to comply with its disarmament obligations, Iraq has failed to remedy the false statements and omissions in its December 7, 2002, declaration, and failed to comply with and cooperate fully in the implementation of Resolution 1441. As President Bush and Secretary of State Powell have emphasized in recent speeches, time is running out for the Iraqi regime to comply with its obligations.

The United States continues its efforts in support of the goal, affirmed by UNSCR 1441, of Iraq's disarmament. These efforts include vigorous diplomatic efforts in the United Nations to ensure the inspectors' maximum effectiveness and to deny Baghdad access to goods that could allow it to produce nuclear, chemical, and biological weapons, and the means to deliver them. Our success in strengthening the Goods Review List (GRL) represented an important step in preventing the regime from diverting civilian goods for military applications. Intensive bilateral diplomacy is also underway to raise awareness among other countries, and to coordinate international efforts to disarm Iraq.

We also continue to provide strong support for the work of the inspectors, including personnel and training, laboratory equipment and services, and intelligence.

Our continuing support of the Iraqi opposition remains a pillar of our contingency planning strategy to put Iraq on the path to a viable, democratic government after Saddam Hussein is gone. The successful convening of the London conference in mid-December was an historic achievement, orienting the diverse Iraqi opposition toward a common goal ending the brutal dictatorship of Saddam Hussein, and

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establishing representative government and the rule of law in a new Iraq. Opposition activity has not been restricted solely to political activity. The State Department's "Future of Iraq" working groups continue to bring together Iraqi experts, many drawn from the broad opposition community, to reflect on practical challenges that will face post-liberation Iraq. The opposition is preparing to assist with potential military action against Iraq by recruiting for the "Free Iraqi Forces," which are being trained by the U.S. Department of Defense, using, among other resources, the drawdown authority provided by the 1998 Iraq Liberation Act (ILA).

II. Transition to Democracy Planning

A. Iraqi Opposition Conferences

Background. Since the Gulf War, the United States Government has maintained contact with a range of Iraqi opposition groups advocating for Saddam Hussein's ouster. On August 9, 2002, leaders of the Constitutional Monarchist Movement (CMM), Iraqi National Accord (INA), Iraqi National Congress (INC), Kurdistan Democratic Party (KDP), Patriotic Union of Kurdistan (PUK), and Supreme Council for the Islamic Revolution in Iraq (SCIRI) convened in Washington for a meeting at the State Department with high level officials from the Departments of State and Defense, and other agencies. The objective of the meeting was to encourage the opposition leaders to forge a more united and cohesive spirit among the disparate opposition elements. The leaders agreed to convene an opposition conference in furtherance of this objective. We support the efforts of Iraqi opposition groups because we believe that their collective political, intellectual, and human resources will be critical in the development of a stable democracy in post-Saddam Iraq.

Recent Developments. The Iraqi opposition held a broad-based conference in London December 14-17, 2002. We were in close contact with a wide range of opposition groups as planning for this event moved forward, and during the conference itself. Over 340 Iraqi delegates attended, including representatives of most major Iraqi opposition groups.

The conference produced a political statement that outlined a vision of a unified, democratic, federal Iraq, respecting

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the rights of all its citizens. The delegates also formulated a statement on the transition period, which called on the international community to support the Iraqi people in their efforts to rid themselves of the regime and appealed for assistance in reconstruction. Conference delegates also formed a 65-member Advisory Committee to coordinate future activities among the opposition community.

The Advisory Committee is currently planning to convene an initial meeting in Northern Iraq in mid-February 2003.

B. Future of Iraq Project:

Background. Planning for post-Saddam Iraq has been going on for nearly a year through the State Department's Future of Iraq project. The project, announced in March 2002, aims to bring together experts from the Iraqi exile community, free Iraqis living in northern Iraq, and international experts, in order to address practical planning issues of concern after regime change. The program has proved highly successful, and the results of the working groups are being fed into several interagency planning groups. Drawing on the resources of a community uniquely positioned to understand the underlying complexity of Iraqi society, the Future of Iraq project has better prepared not only United States Government planners, but also Iraqis themselves, to deal with the challenges Iraq will face after regime change. We expect that the Iraqi population, as it debates the nation's future, will be able to make good use of this work done by that small portion of their population which, being outside the country, has been free to meet and to think freely about the nation's future.

