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IRAQ: ARE SANCTIONS COLLAPSING?

JOINT HEARING

BEFORE THE

COMMITTEE ON FOREIGN RELATIONS UNITED STATES SENATE

AND THE

COMMITTEE ON ENERGY AND NATURAL RESOURCES UNITED STATES SENATE

ONE HUNDRED FIFTH CONGRESS

SECOND SESSION

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IRAQ: ARE SANCTIONS COLLAPSING?

THURSDAY, MAY 21, 1998

U.S. SENATE,
COMMITTEE ON FOREIGN RELATIONS, AND
COMMITTEE ON ENERGY AND NATURAL RESOURCES,
Washington, DC.

The committees met, pursuant to notice, at 10:05 a.m., in room SD–419, Dirksen Senate Office Building, Hon. Jesse Helms, [chairman of the Committee on Foreign Relations], and Hon. Frank Murkowski, [chairman of the Committee on Energy and Natural Relations], presiding.

Present from the committee on Energy and Natural Resources: Senators Murkowksi, Domenici, Campbell, Burns, and Johnson.

Present from the committee on Foreign Relations: Senators Hagel, Thomas, Brownback, Robb, and Wellstone.

Chairman MURKOWSKI. Let me, on behalf of the chairman of the Foreign Relations Committee, welcome you to the Iraq question, are sanctions working or are sanctions collapsing?

Senator Helms and I have had numerous conversations on this issue, and thanks to him and his professional staff and other members of the Foreign Relations Committee we agreed to have a joint hearing, and as chairman of the Energy & Natural Resources Committee, obviously we have an interest, and I see two members of that committee, Senator Campbell and Senator Burns who are also here as well as members of the Foreign Relations Committee.

It is my understanding Senator Helms may be delayed, and Senator Brownback will make the statement for the chairman on behalf of the chairman and himself.

As well, I am happy to see my Democratic colleagues. I feel very much at home back in the Foreign Relations Committee. I was on this committee for 10 or 12 years. I had hoped to eventually make the Finance Committee, and the worm finally turned, and I reluctantly gave up this position.

But the purpose of today's hearing is to answer the question: Have we so weakened U.N. sanctions that Saddam can keep his weapons of mass destruction and threaten his neighbors and the world's oil supply?

I think that the actions by the administration and the U.N. particularly have rendered the effectiveness of the sanctions less than meaningful, and without effective sanctions the U.N. inspectors in my opinion will never be able to force Saddam to destroy his weapons of mass destruction.

Just last month, the U.N. chief arms inspector, Richard Butler, reported that Iraq is not complying with U.N. requirements for lo-

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cating and destroying weapons of mass destruction. Now, the question is, can we verify his arsenal through intelligence?

Well, there is a mixed response to that. We obviously missed a little of the activity in India the other day, so I will just leave that open for further speculation, but clearly we were not and did not detect India's nuclear weapons tests before they happened, and how are we going to be sure about Iraq?

Perhaps some in the White House believe that Saddam Hussein can be trusted. Well, I can tell you a little story about some experience that a number of Senators had back in 1989. Senator Dole, Senator McClure, Senator Metzenbaum, Senator Simpson and myself were in that part of the world, and President Mubarak set up a meeting with Saddam Hussein for lunch.

We flew to Baghdad to meet with Saddam Hussein and were met at that time by our Ambassador, April Gillespie, and while we were looking forward to the meeting, Ms. Gillespie arrived and advised us that the meeting had been rescheduled for Mosul, and we were quite taken aback, because we traveled a long way, and reluctantly thought we would make the change, and we would fly up in our airplane.

We were not too sure where Mosul was, up near the Turkish border, but in any event we were advised by Tarik Aziz that Saddam had sent his airplane down to pick us up. With some reluctance we said no, we will go in our airplane. He said, well, your airplane is too big. Our runway is under construction.

So with Tarik we went in Saddam's airplane and got up to the meeting, which was in a hotel overlooking the Tigris River, and began our dialog with Saddam Hussein. At this time there was a big issue of a cannon that allegedly was being built, and part of it was found on the docks in London, and there was a triggering mechanism, and we discussed everything from human rights, and the conversational got quite emotional.

And finally at one point Saddam said, you come out on the front porch. He said, there is a helicopter for each one of you. You go in the helicopter, land anywhere in Iraq, ask the people what they think of Saddam Hussein.

And Howard Metzenbaum said, I am not going. That would be a one-way trip.

Chairman MURKOWSKI. At the conclusion Bob Dole said: Well, I am never going over there for lunch, because Saddam did not even buy us lunch.

So the point of the issue is, as I started to say in my remarks, I do not think you can trust him to keep his word, even if it is to buy lunch.

Now, time and time again, I think we would agree Saddam has proved himself untrustworthy. We can review the record. In the early eighties Saddam invaded Iran. We had hundreds of thousands that died. They used chemical weapons against Iran out of desperation.

In 1990, Saddam invaded Kuwait, threatening the oil supplies, and the United States and our allies spent billions of dollars, put a half-million troops in harm's way to kick Saddam's—to keep Saddam from invading Kuwait. He wanted the power associated with the oil. It was an oil war.

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Since 1994 Saddam has illegally smuggled oil. Last year, earning Iraq nearly $½ billion. You can be sure that Saddam is not spending this money to keep Iraq's children from starving.

I have got a list here of the oil production out of Iraq from 1973 through 1998, and his production was roughly 2 to 2.7 million during that period of 1973 to 1990, and after the war, dropped off to 300,000 barrels, 400,000, 500,000, six, and then in 1997, the sanctions with the United Nations, we picked it up to 1.2 million, and now in February the estimate is 1.7 million.

That is rather revealing, because this is more than double the amount previously authorized. It is $1 billion for 90 days and $4 billion a year, $10.5 billion on oil priced at $15 a barrel. That is 1.9 million barrels that the U.N. has authorized him to be able to basically market. That is more than his production capability currently at 1.7.

So as we look at what I think is happening, and the purpose of this hearing is to address how that oil is being funneled into the markets of the world, and how much of it is outside the sanctions and is being pocketed under illegal oil sales to other countries, and the realization that the United Arab Emirates hit a peak in January this year of about 70,000 barrels a day, and a lot of this goes into the pocket of one Saddam Hussein.

And then in April, Iran allowed Iraq to export more gas, oil, and exports to the UAE. Press reports put Iraq's exports to Jordan at 100,000 barrels a day. Total Iraq illegal oil sales amounted to 450 million last year.

The bottom line is that we have a situation where Saddam is illegally smuggling oil as a consequence of the administration's support, I think inappropriately, of the U.N. resolution increasing the authorization, and you can be sure that Saddam is not spending all his money to keep Iraq's children from starving.

I think the Republican Guard, the military machines, the funding for his weapons of mass destruction are what this committee is going to address today, so I think it is fair to say that as we reflect on our action, the public should be indignant relative to what is being allowed here.

Iraq can now sell more oil than it sold before the Gulf War. Iraq is authorized to sell more oil than it can actually produce.

In summary, the United Nations, with the backing of the current administration, has undermined sanctions, removing the incentive for Iraq to comply with arms inspections. I think this makes no sense. Oil sanctions are now basically a toothless tiger.

So as a consequence of that, I, as others, do not want to see our sons and daughters engaged in another Gulf War because Saddam is stockpiling weapons to attack his neighbors and continue his efforts to control as much oil as he can from the Mideast that we are so dependent on.

Remember one thing. We are now about 53-percent dependent on imported oil. In 1973, when we had the Arab oil embargo, we were 37-percent dependent, so our national energy security is at risk. Senator Brownback.

Senator BROWNBACK. Thank you very much, Mr. Chairman, and I certainly want to associate myself with that statement. It was

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very well put, about Saddam Hussein's ability to produce, and where he is marketing it.

I welcome the Under Secretary here today on behalf of Chairman Helms. I have got a statement to put in the record on behalf of Chairman Helms of the Foreign Relations Committee that I will submit for the record.

I will just note that a number of us in the Senate, Secretary Pickering, are very worried that we are going down a course now that does not remove the problem from Iraq, and the problem is Saddam Hussein, and as long as he remains in power we are going to be confronting him and his regime, and whether it is chemical weapons or biological weapons or conventional weapons, we will be confronting him.

And now it appears we are on a course to even finance and allow the financing of Saddam Hussein in the region, and that is deeply concerning to a number of us from various aspects, when he is the problem, and now he is going to have more money in his pocket, and that is the sort of thing that I want to probe with you here.

And you are going to I think continue to hear a lot of comments from the chairman of this committee, from myself, you are going to continue to hear it from Majority Leader Lott, as long as our strategy seems to allow Saddam Hussein not only to stay in power but to grow in strength and grow in financing, and I would like to submit this statement into the record, and I look forward, Mr. Pickering, to your statement and a frank dialog back and forth of where the administration truly wants to take the U.S. strategy toward Iraq.

Is it just, Saddam is going to be there and we are going to gradually loosen the hold on him, or are we going to put in place a strategy long-term for the removal of Saddam Hussein, and that is the better strategy that I think we have to go at.

Thank you, Mr. Chairman.

[The prepared statement of Senator Helms follows:]

PREPARED STATEMENT OF CHAIRMAN JESSE HELMS

Mr. Undersecretary, we welcome you to this Foreign Relations Committee hearing, and appreciate your joining us.

Recent events have distracted all of us from our responsibility to assess the situation in Iraq. However, I suspect Saddam Hussein will somehow catapult himself back into the center of world attention very soon. He has good reason to do so: Each time he defies the United States and the United Nations, he is rewarded by the U.N. with lighter and lighter sanctions.

Mr. Secretary, I understand the problems you are having with the Russians, the Chinese, and especially with the French. But I also understand that, if the Administration does not stop seeking consensus at any cost, there eventually will come the time when we will have whittled the Iraq sanctions down to the point where they are meaningless. Indeed, we may already be there.

The latest oil for food deal with Iraq is a case in point. Consider how the Iraq sanctions have been watered down since the end of the Gulf War: We have gone from the all out prohibition on oil sales in 1991, to permitting Iraq to sell two billion dollars worth of oil every six months in 1996 (for the purchase of food). Now, we will permit Iraq—get this—to sell $5 billion worth of oil every six months. What for? Supposedly to repair infrastructure, build hospitals and clinics, repair water sanitation, rehabilitate the agriculture sector, import oil equipment, agricultural equipment and spend $92 million on "education", whatever all that means.

Mr. Pickering, what incentive does Saddam Hussein now have, under this grand plan, to cooperate with the U.N. inspectors? Every time Saddam defies the UN, we punish him by letting him sell more oil. Iraq was exporting barely $10 billion worth

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of oil a year prior to the invasion of Kuwait. Another few years of defiance, and he'll be back to his pre-Gulf War levels.

Now, if you are going to reiterate that the difference is that Iraq cannot decide how to spend the money: With all due respect, sir, I don't buy it.

First—at the recommendation of the U.N. Secretary General—Iraq will now be permitted to completely bypass the sanctions committee in the importation of oil equipment. I look forward to hearing what our second panel, which includes a former weapons inspector, thinks about that.

Second, inasmuch as the United Nations has taken responsibility for all the basic needs of the Iraqi people, Saddam Hussein has been completely relieved of any responsibility on his part to provide for his people. Thanks to the ever growing generosity of the UN, Saddam can now spend all available funds in the Iraqi treasury on the purchase of illicit goods for himself and his cronies.

Consider: Since the end of the Gulf War, Saddam has contributed NOT ONE CENT of Iraqi government funds to any food project, any medicine project, any humanitarian project of any kind for his people. NOT ONE CENT. At the same time, he has been earning upwards of $400 million a year—$400 million a year—from illegal oil sales.

