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107TH CONGRESS
2d Session
HOUSE OF REPRESENTATIVES
REPORT
107–721

U.S. CONGRESS SERIALS

AUTHORIZATION FOR USE OF MILITARY FORCE AGAINST IRAQ RESOLUTION OF 2002

OCTOBER 7, 2001.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

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Mr. HYDE, from the Committee on International Relations, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.J. Res. 114]

[Including cost estimate of the Congressional Budget Office]

The Committee on International Relations, to whom was referred the joint resolution (H.J. Res. 114) authorizing the use of United States Armed Forces against Iraq, having considered the same, reports favorably thereon with amendments and recommends that the joint resolution do pass.

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THE AMENDMENTS

The amendments strike all after the resolving clause and strike the preamble and insert a new resolving clause and preamble which appear in italic type in the reported joint resolution.

The following shows the preamble and the text of the reported joint resolution:

Whereas in 1990 in response to Iraq's war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq;

Whereas after the liberation of Kuwait in 1991, Iraq entered into a United Nations sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism;

Whereas the efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated;

Whereas Iraq, in direct and flagrant violation of the cease-fire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998;

Whereas in Public Law 105–235 (August 14, 1998), Congress concluded that Iraq's continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in "material and unacceptable breach of its international obligations" and urged the President "to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations";

Whereas Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weapons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations;

Whereas Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait;

Whereas the current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people;

Whereas the current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush and by firing on many thousands of occasions on United States and Coalition Armed Forces engaged in enforcing the resolutions of the United Nations Security Council;

Whereas members of al Qaida, an organization bearing responsibility for attacks on the United States, its citizens, and interests, including the attacks that occurred on September 11, 2001, are known to be in Iraq;

Whereas Iraq continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of United States citizens;

Whereas the attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations;

Whereas Iraq's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself;

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Whereas United Nations Security Council Resolution 678 (1990) authorizes the use of all necessary means to enforce United Nations Security Council Resolution 660 (1990) and subsequent relevant resolutions and to compel Iraq to cease certain activities that threaten international peace and security, including the development of weapons of mass destruction and refusal or obstruction of United Nations weapons inspections in violation of United Nations Security Council Resolution 687 (1991), repression of its civilian population in violation of United Nations Security Council Resolution 688 (1991), and threatening its neighbors or United Nations operations in Iraq in violation of United Nations Security Council Resolution 949 (1994);

Whereas in the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1), Congress has authorized the President "to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677";

Whereas in December 1991, Congress expressed its sense that it "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution (Public Law 102–1)," that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and "constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region," and that Congress, "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688";

Whereas the Iraq Liberation Act of 1998 (Public Law 105–338) expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime;

Whereas on September 12, 2002, President Bush committed the United States to "work with the United Nations Security Council to meet our common challenge" posed by Iraq and to "work for the necessary resolutions," while also making clear that "the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable";

Whereas the United States is determined to prosecute the war on terrorism and Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 cease-fire and other United Nations Security Council resolutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary;

Whereas Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;

Whereas the President and Congress are determined to continue to take all appropriate actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations;

Whereas the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force (Public Law 107–40); and

Whereas it is in the national security interests of the United States to restore international peace and security to the Persian Gulf region: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the "Authorization for Use of Military Force Against Iraq Resolution of 2002".

SEC. 2. SUPPORT FOR UNITED STATES DIPLOMATIC EFFORTS.

The Congress of the United States supports the efforts by the President to—

(1) strictly enforce through the United Nations Security Council all relevant Security Council resolutions regarding Iraq and encourages him in those efforts; and

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(2) obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion and noncompliance and promptly and strictly complies with all relevant Security Council resolutions regarding Iraq.

SEC. 3. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) AUTHORIZATION.—The President is authorized to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—

(1) defend the national security of the United States against the continuing threat posed by Iraq; and

(2) enforce all relevant United Nations Security Council resolutions regarding Iraq.

(b) PRESIDENTIAL DETERMINATION.—In connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior to such exercise or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, make available to the Speaker of the House of Representatives and the President pro tempore of the Senate his determination that—

(1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq; and

(2) acting pursuant to this joint resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorist and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001.

(c) WAR POWERS RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.—Consistent with section 8(a)(1) of the War Powers Resolution, the Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution.

(2) APPLICABILITY OF OTHER REQUIREMENTS.—Nothing in this joint resolution supersedes any requirement of the War Powers Resolution.

SEC. 4. REPORTS TO CONGRESS.

(a) REPORTS.—The President shall, at least once every 60 days, submit to the Congress a report on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted in section 3 and the status of planning for efforts that are expected to be required after such actions are completed, including those actions described in section 7 of the Iraq Liberation Act of 1998 (Public Law 105–338).

(b) SINGLE CONSOLIDATED REPORT.—To the extent that the submission of any report described in subsection (a) coincides with the submission of any other report on matters relevant to this joint resolution otherwise required to be submitted to Congress pursuant to the reporting requirements of the War Powers Resolution (Public Law 93–148), all such reports may be submitted as a single consolidated report to the Congress.

(c) RULE OF CONSTRUCTION.—To the extent that the information required by section 3 of the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1) is included in the report required by this section, such report shall be considered as meeting the requirements of section 3 of such Resolution.

BACKGROUND AND PURPOSE

SUMMARY AND DESCRIPTION OF THE JOINT RESOLUTION

On September 12, 2002, President George W. Bush characterized the Iraqi regime as "a grave and gathering danger" in his speech before the United Nations General Assembly. The Committee agrees with this characterization, and recommends, as provided in House Joint Resolution 114, that the President be authorized to address that danger by using military force against Iraq under certain circumstances.

The Committee hopes that the use of military force can be avoided. It believes, however, that providing the President with the authority he needs to use force is the best way to avoid its use. A sig-

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nal of our Nation's seriousness of purpose and its willingness to use force may yet persuade Iraq to meet its international obligations, and is the best way to persuade members of the Security Council and others in the international community to join us in bringing pressure on Iraq or, if required, in using armed force against it.

House Joint Resolution 114 contains a preamble setting out important milestones in the recent Iraqi defiance of international law and other matters relating to the United States response to it and to the realities of our global war on terrorism.

The Joint Resolution's operative paragraphs——

(a) express Congressional support for the President's efforts to strictly enforce United Nations Security Council resolutions regarding Iraq and the hope of the Congress that the United Nations Security Council will be able to obtain Iraq's compliance with them;

(b) provide authority for the President to use the Armed Forces of the United States as he determines to be necessary and appropriate to (1) defend the national security of the United States against the continuing threat posed by Iraq; and (2) enforce all relevant United Nations Security Council Resolutions regarding Iraq;

(c) require that prior to the exercise of authority to use armed force or as soon as feasible (but no later than 48 hours) thereafter, the President shall make available to the Speaker and the President pro tempore of the Senate his determination that (1) reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against Iraq or (B) is not likely to lead to enforcement of all relevant United Nations Security Council resolutions regarding Iraq and (2) using that authority is consistent with the United States and countries continuing to take the necessary actions against international terrorists, including those responsible for the September 11, 2001, attacks on the United States;

(d) conform the provisions of the Joint Resolution with related provisions of the War Power Resolution by providing that the relevant section is intended to constitute the specific statutory authorization required by the War Powers Resolution and provide that nothing in the Joint Resolution supercedes any provision of the War Powers Resolution; and

(e) require reports every 60 days on matters related to the joint resolution, including the status of planning for a post-conflict Iraq.

IRAQ'S RECORD: 1990 THROUGH 1998

In 1990, in response to Iraq's war of aggression against and illegal occupation of Kuwait, the United States forged a coalition of nations to liberate Kuwait and its people in order to defend the national security of the United States and enforce United Nations Security Council resolutions relating to Iraq.

Congress, in the Authorization for Use of Military Force Against Iraq Resolution *(Pub. L. 102–1)*, authorized the President "to use United States Armed Forces pursuant to United Nations Security Council Resolution 678 (1990) in order to achieve implementation

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of Security Council Resolutions 660, 661, 662, 664, 665, 666, 667, 669, 670, 674, and 677".

After the liberation of Kuwait in 1991, Iraq entered into a United Nations-sponsored cease-fire agreement pursuant to which Iraq unequivocally agreed, among other things, to eliminate its nuclear, biological, and chemical weapons programs and the means to deliver and develop them, and to end its support for international terrorism. The Iraqi government also agreed to completely disclose its programs, past and present, relating to the production and development of weapons of mass destruction and the means to deliver them. Iraq did not comply with those agreements. In December 1991, Congress expressed its sense that it "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization of Use of Military Force Against Iraq Resolution," that Iraq's repression of its civilian population violates United Nations Security Council Resolution 688 and "constitutes a continuing threat to the peace, security, and stability of the Persian Gulf region," and that Congress, "supports the use of all necessary means to achieve the goals of United Nations Security Council Resolution 688".

The efforts of international weapons inspectors, United States intelligence agencies, and Iraqi defectors led to the discovery that Iraq had large stockpiles of chemical weapons and a large scale biological weapons program, and that Iraq had an advanced nuclear weapons development program that was much closer to producing a nuclear weapon than intelligence reporting had previously indicated. For example, after the defection of two of Saddam's sons-in-law, UNSCOM discovered significant, previously-unknown, weapons development programs. The two men were persuaded to return to Iraq, after which they were summarily killed.

Iraq, in direct and flagrant violation of the 1991 ceasefire, attempted to thwart the efforts of weapons inspectors to identify and destroy Iraq's weapons of mass destruction stockpiles and development capabilities, which finally resulted in the withdrawal of inspectors from Iraq on October 31, 1998.

In 1998 Congress concluded that Iraq's continuing weapons of mass destruction programs threatened vital United States interests and international peace and security, declared Iraq to be in "material and unacceptable breach of its international obligations" and urged the President "to take appropriate action, in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations" *(Pub. L. 105–235)*. The Iraq Liberation Act of 1998 *(Pub. L. 105–338)* expressed the sense of Congress that it should be the policy of the United States to support efforts to remove from power the current Iraqi regime and promote the emergence of a democratic government to replace that regime. The Act also authorized funds for the democratic opposition.

THE CURRENT THREAT IN PERSPECTIVE

Iraq both poses a continuing threat to the national security of the United States and international peace and security in the Persian Gulf region and remains in material and unacceptable breach of its international obligations by, among other things, continuing to possess and develop a significant chemical and biological weap-

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ons capability, actively seeking a nuclear weapons capability, and supporting and harboring terrorist organizations. The continuing threat posed by Iraq is the motivation for the Committee's favorable action on H.J. Res. 114.

Iraq persists in violating resolutions of the United Nations Security Council by continuing to engage in brutal repression of its civilian population thereby threatening international peace and security in the region, by refusing to release, repatriate, or account for non-Iraqi citizens wrongfully detained by Iraq, including an American serviceman, and by failing to return property wrongfully seized by Iraq from Kuwait.

The question of the use of weapons of mass destruction is critical. The current Iraqi regime has demonstrated its capability and willingness to use weapons of mass destruction against other nations and its own people. For example, Iraq used chemical weapons against Kurdish civilians of Iraq at Halabja (March 16, 1988), and against Iran during the Iran-Iraq War of the 1980's.

The current Iraqi regime clearly sees itself as being at war with the United States, and has engaged in hostile acts toward our Nation. The current Iraqi regime has demonstrated its continuing hostility toward, and willingness to attack, the United States, including by attempting in 1993 to assassinate former President Bush during his visit to Kuwait.