Recent Developments. The Future of Iraq project continues to hold working group meetings and to undertake immediate, practical post-regime change planning projects such as transitional justice, public health, democratic principles, public finance, education, environment and water, the economy and infrastructure, local government, oil and energy, the role of the military, free press, and civil society.

In the past 60 days, working groups on the economy and infrastructure have developed ideas on the future of the Oil-for-Food (OFF) program, made plans to revitalize the Iraqi economy and create jobs, and begun to undertake plans

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for the reform of the banking and currency sectors. The Oil and Energy group has called for efforts to restore Iraqi oil production.

The Transitional Justice working group has developed 600 pages of draft laws, plans for institutional reform, and supporting legal analysis.

The Local Government working group has developed ideas for using local government as a means to promote democratization of Iraq, and is in the process of developing more detailed plans.

Other groups are continuing to work on plans within their areas of expertise. In the coming weeks, groups focusing on migration policy and civil society are scheduled to meet, and the Defense Policy working group plans to hold its second meeting. The United States Government is drawing on the work of these groups in developing our own thinking about the future of Iraq and how to help bring democracy to a post-Saddam Hussein Iraq.

C. ESF Funding of Iraqi Opposition:

Background. Economic Support Fund (ESF) assistance aids opposition groups, supports efforts to hold regime leaders accountable for their crimes, provides humanitarian relief to the people of Iraq, and supports planning for Iraq's transition to democracy. These activities are all critical elements in laying the foundation for a free and democratic Iraq.

Recent Developments. The State Department has requested $25 million in FY 2003 ESF. The State Department has notified Congress of our intent to use up to $4.19 million to date in FY 2003 funds under the continuing resolution.

Through January 2003, the State Department awarded $24.47 million to the INC in support of a variety of activities, including its newspaper and satellite TV broadcasts. The State Department has also provided roughly $2 million per year since FY 1999 in support of war crimes investigation and documentation, and provided $13 million in support of humanitarian assistance programs in northern Iraq and in countries bordering Iraq. This humanitarian assistance funds a number of non-government organization (NGO) projects including: de-mining; health services and

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medical capacity building; shelter; and training and education. The ESF funds also support the Future of Iraq project.

D. Free Iraqi Forces:

Background. Under the ILA, the President has the authority to direct the drawdown of up to $97 million from Department of Defense resources to assist and provide training to Iraqi opposition groups. During the last Administration, seven such groups were designated under the ILA as eligible to receive assistance in the form of drawdown of goods and services from the Defense Department. In December 2002, President Bush designated six additional groups as eligible to receive drawdown assistance -- the Assyrian Democratic Movement, the Iraqi National Front, the Iraqi National Movement, the Iraqi Free Officers and Civilians Movement, the Iraqi Turkmen Front, and the Islamic Accord of Iraq.

Recent Developments. The Administration is currently using the authority available under the ILA to expand the training and assistance available to members of the Iraqi opposition. Through its Free Iraqi Forces (FIF) program, the Department of Defense is working with ILA-designated opposition groups to identify volunteers and provide them with military training, so as to allow them to provide non-combat support to U.S. forces in the case military action against Iraq becomes necessary. Before beginning training, all volunteers are screened by U.S. intelligence authorities. The State Department will provide up to $2.3 million in funds to support payment of FIF salaries, and the Defense Department will fund salary expenses.

A U.S. Army Training Task Force (TTF) has deployed to a military base in Taszar, Hungary, where all training will be conducted. In its four-week training course, the TTF will provide FIF volunteers instruction in basic battlefield self-protection. It will then prepare them to perform such non-combat tasks as interpreting and translating, civil-military affairs, and rear-area security. Training has already begun for some FIF volunteers; more are expected to arrive in Hungary in the weeks ahead. After their training is complete, FIF will be integrated with U.S. forces in U.S. Central Command. Throughout the training and subsequent deployment, the FIF will remain under the direct command and control of U.S. military forces.

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If Iraq fails to disarm under U.N. supervision and military action becomes necessary, any operation should include trained Iraqi exile forces able to assist in military support activities and liaison work. Through the FIF program, Iraqis will be able to play supporting roles in the liberation of their country.

III. Relief and Reconstruction Planning

A. Post-War Planning Office:

Recent Developments. On January 20, 2003, President Bush directed the creation of a post-war planning office within the Defense Departments. The "Office of Reconstruction and Humanitarian Assistance," which is described as an "expeditionary" office, is staffed by representatives from departments and agencies throughout the government. This office is tasked with doing practical work -- to prepare for implementation on the ground, if and when the time comes. The Office of Reconstruction and Humanitarian Assistance is led by Lieutenant General (Ret.) Jay Garner, who served in 1991 as Commander of Operation PROVIDE COMFORT's Joint Task Force Bravo in Northern Iraq.