The charts around the room that illustrate the problem. Iraq is sneaking its oil out through Iranian territorial waters with the full complicity of the Iranian government. The oil is then being sold through the Persian Gulf via the United Arab Emirates (incidentally, a close Gulf ally of the United States). And over land, Iraq is also selling oil through Turkey. There, the volume is so high that trucks are sometimes backed up for miles along the border.

My question is what has happened to that oil money? Where is it going? Where has it been going for years on end? And why has obtaining this information and stopping this smuggling not been a number one priority for the United States and the United Nations?

What, in fact, has the United States or the United Nations done about illegal oil sales? Nothing, barring some feverish hand-wringing. Indeed, some have suggested, incredibly, that by allowing Iraq to sell all its oil legally, through the United Nations, we'll be absolutely sure to remove any possibility of Saddam's profiting from illegal oil smuggling. By logical extension, perhaps we ought to sell Iraq missiles too, that way we will be sure Saddam isn't looking for them on the black market. In fact, while we're at it, why bother with the sanctions on Iraq at all?

Sad to say, it looks to me like these sanctions are a pretty good deal for Saddam Hussein. The UN feeds his people, while he gets to pocket his reduced (but still substantial) illicit oil profits. And, every time he defies the UN weapons inspectors, we let him sell more oil. With all due respect, sir, I have my doubts that this grand strategy is going to bring Saddam to his knees begging for mercy in either of our lifetimes.

Mr. Pickering, I believe you see my point. The problem is straightforward: Beyond these ever-dwindling sanctions, the Clinton Administration has no Iraq policy.

The United Nations and the United States have allowed Saddam Hussein to get away with murder. He has defied weapons inspectors; he has starved his people to benefit his cronies in the regime; he has invaded Northern Iraq and executed opponents. And we are doing nothing.

Here is the bottom line: Sanctions are an important part of our nation's foreign policy arsenal. But sanctions are a means, not an end. Our ends in Iraq should be to oust Saddam Hussein from power. If that is not our aim, I, for one, would like to know why.

Chairman MURKOWSKI. Thank you very much, Senator Brownback.

In other order of attendance, Senator Campbell, Senator Burns, Senator Hagel, Senator Johnson, and Senator Robb.

Senator CAMPBELL. Mr. Chairman, I will not belabor it, because I think you said what is on the minds of a lot of us, like you and my colleagues I have been concerned about this.

I guess we are really pretty naive as a country to think that we are going to allow him to increase his production to almost a level that he had before in the export and sale of oil, the level he had almost before the gulf conflict, and he is going to put that in children's programs, and seniors? Anybody who believes that is flat dumb or naive, there is no question about it.

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And it also really bothers me, that agreement that Secretary-General Annan made, as I understand it, puts a politically appointed group as the overseers of the UNSCOM inspectors, and I know when Madeleine Albright testified here we asked her specifically about that, and she said, well, they will not have any veto authority.

But that is not what Saddam Hussein has said publicly. He believes they do have veto authority, and I think we made some bad international policy decisions that are going to come back to haunt us in a few years, and I am interested certainly in hearing your witnesses, but one thing for sure, we have certainly raised his stature in the Middle East and diminished ours in this whole sordid affair.

So I am looking forward to the hearing. Thank you for calling it, Mr. Chairman.

Chairman MURKOWSKI. Thank you very much. Senator Burns.

Senator BURNS. Thank you very much, Mr. Chairman. I want to broaden this discussion a little bit this morning, and I want to broaden it even to the point where we talk about sanctions.

Sanctions with any country—and yes, there are a lot of them, we just returned from the Middle East 2 or 3 weeks ago and we talked to our troops down there, and we also were in Bosnia for 4 days, and the only reason I went on the trip, I thought it would be a fancy trip because the chairman of the Appropriations Committee was going to go, and they travel in style. However, 18 hours in a C–141 dispelled that idea.

I want to broaden this a little bit, and I am also going to be a little bit parochial, Mr. Pickering, because we have a crisis on the Northern Great Plains of the United States of America. We have a problem that when we make our foreign policy and we do certain things, because of certain actions it causes a lot of distress to us locally.

I think the Senator from South Dakota is here, probably knowing what I am going to allude to, and that is, whenever we put sanctions in place there is usually retaliations, and even though, ever since the grain embargo of the seventies, you cannot stop us from exporting agricultural products, the countries retaliate in that area.

We are looking at a drought. We are looking at the worst wheat prices that we have looked at in a long time, and there are many factors to that that are uncontrollable even by us, and that is the total financial collapse of the Pacific Rim, where the vast majority of our exported products go.

Those exports have gone to nil. Last fall, we had two railroads that merged, and they tried to do business down on the Gulf of Mexico, and that was a snafu, and a lot of our producers did not get to ship in a timely manner to take advantage of the market.

Here are some facts I want you to think about whenever we talk about sanctions, and I am going to refer to an article that was in Farm Journal in March. Wheat imports by Cuba, Iran, Iraq, Libya, and North Korea, all of which are off-limits to U.S. products, have doubled since 1995, and account for over 10 million tons, or 11 percent of the world trade, and we are not allowed that market.

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Now, I say that in the context of sanctions do not work. In fact, on our list, Mr. Pickering, on our list there are some 75 countries that represent 52 percent of the world's population that we are not allowed to ship to. Other countries are shipping there. They ship their product at a premium because of the psychology in the market. Then we have to compete on the rest of the world market at the lower end of the market.

We wanted to use some export enhancement programs, some export credits, and we finally got EEP on chickens.

Chairman MURKOWSKI. Chickens?

Senator BURNS. Chickens.

Chairman MURKOWSKI. That is what I thought you said.

Senator BURNS. We do not raise a lot of chickens in Montana or South Dakota.

Chairman MURKOWSKI. We do not raise them in Alaska, either.

Senator BURNS. Well, there is a reason for that.

I want to broaden this just to say this morning that I think we are going to see legislation that we will hope will deal with this, because we have a crisis.

I am losing people, and yet the truck loads of wheat keep pouring across the border from Canada, and we cannot even get a hearing on some fairness or balance in this particular situation.

I do not think Saddam Hussein has any sanctions on him. I think he is doing exactly what he wants to do, and yet he will retaliate on our agricultural products. He will absolutely, this man, starve his own people to serve his own purpose, and I do not know, the carrot has not worked very good. Maybe the stick will.

But I just want to make you aware of those figures, of what sanctions do, and we should look at them very carefully, because I will tell you, we have a segment of our economy that is responsible for 24 percent of the GDP in this country in trouble, and if you think this economy is going to go on forever, with that big an industry that has that much impact on our economy, is going to stay forever, I would advise that you consider otherwise.

I am very, very upset this morning about this situation, and I would like some time to get a hearing, and this is my only opportunity that I have. This is the only shot I get, is when we have joint hearings.

But I am very concerned about the oil embargo. I said on the Energy Committee, along with the chairman, I am very concerned about energy security, and yet we will allow different groups to bar us in Montana from going on public lands and developing an energy supply that we have so much of. It is unbelievable. But we cannot touch it because we make policy by a feel-good methodology.

Thank you very much, Mr. Chairman.

Chairman MURKOWSKI. Thank you very much, Senator Burns. You have obviously got your message across.

Senator BURNS. Well, we do not know yet.

Chairman MURKOWSKI. Well, I certainly heard it. Senator Hagel.

Senator HAGEL. Mr. Chairman, thank you. I, like my colleagues, am grateful for an opportunity for the hearing. I wanted to advise my friend and colleague from Montana that we do raise some chickens in Nebraska.

Senator BURNS. You do not feed them to those football players.

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Senator HAGEL. That is where the beef goes.

But it is important, I think, as Senator Burns has framed somewhat, that we look at whatever policy we have in Iraq and for Iraq, and I think that is much of the core issue this morning, not just the sanctions collapsing, are they effective, what are they doing, but I think we all realize that enforcing sanctions is not foreign policy. It is a tool of policy, and I suspect we sometimes get confused about that, and believe complying with or enforcing sanctions in fact is a policy.

Senator Burns makes some good points that need to be threaded throughout, I believe, this morning's hearing and what we hear from Secretary Pickering, because most of us understand that the world is connected.

And when we start throwing sanctions on nations, and I think the latest numbers, we have now 37 nations where we have essentially arbitrary sanctions placed on those countries, and what impact that has on our economy is not only important for our foreign policy, as Secretary Pickering knows as well as anybody, which we have had a chance to visit about, but also the future of our relationships and our allies and where we go in the world.

And it does come back to one thing. What is our policy? What is our role in the world? What should our role in the world be? And sanctions are very much connected to that.

So, Secretary Pickering, it is nice to have you up here this morning, and thank you, Mr. Chairman.

Chairman MURKOWSKI. Thank you, Senator Hagel. Senator Johnson.

Senator JOHNSON. Thank you, Mr. Chairman. I will be very brief. I appreciate your holding this hearing and having the opportunity to work with our colleagues on the Foreign Relations Committee and I would agree with my colleague from Montana that the grain embargoes of the past, whether Nixon, Ford, Carter, or whomever, have not necessarily worked to the benefit of our Nation's best interests.

On the other hand, I think we understand that the tools available to us are limited and imperfect. If it were such a simple matter to rid ourselves of Saddam Hussein, that would have been done long ago during the Bush administration. The options are limited.

I am interested in learning a bit more about the oil-for-food strategy. It is ongoing now. This is unprecedented. To my knowledge we have never before had an international effort to take over control and regulation of a nation's own resources to see to it that they are used for specific purposes, the effort is an imperfect one, and I think we have to be concerned about the scope of the illegal oil sales that do continue to go on, and I would be interested in Mr. Pickering and the rest of the panel's discussion of how this fits into that context.

So I am looking forward to the testimony, and I will submit a statement for the record.

Chairman MURKOWSKI. Senator Robb. It is good to see you this morning.

Senator ROBB. Thank you, Mr. Chairman. I am delighted to be here.

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I am sure Secretary Pickering is shocked to learn that Saddam Hussein is not popular with either of the committees that are holding the joint meeting, and that there are frustrations with the sanctions, that a silver bullet in terms of resolving that problem would be most welcome, and that there are perhaps even divergent and occasional parochial views on both committees.

Shocked though you may be, many of us are very pleased that you are here. Your update on this situation is timely, and I look forward to hearing from you.

Thank you, Mr. Chairman.

Chairman MURKOWSKI. Thank you very much, Senator Robb.

Let me introduce the Hon. Thomas R. Pickering, Under Secretary of State for Political Affairs, and we do very much appreciate your presence, and look forward to the administration's position on the questions that have been raised here and the statements by the various Senators. Please proceed.

STATEMENT OF HON. THOMAS R. PICKERING, UNDER SECRETARY OF STATE FOR POLITICAL AFFAIRS

Mr. PICKERING. Mr. Chairman, Senators, thank you very much. Good morning. I will, in my prepared statement, attempt to address a number of the questions you have raised, and hope that we have an opportunity, in the questioning to follow, to follow up on them individually.

Needless to say, I am pleased to have this opportunity to discuss with you today both our policy toward Iraq and more specifically the role played in it in the oil-for-food program.

I want to be very clear at the outset that our fundamental goal is to counter the threat that the Iraq regime poses to our national interest and to the peace and security of the Gulf. This goal remains unchanged from the time of Desert Storm. Its importance was manifest in the diplomatic and military resources that we brought to bear as recently as last winter, when Iraq once again tried to evade its obligations under the Security Council resolutions that ended the Gulf War.

Those resolutions mandate that Iraq is to be disarmed of its weapons of mass destruction capabilities and of its missile systems with a range of more than 150 kilometers. They also mandate the maintenance of sanctions on Iraq until it has complied with all of its obligations under a range of Security Council resolutions that are relevant to Iraq in every particular.