Moreover, although United Nations Security Council Resolution 688 of April 5, 1991 led to the creation of "no-fly zones" over sections of Iraq, Iraq has engaged in numerous attacks on United States and Coalition aircraft enforcing it. Since 2000, Iraqi forces have fired on U.S. and British pilots 1,600 times. American and British pilots have been fired on at least 67 times since September 18th, when Saddam promised to "allow the return of the United Nations inspectors without conditions."

Iraq also aids terrorists who have attacked the United States and its allies, including terrorists who use weapons of mass destruction. The Administration has concluded that members of al Qaida, a terrorist organization that committed the attacks on the United States on September 11, 2001, and other attacks, are known to be in Iraq. Iraq also continues to aid and harbor other international terrorist organizations, including organizations that threaten the lives and safety of American citizens, such as the Mujhedin-e-Khalq (MEK), the Kurdistan Workers' Party (PKK), the Palestinian Liberation Front (PLF), and the Abu Nidal Organization (ANO).

The attacks on the United States of September 11, 2001, underscored the gravity of the threat posed by the acquisition of weapons of mass destruction by international terrorist organizations. The current Iraqi government's demonstrated capability and willingness to use weapons of mass destruction, the risk that the current Iraqi regime will either employ those weapons to launch a surprise attack against the United States or its Armed Forces or provide them to international terrorists who would do so, and the extreme magnitude of harm that would result to the United States and its citizens from such an attack, combine to justify action by the United States to defend itself.

On September 12, 2002, President Bush committed the United States to "work with the United Nations Security Council to meet

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our common challenge" posed by Iraq and to "work for the necessary resolutions," while also making clear that "the Security Council resolutions will be enforced, and the just demands of peace and security will be met, or action will be unavoidable". The President's speech before the United Nations and a supporting report, entitled *A Decade of Deception and Defiance*, are reproduced under Additional Matters in this report.

ACTION AGAINST IRAQ AND THE WAR ON TERRORISM

The use of force against Iraq may be a required part of the war on terror. The Committee expects that the President will continue to work against terror on all fronts even as we expand our efforts to deal with the Iraqi regime. The United States is determined to prosecute the war on terrorism; Iraq's ongoing support for international terrorist groups combined with its development of weapons of mass destruction in direct violation of its obligations under the 1991 cease-fire and other United Nations Security Council resolutions make clear that it is in the national security interests of the United States and in furtherance of the war on terrorism that all relevant United Nations Security Council resolutions be enforced, including through the use of force if necessary.

Congress has taken steps to pursue vigorously the war on terrorism through the provision of authorities and funding requested by the President to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations.

IS THIS RESOLUTION NEEDED?

The Committee believes that the President has authority under the Constitution to take action in order to deter and prevent acts of international terrorism against the United States, as Congress recognized in the joint resolution on Authorization for Use of Military Force *(Pub. L. 107–40)*. Some may disagree with the need to provide additional authority to deal with Iraq by means of this joint resolution. The Committee submits that while there have been attempts in the past decade to revise or repeal the War Powers Resolution this is not the time to resolve that issue. This resolution "moves the ball" in neither direction on the question of the President's War Powers, but conforms to recent precedent.

IRAQ'S GEOSTRATEGIC IMPORTANCE

It is in the national security interest of the United States to restore international peace and security to the Persian Gulf region, which is threatened at this time primarily by the actions of the current Iraqi regime. The people of the Persian Gulf region deserve to live in peace. They should not be bullied by the likes of Saddam Hussein. Moreover, the crucial flows of energy from the Persian Gulf are not only important to the United States but to every major economy in the world—our trading partners and allies. A serious disruption of energy supplies could well plunge the world into economic chaos. Even if the United States conserved energy or somehow otherwise avoided the direct effects of energy flow disruptions,

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our trading partners would suffer from economic depression. We would be stuck with agricultural and manufactured goods we could not sell; tourism would dry up; few would seek the benefits of our service industries. For these reasons, safeguarding the free flow of energy supplies has been recognized as a vital national security concern of the United States for scores of years.

OTHER MATTERS

The Committee emphasizes that the people and Government of the United States have no quarrel with the Iraqi people but, rather, with the Iraqi regime and its policies. Neither the people and Government of the United States nor the world community will be satisfied with a cosmetic change at the top of the regime resulting in the replacement of Saddam Hussein by a similarly bloody-minded relative or general. The people and Government of the United States hope that the Iraqi people will achieve in the near future a full measure of human rights and that Iraq will take is rightful place in the world. This matter was brought to the Committee's attention during markup by Mr. Smith of Michigan.

The Committee has supported and will continue to support legislation aimed at bringing Saddam Hussein and his henchmen to justice in a specially-constituted, United Nations Security Council-sponsored, ad hoc international criminal tribunal, similar to the one sponsored to deal with the Former Republic of Yugoslavia. The Committee believes that Saddam should be held to account for his many horrific, crimes. If, however, the people of Iraq propose, through a democratic mechanism, another approach to address the acts of who aided Saddam's regime, the international community should consider their proposal seriously. This matter was helpfully brought to the Committee's attention during markup by Mr. Delahunt of Massachusetts.

The Committee emphasizes its approval of the President's decision to seek United Nations Security Council approval of a robust inspection and disarmament force prior to the use of United States Armed Forces; this matter was included in the introduced resolution. Helpful additional language on this point was proposed by Mr. Blumenauer of Oregon and received favorable discussion during the markup but the language was withdrawn as an unnecessary complication to the delicate balance that had been reached on the underlying text.

In the course of the Committee's consideration Mr. Sherman of California offered an amendment, which was defeated, to remove certain provisions from the joint resolution and recast it as being aimed solely at the removal of Iraq's weapons of mass destruction. In the Committee's view, Mr. Sherman's amendment was a well-thought out, carefully crafted, and on the whole an excellent attempt to deal with the issue. However, it was the view of the Committee that the underlying joint resolution represented the best approach.

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ADDITIONAL MATTERS

REMARKS BY THE PRESIDENT IN ADDRESS TO THE UNITED NATIONS GENERAL ASSEMBLY

New York, New York
September 12, 2002
10:39 A.M. EDT

THE PRESIDENT: Mr. Secretary General, Mr. President, distinguished delegates, and ladies and gentlemen: We meet one year and one day after a terrorist attack brought grief to my country, and brought grief to many citizens of our world. Yesterday, we remembered the innocent lives taken that terrible morning. Today, we turn to the urgent duty of protecting other lives, without illusion and without fear.

We've accomplished much in the last year—in Afghanistan and beyond. We have much yet to do—in Afghanistan and beyond. Many nations represented here have joined in the fight against global terror, and the people of the United States are grateful.

The United Nations was born in the hope that survived a world war—the hope of a world moving toward justice, escaping old patterns of conflict and fear. The founding members resolved that the peace of the world must never again be destroyed by the will and wickedness of any man. We created the United Nations Security Council, so that, unlike the League of Nations, our deliberations would be more than talk, our resolutions would be more than wishes. After generations of deceitful dictators and broken treaties and squandered lives, we dedicated ourselves to standards of human dignity shared by all, and to a system of security defended by all.

Today, these standards, and this security, are challenged. Our commitment to human dignity is challenged by persistent poverty and raging disease. The suffering is great, and our responsibilities are clear. The United States is joining with the world to supply aid where it reaches people and lifts up lives, to extend trade and the prosperity it brings, and to bring medical care where it is desperately needed.

As a symbol of our commitment to human dignity, the United States will return to UNESCO. (Applause.) This organization has been reformed and America will participate fully in its mission to advance human rights and tolerance and learning.

Our common security is challenged by regional conflicts—ethnic and religious strife that is ancient, but not inevitable. In the Middle East, there can be no peace for either side without freedom for both sides. America stands committed to an independent and democratic Palestine, living side by side with Israel in peace and security. Like all other people, Palestinians deserve a government that serves their interests and listens to their voices. My nation will continue to encourage all parties to step up to their responsibilities as we seek a just and comprehensive settlement to the conflict.

Above all, our principles and our security are challenged today by outlaw groups and regimes that accept no law of morality and have no limit to their violent ambitions. In the attacks on America a year ago, we saw the destructive intentions of our enemies. This threat hides within many nations, including my own. In cells and camps, terrorists are plotting further destruction, and building new

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bases for their war against civilization. And our greatest fear is that terrorists will find a shortcut to their mad ambitions when an outlaw regime supplies them with the technologies to kill on a massive scale.

In one place—in one regime—we find all these dangers, in their most lethal and aggressive forms, exactly the kind of aggressive threat the United Nations was born to confront.

Twelve years ago, Iraq invaded Kuwait without provocation. And the regime's forces were poised to continue their march to seize other countries and their resources. Had Saddam Hussein been appeased instead of stopped, he would have endangered the peace and stability of the world. Yet this aggression was stopped—by the might of coalition forces and the will of the United Nations.

To suspend hostilities, to spare himself, Iraq's dictator accepted a series of commitments. The terms were clear, to him and to all. And he agreed to prove he is complying with every one of those obligations.

He has proven instead only his contempt for the United Nations, and for all his pledges. By breaking every pledge—by his deceptions, and by his cruelties—Saddam Hussein has made the case against himself.

In 1991, Security Council Resolution 688 demanded that the Iraqi regime cease at once the repression of its own people, including the systematic repression of minorities—which the Council said, threatened international peace and security in the region. This demand goes ignored.

Last year, the U.N. Commission on Human Rights found that Iraq continues to commit extremely grave violations of human rights, and that the regime's repression is all pervasive. Tens of thousands of political opponents and ordinary citizens have been subjected to arbitrary arrest and imprisonment, summary execution, and torture by beating and burning, electric shock, starvation, mutilation, and rape. Wives are tortured in front of their husbands, children in the presence of their parents—and all of these horrors concealed from the world by the apparatus of a totalitarian state.

In 1991, the U.N. Security Council, through Resolutions 686 and 687, demanded that Iraq return all prisoners from Kuwait and other lands. Iraq's regime agreed. It broke its promise. Last year the Secretary General's high-level coordinator for this issue reported that Kuwait, Saudi, Indian, Syrian, Lebanese, Iranian, Egyptian, Bahraini, and Omani nationals remain unaccounted for—more than 600 people. One American pilot is among them.

In 1991, the U.N. Security Council, through Resolution 687, demanded that Iraq renounce all involvement with terrorism, and permit no terrorist organizations to operate in Iraq. Iraq's regime agreed. It broke this promise. In violation of Security Council Resolution 1373, Iraq continues to shelter and support terrorist organizations that direct violence against Iran, Israel, and Western governments. Iraqi dissidents abroad are targeted for murder. In 1993, Iraq attempted to assassinate the Emir of Kuwait and a former American President. Iraq's government openly praised the attacks of September the 11th. And al Qaeda terrorists escaped from Afghanistan and are known to be in Iraq.

In 1991, the Iraqi regime agreed to destroy and stop developing all weapons of mass destruction and long-range missiles, and to

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prove to the world it has done so by complying with rigorous inspections. Iraq has broken every aspect of this fundamental pledge.

From 1991 to 1995, the Iraqi regime said it had no biological weapons. After a senior official in its weapons program defected and exposed this lie, the regime admitted to producing tens of thousands of liters of anthrax and other deadly biological agents for use with Scud warheads, aerial bombs, and aircraft spray tanks. U.N. inspectors believe Iraq has produced two to four times the amount of biological agents it declared, and has failed to account for more than three metric tons of material that could be used to produce biological weapons. Right now, Iraq is expanding and improving facilities that were used for the production of biological weapons.