Following any military action in Iraq, the missions of the Office of Reconstruction and Humanitarian Assistance will include demonstrating to the Iraqi people and the world that the United States aspires to liberate, not occupy or control them or their economic resources, and beginning the process of economic and political reconstruction, working to put Iraq on a path to become a prosperous and free country.

To achieve success in these areas, the Office of Reconstruction and Humanitarian Assistance is charged with establishing links with the U.N. specialized agencies and with NGOs that will play a role in post-war Iraq. The Office will reach out also to the counterpart offices in the governments of coalition countries, and, in coordination with the President's Special Envoy to the Free Iraqis, to the various Free Iraqi Groups.

B. Humanitarian Relief Planning:

Background. Decades of misallocation of resources and wars against its neighbors have left the Iraqi population in a

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precarious humanitarian situation inconsistent with the country's wealth. We recognize that in the event that the use of force is necessary to disarm Iraq, the already-vulnerable Iraqi population could face profound humanitarian plight. Meeting the immediate humanitarian needs of the Iraqi people, particularly those displaced as a consequence of war, is a critical first step in assisting Iraq to rebuild into a viable and prosperous society, and begin moving toward democracy.

Recent Developments. In the past two months, several United States Government agencies, including the Departments of State, Defense, and the Treasury, and the U.S. Agency for International Development (USAID) have initiated an intensive planning process to address humanitarian contingencies that the Iraqi people may face after a conflict. This process has resulted in substantive progress in preparing for these contingencies. The USAID and the State Department have begun to engage NGOs and international organizations, which will be critical partners in addressing humanitarian needs. Additionally, a team composed of representatives from USAID and the Departments of State and Defense recently traveled to the region to establish contacts with government officials and representatives from international organizations who will have key roles to play in any humanitarian response.

President Bush has authorized the State Department to use up to $15 million to support humanitarian contingency planning. The initial U.S. contribution will come from the Emergency Refugee and Migration Assistance Fund of the Bureau of Population, Refugees and Migration. It will assist the U.N. High Commissioner for Refugees, and the International Organization for Migration, and other international organizations with their contingency preparations. The initial U.S. contribution will help international organizations pre-position stockpiles of relief items (such as food, water and shelter materials); hire emergency staff; and plan the international community's humanitarian response, should the need arise. Additionally, USAID is providing an initial contribution of $9 million to U.N. agencies, NGOs, and other agencies to support their contingency planning and preparations.

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C. Reconstruction Planning and Iraqi Debt:

Background. The Administration recognizes that, in the event of military conflict, as the humanitarian situation is being stabilized, the task of transforming Iraq into a stable and prosperous society and viable democracy will begin. This transformation is critical to ensuring that the threat posed by an aggressive authoritarian Iraq is not resurrected in a different guise.

Recent Developments. Fully rehabilitating Iraq would be a massive undertaking involving the reform of its political, economic and judicial systems, its security apparatus, and its military. Most of the work must be done by Iraqis, but Iraq's friends must help them along that path.
The United States will not seek to set forth in detail, before the fact and from afar, what a post-Saddam Government would look like. But in the event that military action becomes necessary, the United States will be committed to helping Iraqis build a broad-based, democratically oriented government that respects the rights of its people, regardless of gender, ethnicity, or religion, and committed to ensuring that Iraq becomes a country at peace with itself, seeking peace with its neighbors and respecting its international responsibilities. The interagency Post-War Planning Office, described above, has also begun planning United States Government contributions to the reconstruction of basic infrastructure and the provision of critical services in Iraq in the aftermath of a conflict.

The Administration is also investigating options for dealing with Iraqi debt in a possible post-conflict situation. We will seek an arrangement, in consultation with the international community (including international financial institutions and Iraq's creditors), that recognizes legitimate claims on Iraq while accommodating Iraq's pressing need for resources necessary to rehabilitate itself.

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IV. Multilateral Issues

A. Status of U.N. Inspections:

Background. Inspections have resumed in Iraq as a result of U.S. leadership in the Security Council and the credible threat of military force to address continued Iraqi non-compliance. Resolution 1441 afforded the Iraqi regime with a final opportunity to comply with its disarmament obligations. We have repeatedly made clear that we will use force to compel Iraq to disarm, if necessary. Continued U.S. leadership and support are critical to maximizing the effectiveness of the U.N. Monitoring, Verification, and Inspection Commission (UNMOVIC) and International Atomic Energy Agency (IAEA) inspectors.