I will be very frank. Based on Saddam's record, we have no reason to think he will comply with the obligations the Security Council has levied on Iraq. That means, then, as far as the United States is concerned, that sanctions will be a fact of life for the foreseeable future, but since our quarrel is with Saddam and not with the people of Iraq, we have never sought to impose unnecessary hardship on innocent Iraqi civilians who have no voice, self-evidently, in the decisions which Saddam and the regime make.

The sanctions never barred the shipment of humanitarian goods, principally food and medicine, to Iraq. Since 1991, we have worked hard to come up with mechanisms to ensure that the humanitarian needs of Iraqi civilians can be met within the framework of the sanctions regime.

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There is just one illustration to start this discussion in detail. The implication that sanctions somehow have been removed, or that we are moving in the direction which Saddam desires, is totally antithetical to the clear fact at every turn that Saddam hates this program and has done everything he can to stymie, block, and defeat it.

However, to that end, and to deal with the humanitarian problems of Iraq without in any way allowing any of the money to come into the hands of Saddam, there have been proposed several oil-for-food programs within the United Nations by the Security Council with varying degrees of success.

The U.S. first proposed oil for food in 1991 in Security Council Resolution 706 and 712. Iraq flatly, completely, and continually rejected this program.

In 1995, the Security Council, with our leadership, drafted Resolution 986, which provided a slightly revised oil-for-food program. As I noted, Iraq had resisted implementing this program and continued to resist implementing this program for more than a year. Then it dragged out negotiations with the Secretary-General for continuing months, and it finally went into effect in December 1996.

Most recently, we supported the expansion of the oil-for-food program under a new resolution, 1153, based on recommendations from the U.N. Secretary-General that an expanded program was needed to meet the legitimate humanitarian concerns of the people of Iraq.

The so-called oil-for-food framework is a unique and interesting effort, as Senator Johnson has pointed out. For the first time, the international community is using the money, the revenues of a State which is subject to strict sanctions, to meet the humanitarian needs of that State's citizens.

Let me be perfectly clear in this. This is not a humanitarian assistance program that comes out of the pockets of taxpayers in this country or somewhere else, but it is the controlled and monitored utilization of Iraq's own resources, Saddam's resources, to provide for the humanitarian needs of his own people, something that he has continued to refuse to do out of resources that were in fact in his hands at the end of the Gulf War.

Since 1990, Iraq has been subject to the toughest and most comprehensive international sanctions regime in world history. It still is, I want to assure you of that.

The oil-for-food program keeps these sanctions in place, rather than taking them off, but it makes it endurable for the average Iraqi, and acceptable, as a result, to the larger international community, which, unlike Saddam, is concerned about the suffering of his own people.

The Iraqi Government has no control over any of the revenue generated by United Nations monitored oil sales. All revenue goes directly into a United Nations-controlled escrow account. The Iraqi Government may not legally purchase anything, other than humanitarian items it was always permitted to buy under the existing sanctions regime, with its own money, but chose not to buy, and the U.N. Sanctions Committee must approve all of those purchases.

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We sit on that committee, and the committee acts by consensus, so we have an absolute veto over the purchases. Once in the parts of Iraq controlled by the Iraqi Government, the distribution of these humanitarian purchases is observed by the United Nations. In the northern areas of Iraq, the so-called Kurdish areas, the distribution is undertaken by the United Nations directly.

Without an oil-for-food program in place, our options would be very stark, and let me be perfectly clear to you about what they would be. We would be watching the Iraqi people starve to death. Indeed, with no food, many of them would have been long gone by now, while Saddam deliberately refuses to spend Iraq's resources on his own people's welfare.

Or, alternatively, we would be then forced into lifting sanctions prematurely, and without any justification at all on the weapons of mass destruction side, thereby permitting Saddam to enjoy the benefits of his oil revenues and to use that money to rebuild his weapons of mass destruction, his conventional armaments, or whatever else he chose to do.

There is no doubt in my mind certainly that without an oil-for-food program in place the Iraqi Government would continue to exploit the suffering of his own people to bring great pressure, indeed to force the international community, as much as he can, to lift sanctions. This has been Iraq's policy for years. It is crass and cynical.

Frankly, after 8 years of sanctions most States in the world either do not understand or do not care that the Iraqi Government is fully and completely responsible for the suffering of the people of Iraq. They just want to try to find a way to end the reports at least, or the suffering itself.

The oil-for-food program allows us to meet the humanitarian needs of the people of Iraq without compromising our firm stand on sanctions. In a very real sense, the oil-for-food program is a key to sustaining the sanctions regime until Iraq complies with all of its obligations under United Nations Security Council resolutions.

The Iraqi Government clearly understands this basic dynamic. That is why they hate it. That is why they rejected earlier efforts to implement an oil-for-food program, and why they have gone to such lengths to obstruct the current program and to oppose it both quietly and deliberately and openly.

We now are working with the United Nations Secretariat and with other members of the Security Council to ensure the effective implementation of a new expanded oil-for-food program, one which the Security Council approved last February in Resolution 1153.

Predictably, Iraq has been dragging its heels, first in producing a distribution plan that would allow 1153 and the program approved by it to go into effect.

Even more disturbing, Iraq publicly rejected some of the Secretary-General's key recommendations which formed the basis for and which are essential to implementing Resolution 1153 as was intended.

Given the importance of the oil-for-food program in humanitarian terms and the sustainability of the sanctions regime, to which we attach highest importance, we will persist in our efforts, nevertheless, to get this program in place and get it right.

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I should also mention our continuing concern at the illegal traffic in oil and petroleum products which continues to be conducted by Iraq. The $5.2 billion ceiling under Resolution 1153 was specifically intended to allow Iraq to sell legally as much oil as is needed to meet the humanitarian needs of the people of Iraq after careful study and recommendation by the Secretary-General.

The fact that Iraq continues to export petroleum products illegally, and a number of you Senators have mentioned that point, and that the Iraqi Government refuses to permit the United Nations to oversee and monitor these sales, strongly suggests that the proceeds from these sales are intended very clearly for nonhumanitarian purposes.

We are currently seeking ways to make the Iraqi Government accountable for this illegal traffic, or to end it through tougher enforcement mechanisms, and I will be glad to go into this in some detail in response to your questions.

Obviously, this program is not perfect. We recognize that there have been and that there will continue to be problems in the implementation of an effort on such a large scale, especially given the attitude of Saddam Hussein toward this program.

We also must face the fact that some members of the Security Council are unfortunately, in my view, more interested in hastening the end of the sanctions than we are, and therefore are not very concerned that the oil-for-food program be implemented as intended and, indeed, use the absence of these kinds of programs to justify sanctions removal, a real perversion of the whole effort of the Security Council.

But these are realities that we have to take into account as we move forward with the program, and the program itself is one of the key answers to the fictions about the question of the United Nations and the United States blocking humanitarian aid to the people of Iraq.

I have outlined for you very briefly our approach to the oil-for-food program. I hope that some of these facts will help to begin to answer the questions that you have quite carefully posed in your statements.

We have tried, of course, to explain to you some of the reasons behind this program and its importance in our common objective of keeping the sanctions regime in place until there is full compliance. I hope now that we can have a frank and productive exchange of views on these issues.

Thank you very much, Mr. Chairman.

[The prepared statement of Mr. Pickering follows:]

PREPARED STATEMENT OF THOMAS R. PICKERING

Mr. Chairman:

I am pleased to have this opportunity to discuss with you today US policy towards Iraq and, more specifically, the role the "oil for food" program plays within it.

Let me be very clear at the outset that our fundamental goal is to counter the threat the Iraqi regime poses to US national interests and to the peace and security of the Gulf. This goal remains unchanged from the time of Desert Storm. Its importance was manifest in the diplomatic and military resources the US brought to bear last winter, when Iraq once again tried to evade its obligations under the Security Council resolutions that ended the Gulf War.

Those resolutions mandate that Iraq is to be disarmed of its weapons of mass destruction capabilities and of missile systems with a range of more than 150 kilo-

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meters. They also mandate the maintenance of sanctions on Iraq until it has complied with its obligations under the range of Security Council resolutions.

I will be very frank. Based on Saddam's record, we have no reason to think he will comply with the obligations the Security Council has levied on Iraq. That means, as far as the US is concerned, that sanctions will be a fact of life for the foreseeable future. But since our quarrel is with Saddam, not with the Iraqi people, we have never sought to impose unnecessary hardship on innocent Iraqi civilians who have no voice in the decisions the regime makes. The sanctions themselves never barred the shipment of humanitarian goods to Iraq.

Since 1991, we have worked hard to come up with mechanisms to ensure that the humanitarian needs of Iraqi civilians can be met within the framework of the sanctions regime.

To that end, we have proposed several "oil-for-food" programs, with various degrees of success:

The US proposed the first "oil-for-food" program in 1991 with UNSCR 706/712. Iraq rejected this program.

In 1995, we drafted UNSCR 986, which provided a slightly revised "oil-for-food" program. Iraq resisted implementing this program for more than a year, then dragged out negotiations with the SYG for months. It finally went into effect in December, 1996.

Most recently, we supported the expansion of the "oil-for-food" program under UNSCR 1153, based on the SYG's recommendations that the expanded program was needed to meet the legitimate humanitarian concerns of the Iraqi people.

The so-called "oil-for-food" framework is a unique effort. For the first time, the international community is using the revenues of a state subject to strict sanctions to meet the humanitarian needs of that state's citizens. Let me be perfectly clear—this is not a "humanitarian assistance" program, but the controlled and monitored utilization of Iraq's own resources to provide for the humanitarian needs of its people.

Since 1990, Iraq has been subject to the toughest and most comprehensive international sanctions regime in history. It still is.

The "oil-for-food" program keeps these sanctions in place, but makes them endurable for the average Iraqi and acceptable to the larger international community which, unlike Saddam, is concerned about the suffering of his people. The Iraqi government has no control over any of the revenue generated by UN monitored oil-sales; all revenue goes directly into a UN-controlled escrow account. The Iraqi government may not legally purchase anything other than the humanitarian items it was always permitted to buy under the existing sanctions regime—but chose not to—and the UN Sanctions Committee must approve all such purchases. Once in the parts of Iraq controlled by the Iraqi government, distribution of these humanitarian purchases is observed by the UN; in the northern areas of Iraq, the distribution is undertaken by the UN directly.

Without an "oil-for-food" program in place, our options are stark. Let me be perfectly clear what those options are:

—Watching the Iraqi people starve, while Saddam Hussein deliberately refuses to spend Iraq's resources on their welfare; or

—Lifting sanctions prematurely.

There is no doubt that, without an "oil-for-food" program in place, the Iraqi government would continue to exploit the suffering of its people to force the international community to lift sanctions. This has been Iraq's policy for years. Frankly, after eight years of sanctions, most states in the world either do not understand or do not care that the Iraqi government is fully responsible for the Iraqi people's suffering—they just want that suffering

The "oil-for-food" program allows us to meet the humanitarian needs of the Iraqi people without compromising our firm stand on sanctions. In a very real sense, the "oil-for-food" program is the key to sustaining the sanctions regime until Iraq complies with its obligations. The Iraqi government clearly understands this basic dynamic. That is why it rejected earlier efforts to implement an "oil-for-food" program, and why it has gone to such lengths to obstruct the current program.

We are now working with the Secretariat and other members of the Security Council to ensure the effective implementation of the expanded "oil for food" program the Council approved last February. Predictably, Iraq has been dragging its heels in producing a distribution plan that would allow UNSCR 1153 to go into effect. Even more disturbing, Iraq explicitly rejected some of the SYG's key recommendations which are essential for implementing UNSCR 1153 as intended. Given the importance of the "oil for food" program in humanitarian terms—and to the sustainability of the sanctions regime—we will persist in our efforts nonetheless.