United Nations' inspections also revealed that Iraq likely maintains stockpiles of VX, mustard and other chemical agents, and that the regime is rebuilding and expanding facilities capable of producing chemical weapons.

And in 1995, after four years of deception, Iraq finally admitted it had a crash nuclear weapons program prior to the Gulf War. We know now, were it not for that war, the regime in Iraq would likely have possessed a nuclear weapon no later than 1993.

Today, Iraq continues to withhold important information about its nuclear program—weapons design, procurement logs, experiment data, an accounting of nuclear materials and documentation of foreign assistance. Iraq employs capable nuclear scientists and technicians. It retains physical infrastructure needed to build a nuclear weapon. Iraq has made several attempts to buy high-strength aluminum tubes used to enrich uranium for a nuclear weapon. Should Iraq acquire fissile material, it would be able to build a nuclear weapon within a year. And Iraq's state-controlled media has reported numerous meetings between Saddam Hussein and his nuclear scientists, leaving little doubt about his continued appetite for these weapons.

Iraq also possesses a force of Scud-type missiles with ranges beyond the 150 kilometers permitted by the U.N. Work at testing and production facilities shows that Iraq is building more long-range missiles that it can inflict mass death throughout the region.

In 1990, after Iraq's invasion of Kuwait, the world imposed economic sanctions on Iraq. Those sanctions were maintained after the war to compel the regime's compliance with Security Council resolutions. In time, Iraq was allowed to use oil revenues to buy food. Saddam Hussein has subverted this program, working around the sanctions to buy missile technology and military materials. He blames the suffering of Iraq's people on the United Nations, even as he uses his oil wealth to build lavish palaces for himself, and to buy arms for his country. By refusing to comply with his own agreements, he bears full guilt for the hunger and misery of innocent Iraqi citizens.

In 1991, Iraq promised U.N. inspectors immediate and unrestricted access to verify Iraq's commitment to rid itself of weapons of mass destruction and long-range missiles. Iraq broke this promise, spending seven years deceiving, evading, and harassing U.N. inspectors before ceasing cooperation entirely. Just months after the 1991 cease-fire, the Security Council twice renewed its demand that the Iraqi regime cooperate fully with inspectors, condemning

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Iraq's serious violations of its obligations. The Security Council again renewed that demand in 1994, and twice more in 1996, deploring Iraq's clear violations of its obligations. The Security Council renewed its demand three more times in 1997, citing flagrant violations; and three more times in 1998, calling Iraq's behavior totally unacceptable. And in 1999, the demand was renewed yet again.

As we meet today, it's been almost four years since the last U.N. inspectors set foot in Iraq, four years for the Iraqi regime to plan, and to build, and to test behind the cloak of secrecy.

We know that Saddam Hussein pursued weapons of mass murder even when inspectors were in his country. Are we to assume that he stopped when they left? The history, the logic, and the facts lead to one conclusion: Saddam Hussein's regime is a grave and gathering danger. To suggest otherwise is to hope against the evidence. To assume this regime's good faith is to bet the lives of millions and the peace of the world in a reckless gamble. And this is a risk we must not take.

Delegates to the General Assembly, we have been more than patient. We've tried sanctions. We've tried the carrot of oil for food, and the stick of coalition military strikes. But Saddam Hussein has defied all these efforts and continues to develop weapons of mass destruction. The first time we may be completely certain he has a—nuclear weapons is when, God forbids, he uses one. We owe it to all our citizens to do everything in our power to prevent that day from coming.

The conduct of the Iraqi regime is a threat to the authority of the United Nations, and a threat to peace. Iraq has answered a decade of U.N. demands with a decade of defiance. All the world now faces a test, and the United Nations a difficult and defining moment. Are Security Council resolutions to be honored and enforced, or cast aside without consequence? Will the United Nations serve the purpose of its founding, or will it be irrelevant?

The United States helped found the United Nations. We want the United Nations to be effective, and respectful, and successful. We want the resolutions of the world's most important multilateral body to be enforced. And right now those resolutions are being unilaterally subverted by the Iraqi regime. Our partnership of nations can meet the test before us, by making clear what we now expect of the Iraqi regime.

If the Iraqi regime wishes peace, it will immediately and unconditionally forswear, disclose, and remove or destroy all weapons of mass destruction, long-range missiles, and all related material.

If the Iraqi regime wishes peace, it will immediately end all support for terrorism and act to suppress it, as all states are required to do by U.N. Security Council resolutions.

If the Iraqi regime wishes peace, it will cease persecution of its civilian population, including Shi'a, Sunnis, Kurds, Turkomans, and others, again as required by Security Council resolutions.

If the Iraqi regime wishes peace, it will release or account for all Gulf War personnel whose fate is still unknown. It will return the remains of any who are deceased, return stolen property, accept liability for losses resulting from the invasion of Kuwait, and fully cooperate with international efforts to resolve these issues, as required by Security Council resolutions.

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If the Iraqi regime wishes peace, it will immediately end all illicit trade outside the oil-for-food program. It will accept U.N. administration of funds from that program, to ensure that the money is used fairly and promptly for the benefit of the Iraqi people.

If all these steps are taken, it will signal a new openness and accountability in Iraq. And it could open the prospect of the United Nations helping to build a government that represents all Iraqis—a government based on respect for human rights, economic liberty, and internationally supervised elections.

The United States has no quarrel with the Iraqi people; they've suffered too long in silent captivity. Liberty for the Iraqi people is a great moral cause, and a great strategic goal. The people of Iraq deserve it; the security of all nations requires it. Free societies do not intimidate through cruelty and conquest, and open societies do not threaten the world with mass murder. The United States supports political and economic liberty in a unified Iraq.

We can harbor no illusions—and that's important today to remember. Saddam Hussein attacked Iran in 1980 and Kuwait in 1990. He's fired ballistic missiles at Iran and Saudi Arabia, Bahrain, and Israel. His regime once ordered the killing of every person between the ages of 15 and 70 in certain Kurdish villages in northern Iraq. He has gassed many Iranians, and 40 Iraqi villages.

My nation will work with the U.N. Security Council to meet our common challenge. If Iraq's regime defies us again, the world must move deliberately, decisively to hold Iraq to account. We will work with the U.N. Security Council for the necessary resolutions. But the purposes of the United States should not be doubted. The Security Council resolutions will be enforced—the just demands of peace and security will be met—or action will be unavoidable. And a regime that has lost its legitimacy will also lose its power.

Events can turn in one of two ways: If we fail to act in the face of danger, the people of Iraq will continue to live in brutal submission. The regime will have new power to bully and dominate and conquer its neighbors, condemning the Middle East to more years of bloodshed and fear. The regime will remain unstable—the region will remain unstable, with little hope of freedom, and isolated from the progress of our times. With every step the Iraqi regime takes toward gaining and deploying the most terrible weapons, our own options to confront that regime will narrow. And if an emboldened regime were to supply these weapons to terrorist allies, then the attacks of September the 11th would be a prelude to far greater horrors.

If we meet our responsibilities, if we overcome this danger, we can arrive at a very different future. The people of Iraq can shake off their captivity. They can one day join a democratic Afghanistan and a democratic Palestine, inspiring reforms throughout the Muslim world. These nations can show by their example that honest government, and respect for women, and the great Islamic tradition of learning can triumph in the Middle East and beyond. And we will show that the promise of the United Nations can be fulfilled in our time.

Neither of these outcomes is certain. Both have been set before us. We must choose between a world of fear and a world of progress. We cannot stand by and do nothing while dangers gather. We must stand up for our security, and for the permanent rights

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and the hopes of mankind. By heritage and by choice, the United States of America will make that stand. And, delegates to the United Nations, you have the power to make that stand, as well.

Thank you very much. (Applause.)

END 11:04 A.M. EDT

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A DECADE OF DECEPTION AND DEFIANCE

SADDAM HUSSEIN'S DEFIANCE OF THE UNITED NATIONS

SEPTEMBER 12, 2002

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PREFACE

A Decade of Deception and Defiance serves as a background paper for President George W. Bush's September 12th speech to the United Nations General Assembly. This document provides specific examples of how Iraqi President Saddam Hussein has systematically and continually violated 16 United Nations Security Council resolutions over the past decade. This document is not designed to catalogue all of the violations of UN resolutions or other abuses of Saddam Hussein's regime over the years.

For more than a decade, Saddam Hussein has deceived and defied the will and resolutions of the United Nations Security Council by, among other things: continuing to seek and develop chemical, biological, and nuclear weapons, and prohibited long-range missiles; brutalizing the Iraqi people, including committing gross human rights violations and crimes against humanity; supporting international terrorism; refusing to release or account for prisoners of war and other missing individuals from the Gulf War era; refusing to return stolen Kuwaiti property; and working to circumvent the UN's economic sanctions.

The Administration will periodically provide information on these and other aspects of the threat posed to the international community by Saddam Hussein.

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SADDAM HUSSEIN'S DEFIANCE OF UNITED NATIONS RESOLUTIONS

Saddam Hussein has repeatedly violated sixteen United Nations Security Council Resolutions (UNSCRs) designed to ensure that Iraq does not pose a threat to international peace and security. In addition to these repeated violations, he has tried, over the past decade, to circumvent UN economic sanctions against Iraq, which are reflected in a number of other resolutions. As noted in the resolutions, Saddam Hussein was required to fulfill many obligations beyond the withdrawal of Iraqi forces from Kuwait. Specifically, Saddam Hussein was required to, among other things: allow international weapons inspectors to oversee the destruction of his weapons of mass destruction; not develop new weapons of mass destruction; destroy all of his ballistic missiles with a range greater than 150 kilometers; stop support for terrorism and prevent terrorist organizations from operating within Iraq; help account for missing Kuwaitis and other individuals; return stolen Kuwaiti property and bear financial liability for damage from the Gulf War; and he was required to end his repression of the Iraqi people. Saddam Hussein has repeatedly violated each of the following resolutions:

UNSCR 678 – NOVEMBER 29, 1990

- Iraq must comply fully with UNSCR 660 (regarding Iraq's illegal invasion of Kuwait) "and all subsequent relevant resolutions."
- Authorizes UN Member States "to use all necessary means to uphold and implement resolution 660 and all subsequent relevant resolutions and to restore international peace and security in the area."

UNSCR 686 – MARCH 2, 1991

- Iraq must release prisoners detained during the Gulf War.
- Iraq must return Kuwaiti property seized during the Gulf War.
- Iraq must accept liability under international law for damages from its illegal invasion of Kuwait.

UNSCR 687 – APRIL 3, 1991

- Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "chemical and biological weapons and all stocks of agents and all related subsystems and components and all research, development, support and manufacturing facilities."
- Iraq must "unconditionally agree not to acquire or develop nuclear weapons or nuclear-weapons-usable material" or any research, development or manufacturing facilities.
- Iraq must "unconditionally accept" the destruction, removal or rendering harmless "under international supervision" of all "ballistic missiles with a range greater than 150 KM and related major parts and repair and production facilities."
- Iraq must not "use, develop, construct or acquire" any weapons of mass destruction.
- Iraq must reaffirm its obligations under the Nuclear Non-Proliferation Treaty.
- Creates the United Nations Special Commission (UNSCOM) to verify the elimination of Iraq's chemical and biological weapons programs and mandated that the International Atomic Energy Agency (IAEA) verify elimination of Iraq's nuclear weapons program.
- Iraq must declare fully its weapons of mass destruction programs.
- Iraq must not commit or support terrorism, or allow terrorist organizations to operate in Iraq.
- Iraq must cooperate in accounting for the missing and dead Kuwaitis and others.
- Iraq must return Kuwaiti property seized during the Gulf War.