Recent Developments. On January 27, 2003, Dr. Hans Blix, Executive Chairman of UNMOVIC and Dr. ElBaradei, Director General of the IAEA, reported to the UNSC on Iraqi compliance to date. Blix and ElBaradei made clear that Iraq has not provided the kind of cooperation needed to verify its disarmament. According to Dr. Blix, "Iraq appears not to have come to a genuine acceptance, not even today, of the disarmament that was demanded of it." Indeed, there is no evidence that Iraq has made the strategic decision to comply with its disarmament obligations. On February 5, 2003, Secretary Powell delivered a comprehensive presentation to the Security Council using declassified information, including human intelligence reports, communications intercepts and overhead imagery, which demonstrates Iraq's ongoing efforts to pursue WMD programs and conceal them from U.N. inspectors. As the President stated on February 7, 2003, "If Saddam Hussein was interested in peace and interested in complying with the U.N. Security Council resolutions, he would have disarmed. And, yet, for 12 years, plus 90 days, he has tried to avoid disarmament by lying and deceiving."

Pursuant to Resolution 1441, on December 7, 2002, Iraq submitted a declaration on its WMD programs. This declaration was incomplete, inaccurate, and composed mostly of recycled information that failed to address any of the outstanding disarmament questions that previous inspectors publicly documented. We concluded that the declaration was a further material breach of Iraq's disarmament obligations. Iraq also has failed to cooperate with inspectors. Iraq has: blocked "free and unrestricted use"

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of aerial surveillance flights; failed to provide "immediate, unimpeded, unrestricted, and private access to all officials" whom the inspectors wish to interview; intimidated witnesses with death threats; and undertaken a massive effort to deceive and defeat inspectors, including cleanup or transshipment activities at nearly thirty sites. It has failed to provide many of the documents requested by UNMOVIC. The list of WMD personnel Iraq submitted only reports personnel up to a period ending in 1991 and it fails to include many of those personnel previously identified by the United Nations Special Commission. Iraq's declaration failed to account for 17 empty chemical warheads subsequently turned up by weapons inspectors, as well as over 2000 pages of Iraqi documents, some of them classified, regarding past uranium enrichment programs.

The United States stands ready to provide U.N. inspectors full support, including personnel, intelligence, aerial surveillance capabilities, communications and laboratory equipment and services, and other technical and analytical information.

The UNMOVIC has so far not accepted the U.S. offer to supply Predator aircraft (unmanned aerial vehicle) to enhance surveillance operations.

B. GRL Improvement:

Background. On May 14, 2002, the Security Council voted unanimously to adopt a new export control system for Iraq's purchases under the OFF. Resolution 1409, and the GRL it established, are the centerpiece of the U.S.-led effort to streamline Iraq's procurement of humanitarian goods. The resolution effectively lifted U.N. controls on purely civilian goods, and focused controls on items most amenable to Iraqi use in pursuing prohibited weapons programs or rearming its military. The UNMOVIC and the IAEA, the two U.N. inspection bodies already assigned to monitor Iraq, examine all purchase contracts to see if they contain GRL items. GRL items are referred to the U.N. Iraq Sanctions Committee for review; contracts that do not contain GRL items, and non-GRL items in GRL contracts, are approved for shipment to Iraq without review by the Committee.

The U.S. goals remain the same as when we first endorsed the OFF program: to ensure that Iraq's humanitarian needs continue to be met; and to prevent Baghdad from using the

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proceeds of Iraq's oil to increase its conventional military capability or to support its WMD programs, while making sure that certain items with potential military applications are reviewed by the Sanctions Committee.

Recent Developments. Resolution 1409 stipulated a review of the GRL to consider necessary adjustments. That review did not occur prior to the November 25, 2002 expiration of the 6-month phase of the OFF program. Short-term rollovers kept OFF functioning until Council members reached agreement on a GRL review. Resolution 1447 (December 4, 2002) extended OFF for another six months, and Resolution 1454 (December 30, 2002) added 38 items of clear potential military utility to the GRL and clarified GRL procedures.

Although the GRL has improved the movement of humanitarian goods, it became clear that Baghdad had found ways to exploit weaknesses in the process. Our successful effort to strengthen the GRL in December 2002 has helped prevent Iraqi procurements of prohibited items through the program.