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I should also mention our continuing concern at the illegal traffic in oil and petroleum products conducted by Iraq. The $5.2 billion ceiling under UNSCR 1153 was specifically intended to allow Iraq to sell legally as much of oil as is needed to meet the humanitarian needs of the Iraqi people. The fact that Iraq continues to export sizable amounts of petroleum products illegally—and that the Iraqi government refuses to permit the UN to oversee or monitor these sales—strongly suggests that the proceeds from these sales are intended for non-humanitarian purposes. We are currently seeking ways to make the Iraqi government accountable for this illegal traffic—or to end it through tougher enforcement measures.

Obviously, the program is not perfect. We recognize that there have been—and will continue to be—glitches in the implementation of an effort of this scale, especially given Iraq's attitude toward it. We also must face the fact that some members of the Security Council are far more interested in hastening the end of sanctions than we are, and therefore are less concerned that the "oil-for-food" be implemented as intended. These are realities we must take into account as we move forward with the program.

I have outlined for you our approach to the "oil-for-food" program, and have tried to explain some of the reasoning behind it. I hope we can now have a frank and productive exchange of views.

Chairman MURKOWSKI. Thank you very much, Tom Pickering. We appreciate your statement.

We have been joined by Senator Thomas.

Senator THOMAS. I have no statement, sir.

Chairman MURKOWSKI. Thank you very much.

Let me just advise Members I am going to limit us to roughly 5 or 6 minutes, and we will have a second round if necessary, but thanks very much for your statement.

I am concerned—the oil-for-food is certainly a meritorious and humanitarian commitment by the administration which we all share, but the concerns are directly related to the illegal sales, and whether this action, which is less than a full enforcement of sanctions, is allowing Saddam Hussein under the circumstances to have the best of both worlds. He is able to rebuild his oil refining capacity and production capacity back to where it was prior to the Persian Gulf conflict.

Make no mistake about it, oil is what fuels the economy of Iraq, and as a consequence the economy and the ability of the illegal oil sales is what fuels Saddam's war machine and the capabilities of whatever ultimately he has in mind.

Now, you acknowledged, Mr. Pickering, that sizable amounts of petroleum products are illegally being sold. I am going to request with Senator Helms that these two committees, the Energy Committee and the Foreign Relations Committee, have a briefing with our intelligence community on much of this information, which is classified, and I respect and honor that, and with the approval of the chairman that would be something that I would hope we could proceed with after our recess.

So putting that aside, the realization that roughly $450 million of illegal sales of oil was funneled into Saddam's pocket, so to speak, to determine as he saw fit what to do with, I think this arrangement continues to support a regime that ultimately would collapse.

We saw what happened in Indonesia, where the people finally rose up to the point that Suharto stepped down. Now, that situation is not going to happen in Iraq. Saddam is going to continue as long as he has a substantial control on a cash-flow that keeps his Republican Guard and the security that they provide Saddam Hussein, which is certainly dictatorial, so I think the administra-

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tion should reflect on the alternatives associated with trying to curb the illegal sales effectively.

Now, some of these, of course, are moving by sea, and you know, the merits of a blockade perhaps are antiquated, but what in the world is the difference between a no-fly zone that we enforce today in Iraq in specific areas, and a prohibition of allowing this illegal oil to move out?

We know where it is going. We have a fleet over there that could effectively stop this, or at least make an effort to stop it, or cajole our allies to stop buying it, because as long as he has that cash-flow, why, obviously he is going to continue to do whatever his objective is.

So I find your statement, while somewhat reassuring, inconsistent in specifically how this administration is going to curb these illegal sales, which incidentally are not new. They have been going on for a long time. They have been increasing. The Iraqis are obviously motivated, as they get back into production.

We have had some cooperation with Iran, and then the illegal supplies dropped, and now the Iranians have obviously gone back and are no longer playing a role in trying to curb some of this illegal oil, so they are back in business.

What I find inconsistent is, Resolution 687 initially required that the sanctions, including the embargo on oil sales, remain in place, and I emphasize in place, until Iraq discloses and destroys its weapons of mass destruction and undertakes unconditionally never to resume such activities. That was a condition. We came aboard, the U.N. came aboard.

Despite his terrible record on compliance, stonewalling the U.N. inspectors in February, the U.N. Security Council, with full support of this administration, massively expanded the oil-for-food program, so Iraq can now sell more oil than it sold before the Gulf War, and it is going to sell more illegal oil, and we both know it.

And why the U.N. with the full backing of the administration has really undermined the sanctions, removing the incentive for Iraq to comply with arms inspection, is beyond me, and I think that is the point of this hearing. The expanded oil sales, along with Iraq's illegal oil sales, is the lifeline that keeps Saddam in power, his Republican Guards well-fed, and whatever, his program for chemical and biological nuclear weapons, on track.

I ask you specifically, what are you prepared to do to stop it, and why have you not done it?

Mr. PICKERING. Thank you very much, Mr. Chairman. First, there are a number of points that you have raised that I would like to try to address, and I will, if I may, take some time to do so, because they are important and significant questions.

To begin with, the oil-for-food program is not a derogation from the sanctions regime. The commodities it supplied were never sanctions. The original sanctions that were put on never touched food and medicine. It was never intended to touch food and medicine. The oil-for-food regime was put in place when it was clear that other things that were touched, including export of oil, would not permit Iraq to feed its people, but this was put on in a way that kept it entirely under U.N. control.

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In effect, the proposals made by the United Nations took the oil export industry of Iraq and put it under the control of the United Nations solely for the purpose of feeding the people of Iraq, solely, obviously, to deal with an issue which was never covered by sanctions, and so the conclusion that the sanctions regime has changed or been eroded is not in accordance with either the resolutions or the facts in this situation.

Second, you have touched on the question of smuggling, and so did I, and it is an important issue, and we really ought to talk about it because it is of concern to us. We need, of course, to put it in perspective. We need to put it in perspective in monetary terms, where it represents perhaps about 10 percent of the oil which Iraq can now produce, although the monetary resources that Iraq derives from this smuggling is somewhat less than 10 percent, and I want to explain why.

There are three areas in which Iraq sells oil not through the U.N. system. One of those is to Turkey. There is cross-border truck trade between Iraq and Turkey through the common border area still under the control of Iraq. This amounts to about 50,000 barrels a day.

Second, there is truck trade between Iraq and Jordan. The Jordan amount amounts close to 100,000 barrels a day.

Through the Turkey trade, Iraq derives cash, because the transaction is a money-for-oil transaction.

The Jordan trade is quite different. Jordan has, for many, many years, been solely dependent upon Iraq for its petroleum resources. It has no other resource.

Second, the way in which the Jordan trade is organized is barter. Jordan is allowed to ship food and other produced consumer goods from Jordan to Iraq, and that offsets the oil that is provided to Jordan, so it is not a cash transaction, and so roughly about half——

Chairman MURKOWSKI. The Iraqis are growing enough food to export it to Jordan for oil?

Mr. PICKERING. Please repeat your question again. I was talking and I missed it.

Chairman MURKOWSKI. Well, you made a point here, and I hated to interrupt you, but I could not pass up the opportunity. You are saying the oil is coming out of Iraq and the Iraqis are getting food for it from Jordan?

Mr. PICKERING. That is right.

Chairman MURKOWSKI. And the Saudis are not interested in selling oil into Jordan?

Mr. PICKERING. The Saudis are interested in selling oil into Jordan at world prices. For many, many years Jordan has received oil from Iraq at concessional prices, but paid for in barter, so there is no cash accruing in the Jordanian transaction.

The third area, and it is one we need to focus on—we have been in touch with the Turks, obviously, to see what we can do to get that trade shut down, because that does result in cash transactions accruing to Saddam's credit.

The third area is one that we are all concerned about, and that is in the Persian Gulf. That amounts to another 50 to 60,000 barrels per day of transportation, and I see you have been good enough to put up the charts.

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This is an example of a small tanker used to move that trade and, if I could turn your attention to the maps, you will see that there are two sources of Iraqi gas-oil, essentially diesel-refined product, that move in this smuggled trade. One is in the Iraqi-controlled ports just north of Kuwait, and the other is in the Iraqi-controlled ports in the shared estuary of the Shatt Al Arab, shared territorially with Iran.

Both of those smuggling routes take the vessels inside territorial waters along the coast of Iran, and at various points, depending upon the situation, the smuggled ships either make a break for the United Arab Emirates or other ports, or try to move further along the coast to escape detection.

The naval interdiction force which we have placed in the Gulf is permitted only to operate in international waters. They have, however, increased their efforts, Mr. Chairman, against the movement of oil smugglers along the Iraqi coast before they get to Iranian waters, and for a period of time, several months at the beginning of this year, we saw that Iran was stopping this smuggling.

Now it appears to have returned, and we understand and would not be surprised, in fact, if the smugglers pay a consideration to the Iranian Revolutionary Guard naval forces which are otherwise supposed to keep that smuggling from happening, in light of Iran's international obligations under the U.N. resolutions. We are going to try to continue to keep that process going.

In addition to that, we have worked very hard to try to catch these vessels, although it is a long and difficult coastline, moving away from the Iranian shore in the direction of ports where they can unload their cargoes.

United Arab Emirates has been a principal destination, and we have worked very closely with them to shut down this traffic, and they have shut down traffic that involves their own flag vessels and others over which they have authority.

They have, by the imposition of stricter regulations in their ports against the transshipment of volatile gas-oil into barges and trucks, also shut down some of this, and the Crown Prince, when he was recently here, I had an opportunity to talk to further about this, and he promised further coordination and efforts on his side from the United Arab Emirates to shut down that part of the traffic.

But this gives you at least an illustration of some of the difficulties that our cooperating naval forces face in trying to shut down this traffic.

We will continue, at all of these points along the coast of Iraq, to continue to keep all of the pressure we can on the Iranians to avoid being complicit in the breaking of sanctions, working with the United Arab Emirates and others, and with our own naval forces, to continue to try to find ways to reduce this smuggling traffic because, as you made clear, any dollar that goes freely into Saddam's hands can be a dollar used to defeat, obviously, the whole sanctions regime, and it is something we do not want, and which we are clearly against.

Chairman MURKOWSKI. Thank you very much. I am going to call on my colleagues. Let me just comment, clearly Saddam has not seen fit to comply with the sanctions. Why the U.N. does not come

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together and agree, since they have allowed him to increase his production for food and humanitarian purposes, that they should enforce collectively the illegal movement within the area of coastal authority is beyond me.

And I would think that the administration could make that demand forcefully in the U.N. so that these illegal vessels and this illegal traffic could be intercepted by either the coastal fleets of the countries associated with it, and that is where I would start.

Senator Brownback.

Mr. PICKERING. Can I just make a comment on that, Senator?

First, about six of our allies are cooperating with us in the naval interdiction force.

Second, just to give you a sense of it, 20 of these smuggling vessels have already been intercepted in recent months, and if we can put one out of action, obviously, it keeps them from making return trips.

I wish I could tell you that we had the kind of influence over Iran that would make it possible for us to assure that their routing of these vessels, which is a primary escape route, as you can see from the map, could be shut down. We will continue to do all that we can through people who are close to Iran to do what can happen in that area, but that is the primary loophole that I see now.

Senator BROWNBACK. Secretary Pickering, thanks for joining us today. I have a great deal of respect for your abilities and your background and your knowledge, so I know you come prepared, both background and today.

I want to direct your attention, if I could, to some of these charts up here that we put forward that come from State Department-U.N. Figures, or combined figures. You can see the typical smuggling ship, as you know, is not a big oil tanker. Sometimes the oil, the diesel fuel, as you call it, is just slopping over the sides as they are sneaking it out.

The second chart—and if we could have somebody over there to maybe bring it up for Secretary Picking to see the numbers on that better, would that be possible for one of you? Thank you very much—just to bring that up so you can look at those numbers, because they were very discouraged about the numbers from what they were in January of this year, some 270,000 metric tons per month being smuggled out, then it fell off precipitously, so we were encouraged about that, but now it is moving back up, which draws a bit of concern.