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UNSCR 688 – April 5, 1991

- "Condemns" repression of Iraqi civilian population, "the consequences of which threaten international peace and security."
- Iraq must immediately end repression of its civilian population.
- Iraq must allow immediate access to international humanitarian organizations to those in need of assistance.

UNSCR 707 – August 15, 1991

- "Condemns" Iraq's "serious violation" of UNSCR 687.
- "Further condemns" Iraq's noncompliance with IAEA and its obligations under the Nuclear Non-Proliferation Treaty.
- Iraq must halt nuclear activities of all kinds until the Security Council deems Iraq in full compliance.
- Iraq must make a full, final and complete disclosure of all aspects of its weapons of mass destruction and missile programs.
- Iraq must allow UN and IAEA inspectors immediate, unconditional and unrestricted access.
- Iraq must cease attempts to conceal or move weapons of mass destruction, and related materials and facilities.
- Iraq must allow UN and IAEA inspectors to conduct inspection flights throughout Iraq.
- Iraq must provide transportation, medical and logistical support for UN and IAEA inspectors.

UNSCR 715 – October 11, 1991

- Iraq must cooperate fully with UN and IAEA inspectors.

UNSCR 949 – October 15, 1994

- "Condemns" Iraq's recent military deployments toward Kuwait.
- Iraq must not utilize its military or other forces in a hostile manner to threaten its neighbors or UN operations in Iraq.
- Iraq must cooperate fully with UN weapons inspectors.
- Iraq must not enhance its military capability in southern Iraq.

UNSCR 1051 – March 27, 1996

- Iraq must report shipments of dual-use items related to weapons of mass destruction to the UN and IAEA.
- Iraq must cooperate fully with UN and IAEA inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1060 – June 12, 1996

- "Deplores" Iraq's refusal to allow access to UN inspectors and Iraq's "clear violations" of previous UN resolutions.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

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UNSCR 1115 – JUNE 21, 1997

- "Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "clear and flagrant violation" of UNSCR 687, 707, 715, and 1060.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.
- Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

UNSCR 1134 – OCTOBER 23, 1997

- "Condemns repeated refusal of Iraqi authorities to allow access" to UN inspectors, which constitutes a "flagrant violation" of UNSCR 687, 707, 715, and 1060.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.
- Iraq must give immediate, unconditional and unrestricted access to Iraqi officials whom UN inspectors want to interview.

UNSCR 1137 – NOVEMBER 12, 1997

- "Condemns the continued violations by Iraq" of previous UN resolutions, including its "implicit threat to the safety of" aircraft operated by UN inspectors and its tampering with UN inspector monitoring equipment.
- Reaffirms Iraq's responsibility to ensure the safety of UN inspectors.
- Iraq must cooperate fully with UN weapons inspectors and allow immediate, unconditional and unrestricted access.

UNSCR 1154 – MARCH 2, 1998

- Iraq must cooperate fully with UN and IAEA weapons inspectors and allow immediate, unconditional and unrestricted access, and notes that any violation would have the "severest consequences for Iraq."

UNSCR 1194 – SEPTEMBER 9, 1998

- "Condemns the decision by Iraq of 5 August 1998 to suspend cooperation with" UN and IAEA inspectors, which constitutes "a totally unacceptable contravention" of its obligations under UNSCR 687, 707, 715, 1060, 1115, and 1154.
- Iraq must cooperate fully with UN and IAEA weapons inspectors, and allow immediate, unconditional and unrestricted access.

UNSCR 1205 – NOVEMBER 5, 1998

- "Condemns the decision by Iraq of 31 October 1998 to cease cooperation" with UN inspectors as "a flagrant violation" of UNSCR 687 and other resolutions.
- Iraq must provide "immediate, complete and unconditional cooperation" with UN and IAEA inspectors.

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UNSCR 1284 – DECEMBER 17, 1999

- Created the United Nations Monitoring, Verification and Inspections Commission (UNMOVIC) to replace previous weapon inspection team (UNSCOM).
- Iraq must allow UNMOVIC "immediate, unconditional and unrestricted access" to Iraqi officials and facilities.
- Iraq must fulfill its commitment to return Gulf War prisoners.
- Calls on Iraq to distribute humanitarian goods and medical supplies to its people and address the needs of vulnerable Iraqis without discrimination.

ADDITIONAL UN SECURITY COUNCIL STATEMENTS

In addition to the legally binding UNSCRs, the UN Security Council has also issued at least 30 statements from the President of the UN Security Council regarding Saddam Hussein's continued violations of UNSCRs. The list of statements includes:

- UN Security Council Presidential Statement, June 28, 1991
- UN Security Council Presidential Statement, February 5, 1992
- UN Security Council Presidential Statement, February 19, 1992
- UN Security Council Presidential Statement, February 28, 1992
- UN Security Council Presidential Statement, March 6, 1992
- UN Security Council Presidential Statement, March 11, 1992
- UN Security Council Presidential Statement, March 12, 1992
- UN Security Council Presidential Statement, April 10, 1992
- UN Security Council Presidential Statement, June 17, 1992
- UN Security Council Presidential Statement, July 6, 1992
- UN Security Council Presidential Statement, September 2, 1992
- UN Security Council Presidential Statement, November 23, 1992
- UN Security Council Presidential Statement, November 24, 1992
- UN Security Council Presidential Statement, January 8, 1993
- UN Security Council Presidential Statement, January 11, 1993
- UN Security Council Presidential Statement, June 18, 1993
- UN Security Council Presidential Statement, June 28, 1993
- UN Security Council Presidential Statement, November 23, 1993
- UN Security Council Presidential Statement, October 8, 1994
- UN Security Council Presidential Statement, March 19, 1996
- UN Security Council Presidential Statement, June 14, 1996
- UN Security Council Presidential Statement, August 23, 1996
- UN Security Council Presidential Statement, December 30, 1996
- UN Security Council Presidential Statement, June 13, 1997
- UN Security Council Presidential Statement, October 29, 1997
- UN Security Council Presidential Statement, November 13, 1997
- UN Security Council Presidential Statement, December 3, 1997
- UN Security Council Presidential Statement, December 22, 1997
- UN Security Council Presidential Statement, January 14, 1998
- UN Security Council Presidential Statement, May 14, 1998

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SADDAM HUSSEIN'S DEVELOPMENT OF WEAPONS OF MASS DESTRUCTION

Saddam Hussein has continued to defy UN weapons inspectors for more than a decade, and he continues his efforts to develop or acquire weapons of mass destruction – including biological, chemical and nuclear weapons, and prohibited long-range missiles – and other means to deliver them.

BIOLOGICAL WEAPONS

- In 2001, an Iraqi defector, Adnan Ihsan Saeed al-Haideri, said he had visited twenty secret facilities for chemical, biological and nuclear weapons. Mr. Saeed, a civil engineer, supported his claims with stacks of Iraqi government contracts, complete with technical specifications. Mr. Saeed said Iraq used companies to purchase equipment with the blessing of the United Nations – and then secretly used the equipment for their weapons programs.[1]

- Iraq admitted to producing biological agents, and after the 1995 defection of a senior Iraqi official, Iraq admitted to the weaponization of thousands of liters of anthrax, botulinim toxin, and aflatoxin for use with Scud warheads, aerial bombs and aircraft.[2]

- United Nations Special Commission (UNSCOM) experts concluded that Iraq's declarations on biological agents vastly understated the extent of its program, and that Iraq actually produced two to four times the amount of most agents, including anthrax and botulinim toxin, than it had declared.[3]

- UNSCOM reported to the UN Security Council in April 1995 that Iraq had concealed its biological weapons program and had failed to account for 3 tons of growth material for biological agents.[4]

- The Department of Defense reported in January 2001 that Iraq has continued to work on its weapons programs, including converting L-29 jet trainer aircraft for potential vehicles for the delivery of chemical or biological weapons.[5]

- The al-Dawrah Foot and Mouth Disease Vaccine Facility is one of two known biocontainment level-three facilities in Iraq that have an extensive air handling and filtering system. Iraq has admitted that this was a biological weapons facility. In 2001, Iraq announced that it would begin renovating the plant without UN approval, ostensibly to produce vaccines that it could more easily and more quickly import through the UN.

- Saddam Hussein continues its attempts to procure mobile biological weapons laboratories that could be used for further research and development.

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[1] "Secret Sites. Iraqi tells of Renovations at Sites for Chemical and Nuclear Arms," *The New York Times*, December 20, 2001
[2] UNSCOM Report, January 25, 1999
[3] Ibid.
[4] Ibid.
[5] *Proliferation: Threat and Response*, Department of Defense, January 2001

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Chemical Weapons

Saddam Hussein launched a large-scale chemical weapons attack against Iraq's Kurdish population in the late 1980s, killing thousands. On at least 10 occasions, Saddam Hussein's military forces have attacked Iranian and Kurdish targets with combinations of mustard gas and nerve agents through the use of aerial bombs, 122-millimeter rockets, and conventional artillery shells. Saddam Hussein continues his efforts to develop chemical weapons:

- Gaps identified by UNSCOM in Iraqi accounting and current production capabilities strongly suggest that Iraq maintains stockpiles of chemical agents, probably VX, sarin, cyclosarin and mustard.

- Iraq has not accounted for hundreds of tons of chemical precursors and tens of thousands of unfilled munitions, including Scud variant missile warheads.[6]

- Iraq has not accounted for at least 15,000 artillery rockets that in the past were its preferred vehicle for delivering nerve agents, nor has it accounted for about 550 artillery shells filled with mustard agent.[7]

- Iraq continues to rebuild and expand dual-use infrastructure that it could quickly divert to chemical weapons production, such as chlorine and phenol plants.

- Iraq is seeking to purchase chemical weapons agent precursors and applicable production equipment, and is making an effort to hide activities at the Fallujah plant, which was one of Iraq's chemical weapons production facilities before the Gulf War.

- At Fallujah and three other plants, Iraq now has chlorine production capacity far higher than any civilian need for water treatment, and the evidence indicates that some of its chlorine imports are being diverted for military purposes.

Nuclear Weapons

Saddam Hussein had an advanced nuclear weapons development program before the Gulf War and continues his work to develop a nuclear weapon:

- A new report released on September 9, 2002 from the International Institute for Strategic Studies – an independent research organization – concludes that Saddam Hussein could build a nuclear bomb within months if he were able to obtain fissile material.[8]

- Iraq has stepped up its quest for nuclear weapons and has embarked on a worldwide hunt for materials to make an atomic bomb. In the last 14 months, Iraq has sought to buy thousands of specially designed aluminum tubes which officials believe were intended as components of centrifuges to enrich uranium.

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[6] UNSCOM Report, January 25, 1999

[7] Ibid.

[8] *Iraq's Weapons of Mass Destruction: A Net Assessment*, September 9, 2002; The International Institute for Strategic Studies

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- Iraq has withheld documentation relevant to its past nuclear program, including data about enrichment techniques, foreign procurement, weapons design, experimental data, and technical documents.

- Iraq still has the technical expertise and some of the infrastructure needed to pursue its goal of building a nuclear weapon.

- Saddam Hussein has repeatedly met with his nuclear scientists over the past two years, signaling his continued interest in developing his nuclear program.

Ballistic Missiles

- Iraq is believed to be developing ballistic missiles with a range greater than 150 kilometers – as prohibited by the UN Security Council Resolution 687.