V. Other Developments

A. Special Envoy to Free Iraqis designated: In December 2002, President Bush appointed Dr. Zalmay Khalilzad as Special Envoy and Ambassador at Large for Free Iraqis. In that capacity, Dr. Khalilzad serves as the focal point of the Administration's contact with the Iraqi opposition.

B. Publication of "Apparatus of Lies" and "What Does Disarmament Look Like:" In January 2003, the White House released two documents, "Apparatus of Lies" and "What Does Disarmament Look Like." The first document analyzes cynical methods used by Saddam's propaganda machine, and counters many popular misconceptions. The second document presents a detailed description of our notion of cooperative disarmament, and cites as examples three countries that have done so in recent history.

C. State of the Union Address: President Bush's January 28, 2003 State of the Union Address detailed the deficiencies in Iraq's weapons declaration and Iraq's failure to cooperate with the inspections regime. He reiterated the grave threat that Iraq represents to international peace and security and announced that on February 5, 2003 Secretary Powell would brief the UNSC on

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information and intelligence about Iraq's weapons programs and links to terrorist groups.

D. Kurd -- Turkmen Talks: The United States Government sponsored an initiative to facilitate talks between Kurdish parties and the Iraqi Turkmen Front. The two sides held a constructive meeting in London on January 26, 2003. Turkey is very concerned with Kurdish treatment of Turkmen populations in northern Iraq, and the United States supports efforts by the two communities to resolve their differences.

E. Operation NORTHERN WATCH and Operation SOUTHERN WATCH: Aircraft of the United States and coalition partners patrolling the No-Fly Zones over Iraq under Operations NORTHERN and SOUTHERN WATCH are routinely tracked by Iraqi radar. Our aircraft have been fired upon by anti-aircraft artillery or surface-to-air missiles over 275 times since UNSCR 1441 was adopted in November 2002, including as recently as February 10, 2003. Our aircraft continue to respond in self-defense to threats against and attacks on our aircraft patrolling the No-Fly Zones.

F. Force Levels: U.S. force levels in the Persian Gulf region continue to increase. The deployment of this increasingly capable force provides the President flexible capabilities in the event that Iraq must be disarmed by force.

G. Allied Support: Several countries have specifically requested that the United States be very discreet about, and in some cases have requested that the United States not make public, their potential offers of support. We intend to honor these requests. That said, some of our potential coalition partners have already publicly discussed their intentions. For example:

- On January 10, 2003, the Australian Government announced that it will forward deploy the sea transport ship HMAS Kanimbla, lead elements of a Special Task Forces Task Group, and a Royal Australian Air Force reconnaissance team to the Middle East. Australia has emphasized the prospects for diplomatic resolution rest on the international community's clear signal that force will be taken as the final resort should Iraq fail to comply with U.N. resolutions.

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- The United Kingdom has deployed substantial combat forces to the Gulf region. The deployments are "in support of the diplomatic process to which we remain fully committed," British Defense Minister Geoffrey Hoon said January 20, 2003.

H. Secretary Powell and Secretary Rumsfeld brief Congress: On January 23, 2003, Secretaries Rumsfeld and Powell had a closed-door briefing open to all Members of the U.S. Senate to discuss matters relating to the situation in Iraq. They conducted a similar briefing for House Members on January 29, 2003. Administration officials will continue to make themselves available to Members of both Houses for consultations and briefings as events unfold.

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Original from
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Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
PURDUE UNIVERSITY

Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
PURDUE UNIVERSITY

Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
PURDUE UNIVERSITY

Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
PURDUE UNIVERSITY

Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
PURDUE UNIVERSITY

Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
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Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
PURDUE UNIVERSITY

Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
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Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

Digitized by Google

Original from
PURDUE UNIVERSITY

Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

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Table of Contents

		Page
I.	Executive Summary	2
II.	Transition to Democracy Planning	3
	A. Iraqi Opposition Conferences	
	B. Future of Iraq Project	
	C. ESF Funding of Iraqi Opposition	
	D. Free Iraqi Forces	
III.	Relief and Reconstruction Planning	7
	A. Post-War Planning Office	
	B. Humanitarian Relief Planning	
	C. Reconstruction Planning and Iraqi Debt	
IV.	Multilateral Issues	10
	A. Status of U.N. Inspections	
	B. GRL Improvement	
V.	Other Developments	12

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