I mean, it looked like something was going right there for a while, and now it is opening back up.

And as you note, the route on that third chart, if I could focus you on it, has to come out through Iraqi waters or agreed-upon places, as you noted, and it seems like that is a natural bottleneck for us to really focus on.

And I gather in your comment you were saying you have focused in that area, but I wonder, have you let up, as to why we are seeing this increase, or can we tighten that bottleneck back down with them, because it looks to me as if that is the point that we can grab it around the throat.

I have got another question I would like to make, but could you briefly respond to that?

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Mr. PICKERING. Senator Brownback, I think there are two questions. Question number one is why has the chart gone down and then started to go up again, and I think that is directly related to Iran. In those months beginning in January, certainly in February, we believe the Iranians made a major effort to stop this traffic. They have since relented on that.

I do not know that I can tell you how to read the Iranians on this. We need to get them, obviously, back in the earlier posture, because it made a real impact.

The second point is that——

Senator BROWNBACK. The administration has been very kind to them lately, much to my dismay. I would hope they would work with you on your ILSA waivers, which I do not agree with, although the administration takes another view. Hopefully you have got them to where they will work with you very closely.

Mr. PICKERING. I would hope so, but I cannot tell you that I have high confidence in our capacity to influence Iran, otherwise I think we could get rid of the weapons of mass destruction and terrorism problem which still hangs around, and I think which you and I both share a great concern about.

Senator BROWNBACK. We do, but several of us have different ways of dealing with the Iranians. I think you are going to find my route over the long run is going to be the right route.

Mr. PICKERING. I hope I can persuade you I am right, and the fact that they did move on this particular thing could be translated into more action. We will have to wait and see, but we are both agreed on at least where that part of the problem is.

The second part of the problem is that moving along the Iraqi coast in a very short area, that is, some of these vessels can move directly from Iraqi territorial waters to Iranian territorial waters and, as a result, it makes it very hard, obviously, for interdiction, and that is in the area of the Shatt Al Arab.

Senator BROWNBACK. Right, but that is the bottleneck right there.

Mr. PICKERING. Others, however, move from ports further west than that, further west, and the Iran-Iraq border, from ports such as El Fal and Umm Qasr in Iraq, and they come down into Iraqi territorial waters and move along their areas, where we are going to make a major effort to try to get them.

The naval force obviously has to operate—a former naval officer of 30 years' antiquity should not be commenting on this. We might want to talk to one of our naval people, but it requires shallow draft vessels and obviously a different posture than we have been able to have with our larger vessels to interrupt that, but we are clearly going to try that.

Senator BROWNBACK. If you could, and I guess my time is very short, it seems like to me that because these are illegal shipments, and clearly illegal shipments, and the world knows they are going on, that we ought to be able to put pressure to be able to get into Iraqi territorial waters to be able to stop these from taking place, and I am not as knowledgeable, obviously, as you are on our ability to be able to do that, but I would ask, and push that.

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Mr. PICKERING. We agree on that, and we have been talking to our Navy and others about doing that, and I believe that that is moving in that direction.

Senator BROWNBACK. The second point I would like to make to you, and it is one that more troubles me than all of this, is, it seems as if the administration has determined to take on a strategy assuming the continuation in power of Saddam Hussein, and just saying that this is the way it is going to be, so we are looking out over a period of time how this loosens up to where the sanctions are not in place.

Is that indeed the case?

Mr. PICKERING. No, it is not, and our statements, particularly referring back to Secretary Albright's statements in March of last year, where she made it very clear, crystal clear that our anticipation, our heart's desire, if I could phrase it that way, is to be dealing with a successor to Saddam.

We all know, obviously, the difficulties of making that happen, and that is a different problem, but our policy has not changed in that regard.

Senator BROWNBACK. Well, if I could, it seems as if the facts go contrary to those statements, with the amount of oil and gas that went down, back up, with the amount that legally is being allowed to flow, with the push of removal of sanctions from a number of countries, with our lack of desire or willingness to engage a long-term strategy for his removal, it is almost as if we are engaged in wishful thinking on the administration's part but wishful actions go the other way.

You have strong support in the Congress to put in place and implement a strategy that would continue to really try to hold down Saddam Hussein and continue in place the push and the power to get him out of office over a long-term strategy, and I would just suggest to you, looking at the administration's policy from the outside, that the words and the actions do not seem to match on this.

Mr. PICKERING. With respect, Senator, we have never felt any lack of support from either the House or the Senate on all of these objectives.

A second point is that we totally agree on the smuggled oil. We have no difference on that, and we are doing all we can to get at it, and I have explained I think in some detail.

The third point, quite frankly, your interpretation of the oil-for-food program does not accord with our understanding of the facts, if I could be very direct on that.

This is a program that takes Saddam's revenue away from him. It puts it in the hands of the United Nations, and it allows the United Nations to use this only for stated purposes, to feed his own people.

It is a program which separates him from his revenue and his oil, and which separates, in fact, his people from him if they begin to know and understand that he is not providing the food but the international community is.

It is a program, because of what we are doing, keeps the international consensus on and helps us to avoid people, in our view wrongly minded, who want to take the sanctions off, and so in effect I think we are accomplishing precisely the objectives we agree

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on, and we are doing it in a way that makes a great deal of sense, and we are doing it in a way that obviously takes into account the fact that we do not have to starve 19 million people to do it.

Senator BROWNBACK. If I were an Iraqi citizen, and the situation was getting better, and Saddam Hussein was still in power, I do not think I am going to give that credit to the United Nations. I think I am going to give that credit to Saddam Hussein.

And I would direct your attention just to yesterday, a Reuter's report that was out yesterday that said that Iraq is now requesting funds in the oil-for-food program to improve their mobile telephone network, and the response was from the officials of the United Nations, they are saying, well, they cannot show a clear link between that and the oil and food needs, and so the U.N. then asked, in return said, ask Iraq to restate its request for phone equipment making it clear it would lead to better warehouse management and other improvements in food distribution.

Well, that sure seems a long ways from food, and it appears as if we have opened this completely wide open.

Mr. PICKERING. It does to us. We have made it very clear we will not support that particular effort.

Senator BROWNBACK. Well, good, and I hope you will keep the strategy of removing him from power.

Thank you, Mr. Chairman.

Chairman MURKOWSKI. We have been joined by Senator Wellstone, and also Senator Domenici was here and is coming back.

In the order of attendance it would be Senator Hagel next.

Senator HAGEL. Mr. Chairman, thank you. Secretary Pickering, thank you.

This is obviously a difficult situation, no easy answers, but I want to focus a little bit on a couple of comments you made in picking up a little bit where Senator Brownback was going. You referenced our U.N. Security Council partners being a little less than enthusiastic about continuation of these sanctions.

Realistically, you have asked yourselves, I suspect, and we must all ask ourselves, what is the viability—the real question here is, how long can we sustain these sanctions, and if we stay with the core issue here of the hearing, are these sanctions collapsing in Iraq with an erosion of U.N. Security Council support, with an erosion of some allies' support, and other complications that you have enunciated clearly, and with other Senators here talking about some of the specifics.

Could you give me some comment, analysis of where you think all this is going, and that then leads into the next part of this, Mr. Secretary. We know short-term solutions can work for a while, and sanctions are short-term solutions. What is our long-term solution? What is our policy toward Iraq beyond enforcing the implementation of sanctions?

Mr. PICKERING. Senator, I think there are two quite simple answers to both parts of that question. Answer number one, it is the U.S. policy that he has to comply with all of the resolutions before—I was going to say all the revolutions, but all the resolutions before the sanctions can come off.

Second, having had the pleasure of participating in writing these sanctions, it was very clear that when we wrote the original sanc-

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tions we made it possible for any single permanent member, including the United States, to oppose the removal of sanctions using the veto that we have, so that they would not come off if we were not fully satisfied that all the resolutions had been met, and so we have in that sense a unique and dispositive role in the removal of sanctions, and I see no interest on the part of the United States in changing its policy in this regard.

The second question is, where do we want Iraq to go? I think quite obviously we would like to see a successor regime to Iraq that would represent the interests of all the Iraqi people, the three major ethnic and religious groups, that would move the country in the direction we would like to see all countries move, one that observes human rights, one that has democracy. This would be a real revolution, to go back to my former Freudian slip, and take the question that far forward.

Nevertheless, I think it is in our interests to continue to promote that direction for Iraq, however difficult it may seem now to see the disappearance of Saddam Hussein right around the corner.

It is certainly what we would like to see, but it is not an issue, and it has been debated in these halls and in my halls and in the press, that we have, to borrow Senator Robb's phrase, a silver bullet magic early tomorrow solution to.

We must be patient. We must be persistent. We must use the very effective sanctions regime that has been put in place to continue to keep all possible pressure on this and, at the same time, because we have not discussed this in detail, we must continue fully to support UNSCOM in the remarkable work that they have done, but which is still not complete, in getting at the weapons of mass destruction.

We believe that there are real possibilities he still has serious weapons, particularly in the chemical and biological area, and we are deeply concerned that there have not been answers to all the questions on nuclear and certainly on missiles.

Senator HAGEL. Well, I want to go back to another part of the question, because it is not your fault that we found ourselves a few months ago with one ally who was willing to step forward with the United States and say, yes, we will be with you, Great Britain said, but we are the only one who will be with you to enforce the sanctions, and I think we are kidding ourselves a little bit, Mr. Secretary, if we congratulate ourselves on sanctions when in fact there is no only an erosion, but there may be a rather significant gap here in what is happening for the future.

And I do not know what the answer is. It is difficult. It is complicated. It is connected to Iran and all the pieces that you know so well, better than probably any of us, but what I would like to hear more is about what we are doing to deal with that for the long term, because it is pretty clear to me that this is a slow death kind of thing.

We are eroding and eroding, and everybody is backing off from the latest position that the administration is taking that Senator Brownback mentioned on the ILSA sanctions, and I think, by the way, there is some thoughtful pieces to that, and I think it is defensible in some areas, but we do not want to keep going through this and have to put you in a position, nor do you want to be in

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that position, to have to defend every 30 days more of an erosion here, so if you could give me a little more than what you have here, what we are doing about that, because that is obvious.

Mr. PICKERING. Sure. Let me just say, in February, when it looked very much like we would need to use military force, more than 20 or 25 States—and we will get you the list—made actual contributions, some in aircraft and in men, some in basing, some in other support, and beyond that an additional number, up to 40 or 45, made very strong statements in the public realm in their own countries in support of us should we have to use force to deal with a problem with UNSCOM, or whatever it might be, and so I do not think the international community is eroding.

What I do think is that Saddam has managed to convey the idea that it is the international community that is responsible for the plight of his people rather than he himself, who in fact failed to use this particular U.N. mechanism for 5 years or 6 years to feed his own people.

And why did he do it? He did it precisely because he saw it as taking away his own control, as sequestering his revenue, if I could use it that way, and using it for purposes than he would otherwise want to use it, and so he was in the position of favoring oil in the ground rather than oil coming out to feed his own people.

Now, I believe that is extremely important. I do not think anybody who lives under the tyrannical regime of Saddam is quite frankly happy whether they are fed better or not fed better, and I think that that is self-evident and apparent for lots of people who come out, including members of his own family.

Finally, I am concerned that the United Nations members of the Security Council have swallowed Saddam's line maybe hook, line, and sinker, and as a result we are moving a program finally which I believe is the right sort of program to deal with the humanitarian problem and getting those people back on the right side of the fence with respect to sanctions by doing this particular approach, and so I think the oil-for-food program is bad for Saddam and good for the Iraqi people and good for us in our effort to maintain the sanctions regime.

Senator HAGEL. Mr. Secretary, thank you.

Chairman MURKOWSKI. Thank you very much.

Senator Robb.