- Discrepancies identified by UNSCOM in Saddam Hussein's declarations suggest that Iraq retains a small force of Scud-type missiles and an undetermined number of launchers and warheads.[9]

- Iraq continues work on the al-Samoud liquid propellant short-range missile (which can fly beyond the allowed 150 kilometers). The al-Samoud and the solid propellant Ababil-100 appeared in a military parade in Baghdad on December 31, 2000, suggesting that both systems are nearing operational deployment.

- The al-Rafah-North facility is Iraq's principal site for testing liquid propellant missile engines. Iraq has been building a new, larger test stand there that is clearly intended for testing prohibited longer-range missile engines.

- At their al-Mamoun facility, the Iraqis have rebuilt structures that had been dismantled by UNSCOM that were originally designed to manufacture solid propellant motors for the Badr-2000 missile program.

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[9] UNSCOM Report

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SADDAM HUSSEIN'S REPRESSION OF THE IRAQI PEOPLE

UNSCR 688 (April 5, 1991) "condemns" Saddam Hussein's repression of the Iraqi civilian population -- "the consequences of which threaten international peace and security." UNSCR 688 also requires Saddam Hussein to end his repression of the Iraqi people and to allow immediate access to international humanitarian organizations to help those in need of assistance. Saddam Hussein has repeatedly violated these provisions and has: expanded his violence against women and children; continued his horrific torture and execution of innocent Iraqis; continued to violate the basic human rights of the Iraqi people and has continued to control all sources of information (including killing more than 500 journalists and other opinion leaders in the past decade). Saddam Hussein has also harassed humanitarian aid workers; expanded his crimes against Muslims; he has withheld food from families that fail to offer their children to his regime; and he has continued to subject Iraqis to unfair imprisonment.[10]

REFUSAL TO ADMIT HUMAN RIGHTS MONITORS

- The UN Commission on Human Rights and the UN General Assembly issued a report that noted "with dismay" the lack of improvement in the situation of human rights in Iraq. The report strongly criticized the "systematic, widespread, and extremely grave violations of human rights" and of international humanitarian law by the Iraqi Government, which it stated resulted in "all-pervasive repression and oppression sustained by broad-based discrimination and widespread terror." The report called on the Iraqi Government to fulfill its obligations under international human rights treaties.

- Saddam Hussein has repeatedly refused visits by human rights monitors and the establishment of independent human rights organizations. From 1992 until 2002, Saddam prevented the UN Special Rapporteur from visiting Iraq.[11]

- In September 2001 the Government expelled six UN humanitarian relief workers without providing any explanation.[12]

VIOLENCE AGAINST WOMEN

- Human rights organizations and opposition groups continued to receive reports of women who suffered from severe psychological trauma after being raped by Iraqi personnel while in custody.[13]

- Former Mukhabarat member Khalid Al-Janabi reported that a Mukhabarat unit, the Technical Operations Directorate, used rape and sexual assault in a systematic and institutionalized manner for political purposes. The unit reportedly also videotaped the rape of female relatives of suspected oppositionists and used the videotapes for blackmail purposes and to ensure their future cooperation.[14]

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[10] *Country Reports on Human Rights Practices – Iraq*, March 4, 2002, US Department of State, www.state.gov
[11] Page 2-3, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[12] Ibid. Page 6
[13] Ibid. Page 5
[14] Ibid. Page 5

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- In June 2000, a former Iraqi general reportedly received a videotape of security forces raping a female family member. He subsequently received a telephone call from an intelligence agent who stated that another female relative was being held and warned him to stop speaking out against the Iraqi Government.[15]

- Iraqi security forces allegedly raped women who were captured during the Anfal Campaign and during the occupation of Kuwait.[16]

- Amnesty International reported that, in October 2000, the Iraqi Government executed dozens of women accused of prostitution.[17]

- In May, the Iraqi Government reportedly tortured to death the mother of three Iraqi defectors for her children's opposition activities.[18]

- Iraqi security agents reportedly decapitated numerous women and men in front of their family members. According to Amnesty International, the victims' heads were displayed in front of their homes for several days.[19]

TORTURE

- Iraqi security services routinely and systematically torture detainees. According to former prisoners, torture techniques included branding, electric shocks administered to the genitals and other areas, beating, pulling out of fingernails, burning with hot irons and blowtorches, suspension from rotating ceiling fans, dripping acid on the skin, rape, breaking of limbs, denial of food and water, extended solitary confinement in dark and extremely small compartments, and threats to rape or otherwise harm family members and relatives. Evidence of such torture often was apparent when security forces returned the mutilated bodies of torture victims to their families.[20]

- According to a report received by the UN Special Rapporteur in 1998, hundreds of Kurds and other detainees have been held without charge for close to two decades in extremely harsh conditions, and many of them have been used as subjects in Iraq's illegal experimental chemical and biological weapons programs.[21]

- In 2000, the authorities reportedly introduced tongue amputation as a punishment for persons who criticize Saddam Hussein or his family, and on July 17, government authorities reportedly amputated the tongue of a person who allegedly criticized Saddam Hussein. Authorities reportedly performed the amputation in front of a large crowd. Similar tongue amputations also reportedly occurred.[22]

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[15] Page 7, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State, www.state.gov
[16] Ibid, Page 5
[17] Ibid, Page 2
[18] Ibid, Page 3
[19] Ibid, Page 3
[20] Ibid, Page 4
[21] Ibid, Page 6
[22] Ibid, Page 4-5

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- Refugees fleeing to Europe often reported instances of torture to receiving governments, and displayed scars and mutilations to substantiate their claims.[23]

- In August 2001 Amnesty International released a report entitled *Iraq -- Systematic Torture of Political Prisoners*, which detailed the systematic and routine use of torture against suspected political opponents and, occasionally, other prisoners. Amnesty International also reports "Detainees have also been threatened with bringing in a female relative, especially the wife or the mother, and raping her in front of the detainee. Some of these threats have been carried out."[24]

- Saad Keis Naoman, an Iraqi soccer player who defected to Europe, reported that he and his teammates were beaten and humiliated at the order of Uday Saddam Hussein for poor performances. He was flogged until his back was bloody, forcing him to sleep on his stomach in the tiny cell in Al-Radwaniya prison.[25]

Executions and Repression of Political Opposition

- Former UN Human Rights Special Rapporteur Max Van der Stoel's report in April 1998 stated that Iraq had executed at least 1,500 people during the previous year for political reasons.

- The government continues to execute summarily alleged political opponents and leaders in the Shi'a religious community. Reports suggest that persons were executed merely because of their association with an opposition group or as part of a continuing effort to reduce prison populations.[26]

- In February 2001, the Government reportedly executed 37 political detainees for opposition activity.[27]

- In June 2001, security forces killed a Shi'a cleric, Hussein Bahar al-Uloom, for refusing to appear on television to congratulate Qusay Saddam Hussein for his election to a Ba'th Party position. Such killings continue an apparent government policy of eliminating prominent Shi'a clerics who are suspected of disloyalty to the government. In 1998 and 1999, the Government killed a number of leading Shi'a clerics, prompting the former Special Rapporteur in 1999 to express his concern to the government that the killings might be part of a systematic attack by government officials on the independent leadership of the Shi'a Muslim community. The government did not respond to the Special Rapporteur's letter.[28]

- There are persistent reports that families are made to pay for the cost of executions.[29]

- Saddam Hussein destroyed the southern Iraqi town of Albu 'Aysh sometime between September 1998 and December 1999.[30]

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[23] Page 4, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State, www.state.gov
[24] *Iraq – Systematic Torture of Political Prisoners*; Amnesty International, web.amnesty.org
[25] Page 4, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State, www.state.gov
[26] Ibid, Page 1
[27] Ibid, Page 2
[28] Ibid, Page 2
[29] Ibid, Page 4
[30] *Iraq – Systematic Torture of Political Prisoners*; Amnesty International; web.amnesty.org

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- Iraq has conducted a systematic "Arabization" campaign of ethnic cleansing designed to harass and expel ethnic Kurds and Turkmen from government-controlled areas. Non-Arab citizens are forced to change their ethnicity or their identity documents and adopt Arab names, or they are deprived of their homes, property and food-ration cards, and expelled.

Saddam Hussein's Abuse of Children

- Saddam Hussein has held 3-week training courses in weapons use, hand-to-hand fighting, rappelling from helicopters, and infantry tactics for children between 10 and 15 years of age. Camps for these "Saddam Cubs" operated throughout the country. Senior military officers who supervised the courses noted that the children held up under the "physical and psychological strain" of training that lasted for as long as 14 hours each day. Sources in the opposition report that the army found it difficult to recruit enough children to fill all of the vacancies in the program. Families reportedly were threatened with the loss of their food ration cards if they refused to enroll their children in the course. The Supreme Council for the Islamic Revolution in Iraq reported in October 1999 that authorities were denying food ration cards to families that failed to send their young sons to Saddam Cubs compulsory weapons-training camps. Similarly, authorities reportedly withheld school examination results to students unless they registered in the Fedayeen Saddam organization.[31]

- Iraq often announces food ration cuts for the general population, blaming US or UK actions. Among the most controversial have been cuts in baby milk rations. Iraq has blamed the shortages on US and UK contract rejections, although the UN has approved all baby milk contracts submitted.

- Child labor persists and there are instances of forced labor.

- There are widespread reports that food and medicine that could have been made available to the general public, including children, have been stockpiled in warehouses or diverted for the personal use of some government officials.[32]

Disappearances

- Amnesty International reported that Iraq has the world's worst record for numbers of persons who have disappeared or remain unaccounted for. [33]

- In 1999, the UN Special Rapporteur stated that Iraq remains the country with the highest number of disappearances known to the UN: over 16,000.

Basic Freedoms: Freedom of Speech, Freedom of the Press, Freedom of Information

- In practice, Saddam Hussein does not permit freedom of speech or of the press, and does not tolerate political dissent in areas under its control. In November 2000, the UN General Assembly criticized Saddam Hussein's "suppression of freedom of thought, expression, information, association, and assembly." The Special Rapporteur stated in October 1999 that citizens lived "in a climate of fear," in

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[31] Page 1, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State, www.state.gov
[32] Ibid. Page 16
[33] Ibid. Page 3

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which whatever they said or did, particularly in the area of politics, involved "the risk of arrest and interrogation by the police or military intelligence." He noted that "the mere suggestion that someone is not a supporter of the President carries the prospect of the death penalty."[34]

- In June 2001, the Human Rights Alliance reported that Saddam Hussein had killed more than 500 journalists and other intellectuals in the past decade.[35]

- Saddam Hussein frequently infringes on citizens' constitutional right to privacy. Saddam routinely ignores constitutional provisions designed to protect the confidentiality of mail, telegraphic correspondence, and telephone conversations. Iraq periodically jams news broadcasts from outside the country, including those of opposition groups. The security services and the Ba'th Party maintain pervasive networks of informers to deter dissident activity and instill fear in the public.[36]

- Foreign journalists must work from offices located within the Iraqi ministry building and are accompanied everywhere they go by ministry officers, who reportedly restrict their movements and make it impossible for them to interact freely with citizens.[37]

- The Iraqi Government, the Ba'th Party, or persons close to Saddam Hussein own all print and broadcast media, and operate them as propaganda outlets. They generally do not report opposing points of view that are expressed either domestically or abroad.[38]

- In September 1999, Hashem Hasan, a journalist and Baghdad University professor, was arrested after declining an appointment as editor of one of Uday Hussein's publications. The Paris-based Reporters Sans Frontieres (RSF) sent a letter of appeal to Uday Hussein; however, Hassan's fate and whereabouts remained unknown at year's end.[39]

- Saddam Hussein regularly jams foreign news broadcasts. Satellite dishes, modems, and fax machines are banned, although some restrictions reportedly were lifted in 1999.[40]