Senator ROBB. Thank you, Mr. Chairman.

Secretary Pickering, the last thing I want to do is be perceived as in any way, shape, or form supporting Saddam Hussein or any of the actions he has taken or, indeed, of not being sufficiently encouraging to the administration to keep the pressure on in every way possible.

But a question does come to mind when you focus on the amount of effort that Saddam Hussein is placing on getting rid of these sanctions that are no longer working and eroding, and I do not take issue with the fact that sanctions are eroding, and they always do over time, and they are very difficult.

Let me ask you a question about sanctions generally. Are you aware of other places in the world where critical U.S. interests are involved where sanctions are working especially well and effec-

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tively in ways that give no evidence of attempts to bypass on the part of the rogue nation, or the leadership desired to be isolated?

Are there instances where sanctions have been a perfect force, or are we, in effect, confronting a situation where it is not bringing about the result we want in the timeframe we would like to have it, but the alternatives may be even less attractive if we consider all of the implications and consequences?

Mr. PICKERING. Thank you, Senator Robb.

First, I accept Senator Hagel's admonition that we should consider sanctions as a tool and not as a foreign policy, and not as an objective of foreign policy, although confusion often arises around these points.

Second, I cannot tell you that I know of any place today, and there are very few places where we have multilateral sanctions, which I think by definition, sir, are the kind of sanctions that have a chance of being effective, where there are not efforts to circumvent them.

The world community is not united on very, very many of these issues. We happen to feel much more strongly than many countries, both up here on the Hill and down at the other end of Pennsylvania Avenue, on a lot of these questions.

We have used and are continuing to use sanctions as a foreign policy tool way above many others, and most disagree with us and therefore find it useful and, in fact, maybe the root of their disagreement is that they could take advantage of our preoccupation with sanctions for moving ahead to take away the share of the trade that we enjoy, or the share that we might expand to were sanctions not in place, because we are obviously the world's largest trading partner, and we are continuing to be more efficient and more effective in that particular effort.

I also think—and you will have seen it, too, because I have heard from it that often sanctions have a reaction and an impact against American domestic interests far outweighing their impact on others.

There is one historical example that is debated by the political scientists, but it is frequently cited, and that is the long-running sanctions against South Africa as having had an effect, maybe even more a political effect than an economic effect, but I would leave it to the historians and the history books to come to a final determination.

What I do believe, however, is that they played a serious role in bringing about change in South Africa over a long period of time, and the exact quantification of that I think is in doubt and debate, and I have engaged in debates with a number of people about that, but I tend to feel that they are important. They are perhaps in a different way, in a lesser way in what was then Northern Rhodesia, now Zimbabwe, but that is even more debatable.

So the record here is not an easy one, I think, to defend as having sanctions is the silver bullet, to borrow your phrase again, to end all of these problems.

Senator ROBB. Is there any serious debate as to whether or not the removal of sanctions is Saddam Hussein's number one objective?

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Mr. PICKERING. I think there is a serious debate that his number one objective exclusive of any others is the removal of sanctions. I also think his number one objective, together with removal of sanctions, is the preservation of everything he can preserve in his weapons of mass destruction program.

Senator ROBB. Let me look to the other side of the question. Again, I feel a little awkward in the situation, because I have consistently been advocated a tougher position in many cases than the administration, or succeeding administrations have taken against not only Saddam Hussein but others who have thwarted the will of the international community in much the same way, but what would be the effect if we were to end the food-for-oil program at this point on the Iraqi people, and what would be the reaction of the international community?

Mr. PICKERING. I covered that in my prepared statement. The options if we end the oil-for-food program I think would be serious mass starvation in Iraq, at least major reductions in caloric intake levels of very serious proportions. I am not a nutrition expert or a specialist in this.

It is also very clear that that would take place because Saddam began by feeding his people on a minimal basis and then has taken advantage of unfortunately the oil-for-food program to reduce that support. It would take a more deep study to know whether there was a cash advantage to him in that or not. I just do not know.

The other alternative would be, in my view, adding impetus to the pressure that we have seen to remove sanctions in order to deal with the problem of mass starvation, or at least mass underfeeding of the Iraqi people, and as a result, that is why I make such a strong case for the oil-for-food program.

Senator ROBB. What is your sense, and I know you alluded to this as well as to the ultimate effect, at least in a more cataclysmic sense, of what would happen if the oil-for-food program were eliminated, but what is your sense of the effect of the rather porous sanctions effort that is taking place to date with all of the carve-outs that you alluded to in your opening statements?

How would you characterize the health of the people that the food-for-oil sanctions, or the exception to the sanctions are designed to assist, as compared to those that are particularly loyal to and surrounding Saddam Hussein, to include the Republican Guard and other echelons of society that he might favor?

Mr. PICKERING. Well, as I said in simple terms when I was in New York before the Gulf War began, Saddam in relation to the sanctions regime would eat the last chicken sandwich in Iraq, so we know in fact that he and his people are certainly taken care of by whatever money the regime had hidden, had in the bank, sequestered, or is able to chivvy out of illegal oil smuggling, which is his principal source of income, and that remains the case.

Second, it does seem to me clear that with the oil-for-food program, which began in late 1996, the health and nutritional status of the people of Iraq has improved. The Secretary-General went to look at it because in November a team that went out there was still disturbed by both what they hear and thought they saw. His recommendations that came forward earlier in the year and were looked at by the Security Council in February, or the increase that

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we are now talking about, were based on that and that, of course, is coming forward.

I would just add one other point, and that is that the United States is not in any way barred under U.N. supervision from participating in this program and, indeed, a very large share of the food, to get back to Senator Burns' question, that goes into Iraq would come from American sources through the U.N. program, carefully monitored and supervised.

Finally, if sanctions were to come off we would be literally turning over to Saddam something between $10 and $15 billion in free money to use. If the oil-for-food program stays on, certainly we would like to keep it there for as long as that can possibly be kept on in order to keep the sanctions from coming off.

That money is in escrow accounts in the United Nations, carefully supervised. We and others make decisions about how it is spent, and the issue is that it is spent on food and medicine for the Iraqi people and not free money available to Saddam. It seems to be something that the committee had a misimpression about when we started out today.

Senator ROBB. In your judgment, is that program working? Again, I do not want to get into a whole Iraqi frozen assets question, but is that working?

Mr. PICKERING. I believe it is. No program this large, as I said in my opening statement, is going to be free of problems or glitches, but I can tell you that the people inside our Government who watch these things very carefully have recently told me that they believe both the monitoring and the absence of diversion is—in their view that standard is being met quite well by the United Nations.

They have not said we do not have any problems, but they said we do not have any major problems, if I can put it that way, in this area.

Senator ROBB. Thank you. My time has expired. Thank you, Mr. Chairman.

Senator BROWNBACK. Thank you very much, and I do not get this honor to do this very often, but I would like to call on Mr. Domenici for a round of questioning.

Senator DOMENICI. I am very respectful of your chairmanship. Thank you very much for calling on me.

First, Mr. Pickering, one of the things that happens around here that is not so good for me is that for maybe 10 years or so I do not get to talk to you very often. Our paths do not cross.

And I remember back when we were in the U.N. and we used to see each other a little more—I do not know why. Maybe the assignments—but I had great respect for you then, and I continue to have it now, and when we come down hard on what is happening over there with Saddam Hussein and where we are going, none of it is directed at anybody personally, and certainly not at you.

I happened to, within the last 2½ weeks, go to both Kuwait and Saudi Arabia, and I guess my first question, or the first thing I learned in Saudi Arabia that was startling to me, and I just wanted to ask you if you were aware of this, we had the luxury of having the equivalent of their OMB Director in Saudi Arabia, and you understand who that gentleman is, highly respected, used to be on

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the World Bank board, was Deputy Director of IMF, et cetera, and he is not a member of the Royal Family, and he talked about the budget of Saudi Arabia and their country, and I assume you are aware that in terms of their fiscal situation they are in very bad shape. Is that a fair assessment?

Mr. PICKERING. The degree of bad is something we could argue about, but I do not quibble with the basic statement.

Senator DOMENICI. Well, let us say they are in extreme deficit this year, very, very large.

Mr. PICKERING. And borrowing.

Senator DOMENICI. And borrowing. They are not interested in increasing their expenditures for military. I assume you know that.

Mr. PICKERING. I understand that.

Senator DOMENICI. And second, or third, we were told—and it matters not by whom, but somebody who is supposed to know over there, we were told that they thought it was time for America to pull back from Kuwait and Saudi Arabia and take a lot of our troops out of there and put them in the regions around there, that they did not think they were that important any more.

And last, believe it or not, Senator Robb, I asked if we had to have another Desert Storm, could the Saudis pay their fair share, and the answer was no.

Now, I understand the Ambassador would not take that as a final conclusion, but it does lead me to think that the United States of America may very well be the only power in that area that is assumed to have all the resources in the world, all the manpower in the world, all the men and women in the military in the world, and ultimately, when it comes right down to it, we are going to do something over there or it is not going to get done.

Now, is that a fair statement, or would you argue with it, if you would care to?

Mr. PICKERING. I would argue that our leadership is, as I think you have put it, is extremely important, as it is all around the world, but I would also argue that others are willing to be with us, and that Saudi Arabia and Kuwait, when it comes to existence-type problems, existential-type problems, are certainly going to make the right decision in their own interest, as they did when the question came up at the beginning of this year for us beefing up our forces in the area and working out of their territory and being close to them.

They also obviously for years have liked the idea that the United States was a close friend and ally, that we could do it all from over the horizon. Nobody likes foreign forces on their soil, particularly on a long-term basis. On the other hand, I think that we have found useful ways, working closely with them, to resolve those particular problems, but they go up and down under the circumstances, and I believe we have to be flexible in our leadership there.

The issue is obviously, as you know much better than I, because you have been at this a long, long time, very much tied to world energy resources, and access to world energy resources.

Senator DOMENICI. But look, here is the point. They also suggested in Saudi Arabia that first they are not going to increase

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their defense. I have already suggested that to you. If anything they are looking to cut it.

The only country that really seems to be totally backing us and willing to talk about the disproportionate share we are paying is Kuwait, and they are the only ones already paying their share and more in that region, and perhaps rightly so. They were invaded. The other ones were not.

But it seems to me that the United States of America cannot win our political goals in the area unless there is absolute and total support from countries like Saudi Arabia, Kuwait, the Emirates, and those other countries that we seem to be there to help protect.

Incidentally, of all of the sanctions and other things that are about, the one thing that the Saudis said unequivocally they want to enforce is the sanction on how much oil Iraq can produce. Everybody would guess they would be for that, right? That is money in their pockets. To the extent that Iraq produces a lot of oil, the price of oil probably comes down, and so the strongest thing they want is to impose the quantity of oil that they can produce and get into the open market.

I guess I am kind of concerned, because when I see this less-than-total commitment, and we seem so concerned, we are ready to take this to the American people on having a major military intervention with our people leading the parade, I do not think any of this is going to work, and I am not so sure we ought to have our men and women committed over there in large numbers like we have, so unless people like you can tell us that the Saudis, the Kuwaiti's and others there are as committed as we are, or more, or else I wonder why should we be so concerned.

Mr. PICKERING. Senator, I would just like to say, on your last point, that every time it has come to critical decisions those Governments have been with us and they have worked with their people to understand the importance of what we have to do.

They want to be obviously with us in both the process of carrying out the decisions, but also in consulting closely with us in making the decisions, and that is a process that we follow, and it is an important process, because obviously they want to be, to use the old phrase, in on the take-offs as well as the landings on these particular sets of issues, and I think that is extremely important.

The second point, I think, is that Saudi Arabia, interestingly enough, has supported the oil-for-food program, and why? Simply put, because they have seen it in its two dimensions. They have seen it in its dimensions as humanitarian need, and the Saudis are particularly attached, as members of the Arab world community, to fellow Arabs who are suffering, innocent of crimes, and under the yoke of Saddam, and they have supported that.

But they have also seen that this takes revenue, if you like, away from Saddam, and they want to be sure that it does not get back into his hands, because they will be the first to get hit if, in fact, Saddam is able to rebuild his conventional forces and his weapons of mass destruction.

Senator DOMENICI. Well, I did not come here, nor have I said a word that would imply that I do not think the food-for-oil is a bad policy. I am not saying that. What I am saying, the whole scheme seems rather porous, and as we seem to be led to believe that this

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will work, to me it seems like the longer time passes the less it is apt to work.

And my last observation has to do with the Saudi Arabians and the Iraqis as it concerns the underpinnings of the regimes, which I do not care to bring up here today, but I tell you, it is very difficult for this Senator to listen to their OMB Director tell us how poor they are when you do not have to ask the CIA to tell you how many palaces each Crown Prince has and how much they are worth.

And you know, I am not one who has ever tried to have this rich-versus-poor part of my vocabulary up here, but rather, if you think I am going to vote to put a whole bunch more money in there for an event that we need to be in, and we do not have the Saudi Arabians right up front, if they have got to borrow money, borrow it. It is their oil, and it is their lives, and they are right next door, and we have got to go over there and meet our young men and women who are out there in the field.

You know, we met some in the field who had been back there 11 times since the end of the war, because Saddam plays us like a little yo-yo. I mean, he does a few things and we ship them all over again.

In fact, one of the Saudi leaders said that is what he thinks is actually happening, that they do their little thing and America gets all worked up and they send 40,000 more troops over.

Who do you think goes? The same guys who went before, and 11 times is a lot for somebody married with a few kids. That is worth a lot of dollars. That does not have anything to do with millions. That is quality of life, and you are going to lose these guys.

So I am going to do a little more active participation in this, and I think I understand the significance of it, and I am not afraid to talk about whether we are going to put money in our budgets for things that they are not going to put in their budgets, I will tell you that for sure.

Chairman MURKOWSKI. Thank you, Senator Domenici.

I would like to thank the Hon. Thomas Pickering for his response to our concerns. We have one other panel, and let me just summarize very briefly.

I think we have acknowledged here that there are illegal oil sales occurring at a level that is unacceptable to the United States and should be unacceptable to the United Nations, and should be acknowledged that immediate action should be taken collectively.

What that action should be, obviously, is to end by enforcing, if you will, a patrol action sufficient to substantially curb and hopefully eliminate this movement of illegal oil, which we acknowledge is running about $450 million last year, and with the increased capability of Saddam Hussein's refining capacity and oil production it is likely to increase if, indeed, steps are not taken.

Now, I personally do not feel that this administration is working toward a clear and definable end to the regime of Saddam Hussein, and maybe that is obviously easier said than done, and I am certainly sensitive to that, but it begs an issue, Tom.

You know, here is the *New York Times*, U.N. report sees no Iraqi progress on weapons issue. This was dated April 17. Threat of cri-

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sis remains. Inspectors said to find failure to meet terms on sanctions. Baghdad is defiant.

And we know who we are dealing with. He is going to use every opportunity to circumvent the intentions of the sanctions and his concern for the people, and this is what the food-for-oil is really all about, is if he can have, if you will, a quality of life, he is going to take credit for it in Iraq, and those Iraqi people are going to recognize this dictator as benevolent, if you will.

And also there is a reality that he rules by force. The Republican Guards have basically saved him from assassination on numerous occasions internally, but when I read that a report by the United Nations chief arms inspector has concluded that Iraq is not closer to meeting the requirements for the lifting of sanctions than it was last fall, and that the evidence in the report of Iraq's failure to provide any new information on its weapons compiled with a new outburst of defiance from Baghdad, it raises once again the prospect of confrontation between Iraq and the U.S., which has twice already threatened military action.

This is a report by Richard Butler, chairman of the United Nations Special Commission. It has been turned over to the Secretary-General. This is where we are today, and to suggest that this arrangement is benefiting the people of Iraq without the simultaneous recognition of its prolonging the regime of this despot, I think has to be looked at in terms of how the world is going to free itself of Saddam Hussein, and clearly, in my opinion, the policy that the administration has embarked on simply prolongs his presence in that country until such time as he has built up an infrastructure sufficient to again achieve whatever his objectives and goals are.

So for whatever that is worth, that is a concern that I wanted to share with you and I would look forward again to our continuing communication, and it would be my intent again, after the recess, to have our joint committees have a review from our security people at the CIA and other sources relative to some of the material that we cannot disclose at this open hearing.

Is that fair enough, Tom?

Mr. PICKERING. Yes.

Senator BROWNBACK. If I could, just on behalf of the Foreign Relations Committee, thank you very much, Secretary Pickering, for coming up and joining us.

I would simply make the point in closing that there have been a number of press reports that say that the administration is moving toward a deterrence policy toward Iraq, rather than a removal of Saddam policy, and I was happy to hear today that you have said that that is not the case.

I do hope our actions continue to match those words of that policy, and that we not shift, because I fail to see any advantage that the U.S. gets from shifting to a deterrence strategy, so I am glad that you agree with that, and we will continue to point out where we think you might be able to improve in that policy area, and I have great respect for your abilities and your work that you have done over the years and with these difficult problems.

Thanks for being here with us today.

Mr. PICKERING. Thank you, Mr. Chairman.

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Chairman MURKOWSKI. I am going to call on panel two, and obviously, the Hon. Richard Perle, former Assistant Secretary of Defense for International Security Policy.

Mr. Perle, you have had an opportunity to hear the Members, as well as Tom Pickering, so we look forward to your statement.

You will be followed by Dr. David Kay, vice president and director of the Center for Counterterrorism and former UNSCOM nuclear inspector, followed by Dr. Ken Pollack, Persian Gulf analyst, Washington, D.C.

I would appreciate you summarizing your statements, and why do we not shoot for 5 minutes and give you 7. How is that?

STATEMENT OF HON. RICHARD N. PERLE, FORMER ASSISTANT SECRETARY OF DEFENSE FOR INTERNATIONAL SECURITY POLICY

Mr. PERLE. Thank you, Mr. Chairman, for including me in these deliberations. You have convened this morning to examine the question, Iraq: Are Sanctions Collapsing? You will hear at least three perspectives on this issue. You have already heard one. I can give you mine with some efficiency. The sanctions regime is indeed collapsing, along with American policy toward Iraq.

In fact, there is little to distinguish the Iraq sanctions from American policy, since American policy is nothing more than the desperate embrace of sanctions of diminishing effectiveness, punctuated by occasional whining, frequent bluster, political retreat, and military paralysis.

What the administration calls a policy of containment has become an embarrassment. As our friends and allies in the region and elsewhere ignore our feckless imprecations and reposition themselves for Saddam's triumph over the United States. That is the situation we are facing.

More than 6 years after his defeat in Desert Storm, Saddam Hussein is outsmarting, outmaneuvering, and outflanking what may be the weakest foreign policy team in any American administration in the second half of this century, and as I wrote those words I thought back through all the foreign policy teams I could recall.

The coalition once arrayed against Saddam is in disarray, marking a stunning reversal in the position of leadership occupied by the United States just 6 years ago.

Ambassador Pickering, I said in my prepared statement, will undoubtedly tell you—I can now say he did tell you—that everything was fine, that American diplomacy in the Gulf is determined and effective, that we have been and will continue to be successful in containing Saddam.

But everything is not fine. American diplomacy in the Gulf is weak and ineffective. We have been failing to contain Saddam politically, and he is getting stronger as American policy becomes manifestly weaker. The United States, mass marketer to the world, is losing—and Secretary Pickering acknowledged it—is losing a propaganda war with Saddam Hussein, mass murderer of his own citizens, over the issue of humanitarian concern.

With much of the world believing that Iraqi babies are starving because of U.S. policies rather than the policies of Saddam Hus-

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sein, we are facing a political diplomatic defeat of historic significance in the Gulf. The administration, bereft of ideas, energy, and imagination, is doing nothing to stop it. On the contrary, they are working hard to blunt, deflect, and defeat such initiatives as have been forthcoming from the Congress.

You will hear from others perhaps in classified meetings as well as this one about violations of the existing sanctions against Iraq. I am sure that even the CIA, which has a nearly unbroken record of failure in assessing, understanding, and operating in the Gulf, will report how Iraqi oil is loaded on barges and shipped to UAE waters where, after appropriate fees have been collected by Iran, the cash-flows back to Saddam.

You will certainly hear that enough South Korean four-wheel-drive vehicles to equip two Republican Guard brigades made it easily through the barriers erected to enforce the current sanctions—barriers, by the way, based on 151 United Nations inspectors overseeing a country of 22 million people.

The committees will learn how Saddam controls the Republican Guards that tighten his grip on a hapless Iraqi people as they queue up to receive humanitarian food purchased with oil-for-food dollars. I think your point, Mr. Chairman, was exactly on. The Iraqis who receive food through this program, which Ambassador Pickering suggested was firmly under our control, in fact receive the food when Saddam Hussein grants them a ration card, and I leave it to you to decide who they consider to be the benefactor.

After you have been briefed by the administration and its experts, after you have examined the facts about the efficacy of the current sanctions and the prospects of their being kept in place and made effective, I suspect you will come to the following 10 conclusions, which I urge you to consider.

First, there is no reason to believe that a continuation of the sanctions will drive Saddam Hussein from power in Iraq, or that they will be effective in eliminating his relentless pursuit of weapons of mass destruction.

Second, the pressure to relax sanctions, which has already pushed to more than $10 billion per year the amount of revenue Iraq is allowed to receive from the sale of oil, will not subside and will almost certainly increase.

Third, the French, Russians, and others will continue to agitate for the further relaxation of sanctions and the United States will almost certainly make further concessions in this regard.

Fourth, there are already significant violations of the sanctions, and these can be expected to continue and even increase. The United Nations is hopelessly ill-equipped to monitor and enforce a strict sanctions regime.

Fifth, Saddam's exploitation of the health and hunger issue has created the impression that sanctions and not Saddam's manipulation of the humanitarian food and medicine programs are the cause of mass suffering and ill-health in Iraq.

Sixth, no one in the region—no one in the region believes that the United States has or will soon adopt a policy that could be effective in bringing Saddam down. The result was a collapse of the support for the United States when it blustered about getting

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tough with Saddam, and an inexorable drift away from the U.S. and toward Saddam.

Seventh, when the sanctions have diminished, as they inevitably will, when they have been eroded by circumvention, relaxation, and delegitimization, Saddam's triumph will be complete and he will become the dominant political force in the Gulf region, with disastrous consequences for the United States and its allies.

Eighth, Saddam's eventual political victory will be followed by a restoration of his military power.

Ninth, only a policy that is openly based on the need to eliminate Saddam Hussein's regime has any hope of attracting sufficient support in the region to succeed.

And finally, tenth, without legislation and other pressure on the administration, there will be no change in current policy. Previous congressional initiatives will be sidelined or ignored, and irreparable damage will be done to the position of the United States in the region and the world.

Thank you, Mr. Chairman.

[The prepared statement of Mr. Perle follows:]

PREPARED STATEMENT OF RICHARD PERLE

The Committee has convened this hearing to examine the question "Iraq: are sanctions collapsing?" You will hear at least three perspectives on this issue this morning, probably more.

I can give you mine with some efficiency: the sanctions regime is indeed collapsing, along with American policy toward Iraq. In fact, there is little to distinguish the Iraq sanctions from American policy since American policy is nothing more than the desperate embrace of sanctions of diminishing effectiveness punctuated by occasional whining, frequent bluster, political retreat and military paralysis. What the Administration calls a policy of containment has become an embarrassment as our friends and allies in the region and elsewhere ignore our reckless imprecations and reposition themselves for Saddam's triumph over the United States.