- In government-operated Internet cafes, users only are permitted to view web sites provided by the Ministry of Culture and Information.[41]

- In 1999, Uday Hussein reportedly dismissed hundreds of members of the Iraqi Union of Journalists for not praising Saddam Hussein and the Government sufficiently.[42]

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[34] Page 9, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State, www.state.gov
[35] Ibid, Page 9
[36] Ibid, Page 7
[37] Ibid, Page 9
[38] Ibid, Page 9
[39] Ibid, Page 10
[40] Ibid, Page 10
[41] Ibid, Page 10
[42] Ibid, Page 10

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Withholding of Food

- Relatives who do not report deserters may lose their ration cards for purchasing government-controlled food supplies, be evicted from their residences, or face the arrest of other family members. The Supreme Council for the Islamic Revolution in Iraq reported in October and December 1999 that authorities denied food ration cards to families that failed to send their young sons to the "Saddam's Cubs" compulsory weapons training camps.[43]

Crimes Against Muslims

- The Government consistently politicizes and interferes with religious pilgrimages, both of Iraqi Muslims who wish to make the Hajj to Mecca and Medina and of Iraqi and non-Iraqi Muslim pilgrims who travel to holy sites within the country. For example, in 1998 the UN Sanctions Committee offered to disburse vouchers for travel and expenses to pilgrims making the Hajj; however, the Government rejected this offer. In 1999 the Sanctions Committee offered to disburse funds to cover Hajj-related expenses via a neutral third party; the Government again rejected the offer. Following the December 1999 passage of UN Security Council Resolution 1284, the Sanctions Committee again sought to devise a protocol to facilitate the payment for individuals making the journey. The Sanctions Committee proposed to issue $250 in cash and $1,750 in travelers checks to each individual pilgrim to be distributed at the U.N. office in Baghdad in the presence of both U.N. and Iraqi officials. The Government again declined and, consequently, no Iraqi pilgrims were able to take advantage of the available funds or, in 2000, of the permitted flights. The Government continued to insist that these funds would be accepted only if they were paid in cash to the government-controlled central bank, not to the Hajj pilgrims.[44]

More than 95 percent of the population of Iraq are Muslim. The (predominantly Arab) Shi'a Muslims constitute a 60 to 65 percent majority:

- The Iraqi government has for decades conducted a brutal campaign of murder, summary execution, and protracted arbitrary arrest against the religious leaders and followers of the majority Shi'a Muslim population. Despite nominal legal protection of religious equality, the Government has repressed severely the Shi'a clergy and those who follow the Shi'a faith.[45]

- Forces from the Mukhabarat, General Security (Amn Al-Amm), the Military Bureau, Saddam's Commandos (Fedayeen Saddam), and the Ba'th Party have killed senior Shi'a clerics, desecrated Shi'a mosques and holy sites, and interfered with Shi'a religious education. Security agents reportedly are stationed at all the major Shi'a mosques and shrines, where they search, harass, and arbitrarily arrest worshipers.[46]

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[43] Page 8, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[44] Ibid. Page 11-12
[45] Ibid. Page 11
[46] Ibid. Page 11

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- The following government restrictions on religious rights remained in effect during 2001: restrictions and outright bans on communal Friday prayer by Shi'a Muslims; restrictions on the loaning of books by Shi'a mosque libraries; a ban on the broadcast of Shi'a programs on government-controlled radio or television; a ban on the publication of Shi'a books, including prayer books and guides; a ban on funeral processions other than those organized by the Government; a ban on other Shi'a funeral observances such as gatherings for Koran reading; and the prohibition of certain processions and public meetings that commemorate Shi'a holy days. Shi'a groups report that they captured documents from the security services during the 1991 uprising that listed thousands of forbidden Shi'a religious writings.[47]

- In June 1999, several Shi'a opposition groups reported that the Government instituted a program in the predominantly Shi'a districts of Baghdad that used food ration cards to restrict where individuals could pray. The ration cards, part of the UN oil-for-food program, reportedly are checked when the bearer enters a mosque and are printed with a notice of severe penalties for those who attempt to pray at an unauthorized location.[48]

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[47] Page 11, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State; www.state.gov
[48] Ibid, Page 11

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SADDAM HUSSEIN'S SUPPORT FOR INTERNATIONAL TERRORISM

Iraq is one of seven countries that have been designated by the Secretary of State as state sponsors of international terrorism. UNSCR 687 prohibits Saddam Hussein from committing or supporting terrorism, or allowing terrorist organizations to operate in Iraq. Saddam continues to violate these UNSCR provisions.[49]

- In 1993, the Iraqi Intelligence Service (IIS) directed and pursued an attempt to assassinate, through the use of a powerful car bomb, former U.S. President George Bush and the Emir of Kuwait. Kuwaiti authorities thwarted the terrorist plot and arrested 16 suspects, led by two Iraqi nationals.

- Iraq shelters terrorist groups including the Mujahedin-e-Khalq Organization (MKO), which has used terrorist violence against Iran and in the 1970s was responsible for killing several U.S. military personnel and U.S. civilians.[50]

- Iraq shelters several prominent Palestinian terrorist organizations in Baghdad, including the Palestine Liberation Front (PLF), which is known for aerial attacks against Israel and is headed by Abu Abbas, who carried out the 1985 hijacking of the cruise ship *Achille Lauro* and murdered U.S. citizen Leon Klinghoffer.[51]

- Iraq shelters the Abu Nidal Organization, an international terrorist organization that has carried out terrorist attacks in twenty countries, killing or injuring almost 900 people. Targets have included the United States and several other Western nations. Each of these groups have offices in Baghdad and receive training, logistical assistance, and financial aid from the government of Iraq.[52]

- In April 2002, Saddam Hussein increased from $10,000 to $25,000 the money offered to families of Palestinian suicide/homicide bombers. The rules for rewarding suicide/homicide bombers are strict and insist that only someone who blows himself up with a belt of explosives gets the full payment. Payments are made on a strict scale, with different amounts for wounds, disablement, death as a "martyr" and $25,000 for a suicide bomber. Mahmoud Besharat, a representative on the West Bank who is handing out to families the money from Saddam, said, "You would have to ask President Saddam why he is being so generous. But he is a revolutionary and he wants this distinguished struggle, the *intifada*, to continue."[53]

- Former Iraqi military officers have described a highly secret terrorist training facility in Iraq known as Salman Pak, where both Iraqis and non-Iraqi Arabs receive training on hijacking planes and trains, planting explosives in cities, sabotage, and assassinations.

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[49] *Patterns of Global Terrorism 2001: Overview of State-Sponsored Terrorism*, US Department of State, May 21, 2002.
[50] Ibid.
[51] Ibid.
[52] Ibid.
[53] "Jenin Families Pocket Iraqi Cash", *The Washington Times: London Daily Telegraph*, May 31, 2002.

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SADDAM HUSSEIN'S REFUSAL TO ACCOUNT FOR GULF WAR PRISONERS

UNSCRs 686, 687 and others require Saddam Hussein to release immediately any Gulf War prisoners and to cooperate in accounting for missing and dead Kuwaitis and others from the Gulf War. Saddam has continued to violate these resolutions.

- Saddam Hussein has failed to return, or account for, a large number of Kuwaiti citizens and citizens of other countries who were detained during the Iraqi occupation of Kuwait and continues to refuse to cooperate with the Tripartite Commission to resolve the cases.

- Of 609 cases of missing Gulf War POWs/MIAs representing 14 nationalities – including one American pilot – under review by the Tripartite Commission on Gulf War Missing, only 4 have been resolved. Because of continued Iraqi obfuscation and concealment, very few cases have been resolved since the Gulf War. Saddam Hussein denies having any knowledge of the others and claims that any relevant records were lost in the aftermath of the Gulf War.

- In a December 2001 report to the UN Security Council, the UN Secretary-General criticized the Iraqi Government's refusal to cooperate with the U.N. on the issue of the missing POWs/MIAs citizens. Iran reports that the Iraqi Government still has not accounted for 5,000 Iranian POW's missing since the Iran-Iraq War.

- "Secretary General reiterates little progress on the issue of repatriation or return of all Kuwaiti and third country nationals or their remains, as Iraq refused to cooperate with the Tripartite Commission."[54]

- In August 2001, Amnesty International reported that Saddam Hussein has the world's worst record for numbers of persons who have disappeared and remain unaccounted for. [55]

- The Iraqi Government continued to ignore the more than 16,000 cases conveyed to it in 1994 and 1995 by the UN, as well as requests from the Governments of Kuwait and Saudi Arabia to account for the whereabouts of those who had disappeared during Iraq's 1990-91 occupation of Kuwait, and from Iran regarding the whereabouts of prisoners of war that Iraq captured in the 1980-88 Iran-Iraq War. [56]

- "Security Council regrets that no progress made on return of Kuwaiti national archives, reiterate need for Iraq to immediately fulfill all requirements under the relevant resolutions, including repatriation or return of all Kuwaiti and third country nationals or their remains."[57]

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[54] Vorontsov Report; UN SG/2002/931 on Iraqi Non-Compliance With UNSCR 1284
[55] Page 3, *Country Reports on Human Rights Practices – Iraq*, March 4, 2002; US Department of State, www.state.gov
[56] Ibid, Page 3
[57] Vorontsov Report; UN SG/2002/931 on Iraqi Non-Compliance With UNSCR 1284

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SADDAM HUSSEIN'S REFUSAL TO RETURN STOLEN PROPERTY

Iraq destroyed much stolen property before it could be returned, and Kuwait claims that large quantities of equipment remain unaccounted for:

- The UN and Kuwait say Iraq has not returned extensive Kuwaiti state archives and museum pieces, as well as military equipment, including eight Mirage F-1 aircraft, 245 Russian-made fighting vehicles, 90 M113 armored personnel carriers, one Hawk battery, 3,750 Tow and anti-tank missiles, and 675 Russian-made surface-to-air missile batteries.

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SADDAM HUSSEIN'S EFFORTS TO CIRCUMVENT ECONOMIC SANCTIONS AND IMPEDE THE OIL-FOR-FOOD PROGRAM

- Saddam Hussein has illegally imported hundreds of millions of dollars in goods in violation of economic sanctions and outside of the UN's Oil-for-Food program. For example, Iraq has imported fiber optic communications systems that support the Iraqi military.

- Iraq has diverted dual-use items obtained under the Oil for Food program for military purposes. For example, Iraq diverted UN approved trucks from humanitarian relief purposes to military purposes, and has used construction equipment to help rebuild WMD-affiliated facilities.

- The Iraqi regime illicitly exports hundreds of thousands of barrels of oil each day in flagrant violation of UNSCRs and blatant disregard for the humanitarian well-being of the Iraqi people. In so doing, it has deprived the Iraqi people of billions of dollars in food, medicine, and other humanitarian assistance that would have been provided if the regime had exported the oil under the UN Oil-for-Food program. Instead, Saddam Hussein has used these billions to fund his WMD programs, pay off his security apparatus, and supply himself and his supporters with luxury items and other goods.

- In January 2002, President Bush reported to Congress that "as most recently stated in a November 19 UN report, the government of Iraq is not committed to using funds available through the Oil for Food program to improve the health and welfare of the Iraqi people...Iraq's contracting delays, cuts in food, medicine, educational and other humanitarian sector allocations, government attempts to impede or shut down humanitarian NGO operations in northern Iraq, and Baghdad's delays in the issuance of visas for UN personnel demonstrate that the Iraqi regime is trying to undermine the effectiveness of the program."[58]

- Saddam Hussein spends smuggled oil wealth on his lavish palaces and inner circle, rather than on the humanitarian needs of the Iraqi people.

- Saddam Hussein has used water pumps, piping, and other supplies that could have been used to repair urban sewer and water systems in order to construct moats and canals at his palaces.

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[58] President's Report to Congress, January 2002; under P L. 102-1

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HEARINGS

The Committee on September 19, 2002, held two hearings on United States Policy Toward Iraq. Testimony was received from United States Secretary of State, the Honorable Colin L. Powell; The Honorable Richard Perle, Resident Scholar at American Enterprise Institute; The Honorable R. James Woolsey, Vice President of Booz Allen Hamilton; The Honorable Jessica Tuchman Mathews, President of Carnegie Endowment for International Peace; and, General Charles G. Boyd, U.S. Air Force (Ret.) and President and Chief Executive Officer of Business Executives for National Security. On September 25, the Committee held a classified briefing by the Honorable Paul D. Wolfowitz, Deputy Secretary of Defense, on U.S. policy toward Iraq.

The Subcommittee on Middle East and South Asia has heard testimony concerning Iraq on several occasions during the 107th Congress.

COMMITTEE CONSIDERATION

H.J. Res. 114 was introduced on October 2, 2003, by Representative Dennis J. Hastert, the Speaker of the House, and Representative Richard A. Gephardt, the Democratic Leader, and referred to the Committee on International Relations. On October 2, 2002, and October 3, 2002, the Committee met in open session and ordered favorably reported the joint resolution H.J. Res.114 with amendments to the preamble and resolving clause which were non-substantive, technical, conforming or clarifying, by a recorded vote of 31 to 11, a quorum being present.

VOTES OF THE COMMITTEE

Clause (3)(b) of rule XIII of the Rules of the House of Representatives requires that the results of each record vote on an amendment or motion to report, together with the names of those voting for or against, be printed in the Committee report.

Description of Amendment, Motion, Order, or Other Proposition:

Vote 1: Sherman amendment in the nature of a substitute inserting a new preamble, striking portions of the preamble other than those dealing with weapons of mass destruction and Iraq's hostility toward the United States, and modifies the operative language to condition the use of force on a certification by the President that the government of Iraq has failed, after October 31, 2002, to agree to a robust weapons inspection and disarmament program, or after October 31, 2002, representatives of the Government of Iraq have "prevented or hindered" such a program. The amendment defined the program and directed the President to seek approval by the Security Council of such a program in Iraq. The amendment was defeated by a rollcall vote of 15 ayes to 31 noes.

Voting yes: Paul, Payne, Menendez, Brown, Hilliard, Sherman, Davis (FL), Delahunt, Meeks, Crowley, Hoeffel, Blumenauer, Napolitano, Schiff and Watson.

Voting no: Gilman, Leach, Bereuter, Smith (NJ), Burton, Gallegly, Ros-Lehtinen, Ballenger, Royce, King, Chabot, Houghton, McHugh, Tancredo, Smith (MI), Pitts, Issa, Cantor, Flake, Kerns,

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Davis (VA), Green, Lantos, Berman, Ackerman, Faleomavaega, Wexler, Engel, Lee, Berkley and Hyde.

Vote 2: Smith (MI) amendment making replacing the word "Iraq" on certain instances where it occurred in the preamble and instead using "the current Iraqi regime" or a similar phrase. The amendment was defeated by a rollcall vote of 18 ayes to 26 noes.

Voting yes: Leach, Bereuter, Tancredo, Paul, Smith (MI), Payne, Menendez, McKinney, Hilliard, Davis (FL), Delahunt, Meeks, Lee, Hoeffel, Blumenauer, Berkley, Napolitano and Watson.

Voting no: Gilman, Smith (NJ), Burton, Gallegly, Ros-Lehtinen, Ballenger, Rohrabacher, Royce, King, Chabot, Houghton, McHugh, Pitts, Issa, Flake, Kerns, Davis (VA), Green, Lantos, Berman, Ackerman, Faleomavaega, Engel, Crowley, Schiff and Hyde.

Vote 3: Lee amendments en bloc proposing that the United States work through the United Nations and utilize peaceful means to ensure that Saddam Hussein is not developing weapons of mass destruction. They assert that war would risk thousands of lives, may undermine cooperative international efforts to reduce terrorism, and may undermine U.S. diplomatic relations with Arab and Muslim countries and with other allies. The amendments also asserts that pre-emptive unilateral action by the United States would set a dangerous precedent and weaken the U.N. as an institution. The amendments were defeated by a rollcall vote of 11 ayes and 34 noes.

Voting yes: Paul, Payne, Brown, McKinney, Hilliard, Delahunt, Meeks, Lee, Blumenauer, Napolitano and Watson.

Voting no: Gilman, Leach, Bereuter, Smith (NJ), Burton, Gallegly, Ros-Lehtinen, Ballenger, Rohrabacher, Royce, King, Chabot, Houghton, McHugh, Tancredo, Smith (MI), Pitts, Cantor, Flake, Kerns, Davis (VA), Green, Lantos, Berman, Ackerman, Faleomavaega, Sherman, Davis (FL), Engel, Crowley, Hoeffel, Berkley, Schiff and Hyde.

Vote 4: Paul amendments en bloc which substitutes a declaration of war on Iraq, pursuant to Article 1, Section 8 of the Constitution. The amendments were defeated by a rollcall vote of 0 ayes and 41 noes.

Voting no: Gilman, Leach, Bereuter, Smith (NJ), Gallegly, Ballenger, Royce, King, Chabot, Houghton, McHugh, Tancredo, Paul, Pitts, Cantor, Flake, Kerns, Davis (VA), Green, Lantos, Berman, Ackerman, Faleomavaega, Payne, Menendez, Brown, Hilliard, Sherman, Wexler, Davis (FL), Engel, Delahunt, Meeks, Lee, Hoeffel, Blumenauer, Berkley, Napolitano, Schiff, Watson and Hyde.

Vote 5: An amendment by Mr. Davis of Florida clarified that the resolution authorizes the use of military force only for the purpose of securing the dismantlement of Iraq's weapons of mass destruction. Emphasizes the importance of international support and the United Nations Security Council by encouraging the President to exhaust his diplomatic efforts at the United Nations, reserving the right to act unilaterally if the United Nations fails to approve a new resolution requiring the dismantlement of Iraq's weapons of mass destruction in a timely fashion. It called on the President to seek a new United Nations resolution to enforce inspections. If the

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United Nations does not act, the amendment would require the President to make a formal declaration that Iraq's threat is so grave as to warrant unilateral military action by the United States. The amendment raises the standard for justification of going to war by raising the risk assessment from "continuing" to "grave." The amendments were defeated by a rollcall vote of 16 ayes and 26 noes.

Voting yes: Bereuter, Paul, Payne, Menendez, Brown, Hilliard, Sherman, Wexler, Davis (FL), Delahunt, Meeks, Crowley, Hoeffel, Blumenauer, Napolitano and Schiff.

Voting no: Gilman, Leach, Smith (NJ), Gallegly, Ros-Lehtinen, Ballenger, Rohrabacher, Royce, King, Chabot, McHugh, Tancredo, Smith (MI), Pitts, Issa, Cantor, Flake, Kerns, Davis (VA), Green, Lantos, Berman, Ackerman, Engel, Berkley and Hyde.

Vote 6: Brown amendment requiring that the President report to Congress prior to using United States Armed Forces. The report should include cost estimates, analysis of the impact on the United States economy, a commitment plan, details of international support, and an analysis of the stability of Iraq and its region. The amendment was defeated by a rollcall vote of 12 ayes and 28 noes.

Voting yes: Paul, Payne, Menendez, Brown, Hilliard, Wexler, Davis (FL), Delahunt, Crowley, Hoeffel, Blumenauer and Napolitano.

Voting no: Gilman, Leach, Bereuter, Smith (NJ), Burton, Ros-Lehtinen, Ballenger, Rohrabacher, Royce, Chabot, McHugh, Tancredo, Smith (MI), Pitts, Issa, Cantor, Flake, Kerns, Davis (VA), Green, Lantos, Berman, Ackerman, Sherman, Engel, Berkley, Schiff and Hyde.

Vote 7: Motion to favorably report H. J. Res. 114 to the House, as amended. The amendment was defeated by a rollcall vote of 31 ayes and 11 noes.

Voting yes: Gilman, Bereuter, Smith (NJ), Burton, Ros-Lehtinen, Ballenger, Rohrabacher, Royce, King, Chabot, McHugh, Tancredo, Smith (MI), Pitts, Issa, Cantor, Flake, Kerns, Davis (VA), Green, Lantos, Berman, Ackerman, Sherman, Wexler, Davis (FL), Engel, Hoeffel, Berkley, Schiff and Hyde.

Voting no: Leach, Paul, Payne, Menendez, Brown, McKinney, Hilliard, Delahunt, Meeks, Blumenauer and Napolitano.

Committee Oversight Findings

In compliance with clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee reports that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of House Rule XIII is inapplicable because this legislation does not provide new budgetary authority or increased tax expenditures.

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CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

In compliance with clause 3(c)(3) of rule XIII of the Rules of the House of Representatives, the Committee sets forth, with respect to the bill, H.J. Res. 114, the following estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, October 4, 2002.

Hon. HENRY J. HYDE, *Chairman,*
Committee on International Relations,
House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H. J. Res. 114, the Authorization for the Use of Military Force Against Iraq Resolution of 2002.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Jo Ann Vines, who can be reached at 226–2840.

Sincerely,

DAN L. CRIPPEN, *Director.*

Enclosure

cc: Honorable Tom Lantos,
Ranking Democratic Member.

H. J. Res. 114—Authorization for the Use of Military Force Against Iraq Resolution of 2002

H. J. Res 114 would authorize the President to use the armed forces of the United States as he determines necessary and appropriate to defend the United States against the threat posed by Iraq and to enforce all relevant United Nations Security Council resolutions regarding Iraq.

By itself, the resolution would not authorize any funding for the use of force, nor would it affect direct spending or receipts. While the resolution is a step toward building consensus for the use of force, it also might improve the chances of a diplomatic settlement without the use of force. The resolution would leave the decision to use force to the discretion of the President. Nevertheless, if the President should use the resolution to initiate a war against Iraq, the budgetary effects would be significant.

In an analysis regarding this subject transmitted to the Honorable Kent Conrad and the Honorable John M. Spratt Jr. on September 30, 2002, CBO noted that estimates of the total cost of a military conflict with Iraq and the conflict's aftermath are highly uncertain and depend on many unknown factors including the actual force size deployed, the duration of the conflict, the strategy employed, the number of casualties, the equipment lost, and the need for reconstruction of Iraq's infrastructure. In that analysis, CBO examined two representative examples out of the many force-level options being discussed in the media and elsewhere.

Under the assumptions incorporated in those examples, CBO estimates that the incremental costs of deploying a force to the Persian Gulf would be between $9 billion and $13 billion and that prosecuting a war would cost between $6 billion and $9 billion a

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month—although we cannot estimate how long such a war may last. After hostilities end, the costs to return U.S. forces to their home bases would range between $5 billion and $7 billion, CBO estimates. Further, the incremental cost of an occupation following combat operations would vary from about $1 billion to $4 billion a month. The estimates of monthly costs incorporate no assumptions about the duration of the conflict or the occupation.

CBO has no basis for estimating other costs that might be associated with a conflict with Iraq such as the costs for coalition war fighting, reconstruction or foreign aid that the United States might choose to extend after a conflict ends, or assistance to casualties, including those that might result from the enemy's use of weapons of mass destruction.

Section 4 of the Unfunded Mandates Reform Act excludes from the application of that act any legislative provisions that are necessary for the national security. CBO has determined that H. J. Res. 114 would fall within that exclusion.

The CBO staff contact is Jo Ann Vines, who can be reached at 226-2840. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

PERFORMANCE GOALS AND OBJECTIVES

Congress is determined to vigorously pursue the war against terrorism through the provision of authorities requested by the President to take the necessary actions against international terrorists, terrorist organizations, and nations that plan, authorize, or commit terrorism, or harbor other terrorists or terrorist organizations, such as Iraq. Iraq's ongoing support for international terrorist groups, combined with its continued development of weapons of mass destruction and prohibited ballistic missiles and direct violation of other international obligations, makes it clear that it is in the national security interests of the United States to defend against the continued threat posed by the current Iraqi regime and to restore international peace and security to the region, even through the use of United States Armed Forces, if necessary.

CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee finds the authority for this legislation in article I, section 8, clause 18 of the Constitution.

SECTION-BY-SECTION ANALYSIS AND DISCUSSION

Section 1. Short Title.

This section provides that the joint resolution may be cited as the "Authorization for Use of Military Force Against Iraq Resolution of 2002."

Section 2. Support for United States Diplomatic Efforts.

This section states that Congress supports the efforts of President Bush to strictly enforce, through the United Nations Security Council, all Security Council resolutions adopted prior to the enactment of this Act addressing the threats posed by Iraq, or adopted afterward to further enforce the earlier resolutions. It also states

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Congressional support for the President's efforts to obtain prompt and decisive action by the Security Council to ensure that Iraq abandons its strategy of delay, evasion and noncompliance, and promptly and strictly complies with all relevant Security Council resolutions regarding Iraq. The Committee hopes that the United Nations Security Council will be able to ensure that the current Iraqi regime abides by its obligations to end its development of weapons of mass destruction, ends its development of prohibited ballistic missiles, ends its commission of and support for international terrorism, and otherwise complies with its international obligations.

Section 3. Authorization for Use of United States Armed Forces

Subsection (a) authorizes the President to use United States Armed Forces as he determines to be necessary and appropriate in order to (1) defend the national security of the United States against the continuing threat posed by Iraq; and (2) enforce all relevant United Nations Security Council Resolutions regarding Iraq. This section makes clear that United States Armed Forces may have to be used to address the continuing threat posed by the Iraqi regime, which primarily consists of its continued possession, development and acquisition of chemical and biological weapons, and prohibited ballistic missiles, nuclear weapons, and its continued support for and harboring of international terrorists.

Subsection (b) requires that prior to the exercise of the authority under subsection (a) or as soon thereafter as may be feasible, but no later than 48 hours after exercising such authority, the President shall make available to the Speaker of the House and the President pro tempore of the Senate a two-part determination. First, the President must certify that reliance by the United States on further diplomatic or other peaceful means alone either (A) will not adequately protect the national security of the United States against the continuing threat posed by Iraq, or (B) is not likely to lead to enforcement of all relevant United Nations Security Council Resolutions regarding Iraq. Second, the President must certify that using United States Armed Forces against Iraq is consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such persons or organizations. These Presidential determinations are only required, however, if the President deploys the Armed Forces for the actual use of force and not for other non-hostile situations such as peacekeeping exercises.

The Committee is concerned that military action against Iraq may affect the current war against terrorism, al Qaida and other terrorist groups and believes it is important that U.S. action against Iraq not prevent the United States and other countries from continuing the actions necessary to combat international terrorism.

Subsection (c) makes clear that this resolution is intended to constitute specific authorization within the meaning of section 5(b) of the War Powers Resolution (Public Law 93–148), and that nothing

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in this section supercedes any requirement of the War Powers Resolution.

Section 4. Reports to Congress.

Subsection (a) provides that at least once every 60 days, the President submit to the Congress a report on matters relevant to this joint resolution, including but not limited to actions taken pursuant to the exercise of the authority granted in section 3 and the status of planning for efforts that are expected to be required after such actions are completed, including efforts described in section 7 of the Iraq Liberation Act of 1998 (Public Law 105–338). Once we embark on military action, the Committee believes that there needs to be in place contingency plans for the actions that may need to be taken once armed hostilities have ceased. The President should consider and report on what degree of commitment of U.S. forces may be required in the aftermath of a conflict with Iraq, the degree to which other countries could share that burden, and how to support Iraq's transition to democracy, including what humanitarian assistance for the Iraqi people may be required, the provision of democracy transition assistance to Iraqi parties and movements with democratic goals, and by developing a multilateral response to Iraq's foreign debt incurred by the current Iraqi regime.

Subsections (b) and (c) provide that to the extent that the report submitted pursuant to subsection (a) coincides with the reports required by Section 3 of the Authorization for Use of Military Force Against Iraq Resolution (Public Law 102–1) or the War Powers Resolution (Public Law 93–148), and the report submitted pursuant to subsection (a) includes all the information required by the provisions of such law, a single, consolidated report may be submitted rather than the two or even three reports that may be required to be submitted within days of each other.

New Advisory Committees

H.J. Res. 114 does not establish or authorize any new advisory committees.

Congressional Accountability Act

H.J. Res. 114 does not apply to the legislative branch.

Federal Mandates

H.J. Res. 114 provides no Federal mandates.

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DISSENTING VIEWS

The Iraqi regime of Saddam Hussein has abused the human rights of Iraqi citizens and has used chemical weapons against its own citizenry. This regime has failed to comply with certain international laws and United Nations resolutions concerning weapons inspections and disarmament, and this non-compliance potentially endangers United States and regional security interests. Nonetheless, we do not believe that Iraq poses an imminent threat to the security of the United States or its allies, that evidence has yet been provided that indicates a link between Iraq and al Qaida, that all diplomatic means have been exhausted towards the inspection and disarmament of Iraq's weapons, or that efforts to prevent terrorism would be engaged with the necessary vigilance should the authorization of force in this resolution be unilaterally pursued. Similarly, we have concerns that the cost of an attack on Iraq would further undermine the economic condition of the United States, that attempts to cause regime change in Iraq would result in high casualties for both U.S. military personnel and Iraqi civilians, and that a unilateral attack on Iraq by the United States would inflame tensions in other nations and could increase the threat of terrorism against the United States. We are also opposed to a policy of preemption, as it could encourage other nations to pursue similar military engagements, and absent any defined boundaries or framework for such a policy, would represent a new and significant change in U.S. strategic policy. Therefore, we cannot support the scope and intention of this resolution, and respectfully offer these dissenting views.

This resolution authorizes the unilateral preemptive use of force by the United States without proof of imminent peril. The doctrine of preemption both violates international law, including the United Nations charter, and endangers our own long-term national security interests. The United Nations charter, to which the United States is a signatory and was a principal author, states that a country has an inherent right to self-defense, "if an armed attack occurs against a member of the United Nations." A unilateral first strike by the United States, in the absence of proven imminent danger, would set a potentially disastrous precedent that might then be echoed in conflicts across the globe, such as those between India and Pakistan, Russia and Georgia, and China and Taiwan. The doctrine of preemption also raises serious questions about where such a policy will stop: will the United States go on to launch unilateral attacks against other countries whose governments we oppose?

The resolution undermines efforts to work with the United Nations to disarm Iraq through inspections and the destruction of weapons of mass destruction. It provides authority to the President to launch unilateral military attacks before United Nations inspec-

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tions have had any reasonable opportunity to be effective. During the 1990s, U.N. inspectors succeeded in finding and destroying thousands of tons of Iraqi weapons of mass destruction and related material, despite the efforts of Saddam Hussein's government to obstruct them.

The objectives of the United States must be to operate within the rule of law and in cooperation with the United Nations and our friends and allies to enhance our own security and the stability of the Persian Gulf region. Iraq's current non-compliance with U.N. Security Council Resolution 687 and other U.N. resolutions poses a significant potential risk to our national security and to regional stability, but does not pose a proven imminent threat. Moreover, U.N. Security Council Resolution 687 concludes, "the Security Council remains seized of the issue." The United States should therefore continue to seek to work through the United Nations to disarm Iraq through inspections and other diplomatic measures, rather than resorting to preemptive unilateral military force.

It is accepted that the civilian population of Iraq has suffered under the current leadership and that the infrastructure that supports that population is in poor condition. An attack on Iraq will likely further reduce the condition of the Iraqi populace, and could prove to be a hindrance to the establishment of any future political stability in Iraq. This situation reinforces the need to pursue any action with respect to Iraq through the United Nations. Furthermore, the inevitability of Iraqi civilian casualties in a projected conflict, especially one involving urban warfare, raises further humanitarian arguments in favor of the need to seek a diplomatic resolution.

The financial costs projected for a unilateral attack on Iraq are of great concern, and represent an issue that the Administration has not properly addressed. The Democratic Caucus of the House Budget Committee and Presidential economic advisor Lawrence Lindsey have estimated that such an attack could cost between $100 and $200 billion dollars, while others have estimated that the costs associated with an attack and subsequent political stabilization and nation-building could cost upwards of $300 billion. Simultaneously, our nation is hindered by an economic slowdown that has resulted in increased unemployment, poverty rates, increased need for food stamp and other assistance, and significant losses to retirement accounts. We fear that a unilateral attack on Iraq will increase the daunting economic challenges that our nation faces, will cause negative effects on energy prices, and that it will reduce the government's ability and willingness to fund essential services to unemployed workers, prosecute corporate crime, and continue the global war on terrorism.

Since the attacks on the United States of September 11, 2001, our nation has been involved in a multilateral effort to eliminate the threats of terrorism and to detain and bring to justice those involved in the attacks. While progress has been made towards that end, the fate of principals such as Osama bin Laden continues to be unknown, and the threat of terrorism continues to exist. There is cause for concern that a unilateral attack on Iraq would reduce American capability to deter terrorism by diluting the military and intelligence community strength applied to that campaign. Further,

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the multilateral coalition that has engaged in the war against terrorism could erode and lose support were the United States to pursue a preemptive unilateral military option against Iraq. This could increase costs to the United States, increase the threat to American service personnel, and reduce the cooperation that foreign nations have provided to the U.S. in terms of financial, intelligence and military assistance. It has also been posited that a unilateral attack on Iraq could increase terrorist organizational recruitment, permit access to greater financial resources, and further the threat of terrorist attacks against the United States.

An attack on Iraq by the United States absent a United Nations authorization and coalition may also result in political strife in other nations. There are numerous nations that could suffer numerous negative internal consequences from their actual or perceived relationship with the United States, and similarly within other nations that are dealing with internal political challenges. It is essential that the United States be cognizant of the secondary effects of any action taken against Iraq, and be sure that greater conflict is not caused by those actions.

On September 12, 2002, President Bush went to the United Nations calling on that organization to take action to enforce its resolutions and protect international interests in peace and security. We support that call and believe the United Nations must be given a chance to carry out this mission. Therefore, for this reason and those iterated above, we respectfully oppose this resolution authorizing the unilateral use of force and submit our dissenting views.

CYNTHIA MCKINNEY
BARBARA LEE
SHERROD BROWN

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Mr. HYDE, from the Committee on International Relations, submitted the following

REPORT

together with

DISSENTING VIEWS

[To accompany H.J. Res. 114]

[Including cost estimate of the Congressional Budget Office]

The Committee on International Relations, to whom was referred the joint resolution (H.J. Res. 114) authorizing the use of United States Armed Forces against Iraq, having considered the same, reports favorably thereon with amendments and recommends that the joint resolution do pass.

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