More than six years after his defeat in Desert Storm, Saddam Hussein is outsmarting, outmaneuvering and outflanking what may be the weakest foreign policy team in any American administration in the second half of the century. The coalition once arrayed against Saddam is in disarray, marking a stunning reversal of the position of leadership occupied by the United States just six years ago.

Ambassador Pickering will undoubtedly tell you everything is fine, that American diplomacy in the Gulf is determined and effective, that we have been and will continue to be successful in "containing" Saddam.

But everything isn't fine; American diplomacy in the Gulf is weak and ineffective; we have been failing to contain Saddam politically; and he is getting stronger as American policy becomes manifestly weaker. The United States, mass-marketer to the world, is losing a propaganda war with Saddam Hussein, mass-murderer of his own citizens, over the issue of humanitarian concern. With much of the world believing that Iraqi babies are starving because of U.S. policies rather than the policies of Saddam Hussein, we are facing a political-diplomatic defeat of historic significance in the Gulf and the Administration, bereft of ideas, energy or imagination, is doing nothing to stop it.

You will hear from others, perhaps in classified meetings as well as this one, about violations of the existing sanctions against Iraq. I am sure that even the CIA, which has a nearly unbroken record of failure in assessing, understanding and operating in the Gulf, will report how Iraqi oil is loaded on barges and shipped to UAE waters where, after appropriate fees have been collected by Iran, the cash flows back to Saddam. You will certainly hear about how enough South Korean four wheel drive vehicles to equip two Republican Guard brigades made it easily through the barriers erected to enforce the current sanctions-barriers, by the way, based on 151 United Nations inspectors overseeing a country of 22 million people. The Committees will learn how Saddam controls the ration cards that tighten his grip on a hapless Iraqi people as they queue up to receive humanitarian food supplies purchased with "oil for food" dollars.

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After you have been briefed by the Administration and its experts, after you have examined the facts about the efficacy of the current sanctions and the prospects that they can be kept in place and made effective, I suspect you will come to the following 10 conclusions, which I urge you to consider:

First, there no reason to believe that a continuation of the sanctions will drive Saddam Hussein from power in Iraq or that they will be effective in eliminating his relentless pursuit of weapons of mass destruction.

Second, the pressure to relax the sanctions, which has already pushed to more than $10 billion per year the amount of revenue Iraq is allowed from the sale of oil, will not subside and will almost certainly increase.

Third, the French, Russians and others will continue to agitate for the further relaxation of sanctions and the United states will almost certainly make further concessions in this regard.

Fourth, there are already significant violations of the sanctions and these can be expected to continue and even increase. The United Nations is hopelessly ill-equipped to monitor and enforce a strict sanctions regime.

Fifth, Saddam's exploitation of the health and hunger issue has created the impression that sanctions, and not Saddam's manipulation of the humanitarian food and medicine programs, is the cause of mass suffering and ill health in Iraq.

Sixth, No one in the region believes that the United States has or will soon adopt a policy that could be effective in bringing Saddam down. The result was a collapse of support for the United States when it blustered about getting tough with Saddam-and an inexorable drift away from the U.S. and toward Saddam.

Seventh, When the sanctions have diminished, as they inevitably will, when they have been eroded by circumvention, relaxation and de-legitimization, Saddam's triumph will be complete and he will become the predominant political force in the Gulf region with disastrous consequences for the United States and its allies.

Eighth, Saddam's eventual political victory will be followed by a restoration of his military power.

Ninth, only a policy that is openly based on the need to eliminate the Saddam Hussein regime has any hope of attracting sufficient support in the region to succeed.

Tenth, without legislation and other pressure on the Administration there will be no change in current policy, previous Congressional initiatives will be sidelined or ignored and irreparable damage will be done to the position of the United States in the region and the world.

Chairman MURKOWSKI. Thank you very much for those very sobering points. I would defer questions until we finish the panel, with the agreement of Senator Robb, and call on David Kay, vice president and director of the Center for Counterterrorism. Please proceed, Dr. Kay.

STATEMENT OF DR. DAVID KAY, VICE PRESIDENT AND DIRECTOR OF THE CENTER FOR COUNTERTERRORISM, SAIC, AND FORMER UNSCOM NUCLEAR INSPECTOR, MCLEAN, VA

Dr. KAY. Thank you, Mr. Chairman, and I will submit my full paper for the record with your indulgence, and only concentrate on that part of the paper that deals with the effectiveness of sanctions and inspections. I would say, however, that I quite agree with you, Mr. Chairman, and Senator Hagel, that any long-term approach to Iraq has got to be focused on the political issue of the survival and the ultimate removal of Saddam Hussein.

The only second comment I would like to preface is, and echoing the committee's earlier words to Tom Pickering, Ambassador Pickering played a pivotal role in American diplomacy toward the Gulf, as well as my own personal career.

When I was leading inspections in Iraq after the war, and I looked back to Washington and New York, I could have no better friend nor wiser counselor than ambassador Tom Pickering, who led and in many ways formed the coalition that supported American entry in the Gulf, and whatever I have to say in no way di-

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minishes my respect for Ambassador Pickering as a diplomat and a wise and, I must say, ardent defender of American foreign policy.

There is no reason today to believe that diffusing the crisis in February and March with Iraq, however, equates to any long-term solution to Iraq led by Saddam and Iraq armed with WMD weapons.

Indeed, I think, and I applaud the committee for its work today, the start of any sensible long-term approach to Iraq is to realize that UNSCOM's arms inspections are sliding toward irrelevance in coping with the puzzle of how we in fact cope with an enduring Saddam and efforts to expand and protect his capacity of weapons of mass destruction.

We started in 1991 with four real assumptions about Saddam, and they have all turned out to be false, and in fact I think that is why the committee and U.S. foreign policy is where it is today.

We believed that Saddam would not continue to rule Iraq after the tragedy of his invasion of Kuwait and his expulsion as a result of the Gulf War.

We believed—and it is hard to imagine this today, the extent of this, but we really believed that Iraq's WMD capacity was limited, and not indigenous, and I will just give you an example. Of the three sites struck during the Gulf War believed to be Saddam's total biological weapons capacity production sites, not a single one was active at the time of the war. They had moved on to other sites.

Of the 25 sites the inspectors found in his nuclear program, only six had been struck by the end of the war—struck from the air by the end of the war. In other words, we did not know, on balance, of over 18 sites that existed, and I could go on.

We believed that a post Saddam regime in Iraq would surrender those weapons of mass destruction, and finally, we believed, once those weapons were surrendered to the inspectors, the inspectors could destroy, remove, or render harmless those weapons.

Fundamentally, all of these assumptions have turned out to be false, and that is why we are where we are today, 7 years later.

You know, it is remarkable, the Bush administration had every reason from an American perspective to believe that no regime could survive the disastrous policy that Saddam had led his country into, and that is true for a democratic regime, but it stands as another stark reminder of the dangers of attempting to understand and predict foreign societies from our own values.

As I wrote those words this weekend, I had echoing in my mind the statements of the last 2 weeks of the administration as it looked at in sharp abhorrence at how could the Indians take their country down a road of nuclear armament, and how could they lie to us about their doing it.

We seem to be condemned to learn, every 2 to 3 years, that other regimes have different sets of values, different cultural mores, and we suffer if we believe they are like us.

Saddam's Iraq was and is a fierce totalitarian regime. He rules by the coercive application of power against his own citizens, and will not tumble through the force of his own people.

If any Iraqi were to be so foolish as to behave like an Indonesian, he would not be today sitting in power in Indonesia, as in fact the

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Indonesian students have really removed a regime from power. It would be—and there is historic precedent. This is not a matter of theory. The Iraqi would be dead.

What is much less well understood, but I think what is really key to what you are examining today, is the impact that we, the inspectors, made on the gigantic scope and indigenous nature of Iraq's weapons of mass destruction program. Over more than a decade, Iraq had spent $40 billion on its nuclear, chemical, biological, and missile program. There were more than 40,000 Iraqis in that program.

The Iraqis' weapons of mass destruction program by the late 1980's had become not a foreign program, and that is not to say that there was not western technology that was key to that program, but by the time we got to the 1980's, that was an Iraqi program. They know the secrets of how to produce chemical, biological, nuclear, and missile programs. They had mastered the production elements of them.

The essence of where we found ourselves by the end of the first year of inspections is the realization that Iraq was not Libya. Iraq was very much like post Versailles Germany at the end of the first world war. That is, sanctions and inspections would lose their effectiveness over time because, indeed, what was needed was less money than the freedom to pursue, in a clandestine way, secrets that the Iraqis had learned and did not need foreign support for.

Just given the discussion in the last hour-and-a-half with Ambassador Pickering, I would like to call to the committee's mind what I know Ambassador Pickering knows is one of the discoveries we made very early on in the Iraqi inspections was that the cover name for the Iraqi nuclear weapons program was PC3, petrochemical project 3.

Now, there was a legitimate PC1, a legitimate PC2, and a legitimate PC4. It was masked in the very nature of the dual use industries in Iraq, and it was masked to fool the West. I think you are seeing, as sanctions erode, as Iraq gains the right to impact and enhance its own petroleum industry, exactly that same process opening up again to Iraq.

The capability to produce weapons of mass destruction in Iraq cannot be eliminated by eliminating weapons factories. We can delay, we may limit in scope, but in essence, the key to Iraq's ability to produce weapons of mass destruction is their own technical talent, and none of us know how to eliminate that.

Sanctions are useful as a means of limiting the scope of that program, the freedom to maneuver it, but in essence, in Iraq we really face a political problem that can only be addressed by removing Saddam Hussein from power.

But let me say a few things about the erosion of both sanctions and inspections.

Chairman MURKOWSKI. I wonder if you could summarize the balance?

Dr. KAY. I will summarize it very quickly. The crisis of the last few months, beginning in November and December of last year and supposedly ending in February, was formulated as a crisis of inspection rights and meeting unconditional access to sites. Just as

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sanctions are a tool and not a policy, unconditional access is a tool of inspection and not an end in itself.

What we have ended up with, and in fact the committee has heard already the words of Ambassador Butler, we have ended up in a situation of controlled access masquerading as unrestricted access, but finding no weapons.

In fact, if you read the report given by the chief inspector after the last round of inspections, it was that this was a visit. This was not an inspection. The Iraqis had had more than 4 months to clean up the sites. We expected to find nothing, and we found nothing.

So in essence we are the point, 7 years later, of Iraq's weapons of mass destruction program, the key kernel of it technical ability being intact, and all that is lacking is the opportunity to gain money and the irony is that it takes a lot less money today than it did when Saddam embarked upon this program to launch that.

Very quickly, Senator, that is the essence of my statement.

[The prepared statement of Dr. Kay follows:]

PREPARED STATEMENT OF DAVID A. KAY [1]

The Kofi Annan brokered agreement of February removed, at least temporarily, Iraq from the headlines and talk shows. There is no reason, however, to believe that defusing a crisis over the inspection rights of UNSCOM equates to a tong term solution to an Iraq led by Saddam and armed with WMD. Indeed the start of any sensible long-term approach to Iraq is to realize that the UNSCOM arms inspections are sliding toward irrelevance in coping with the puzzle of an enduring Saddam and his efforts to protect and expand his capacity to produce weapons of mass destruction.

UNSCOM's efforts to eliminate Saddam's WMD capacity were based on four assumptions, all of which have turned out to be false. These were:

(i) Saddam's rule would not survive the disasters suffered by Iraq as a result of its invasion of Kuwait;
(ii) Iraq's WMD capabilities were not extensive nor significantly indigenous;
(iii) a post-Saddam Iraq would declare to UNSCOM all of Iraq's WMD capabilities;
(iv) UNSCOM would be able to "destroy, remove or render harmless" Iraq's WMD capabilities leaving an Iraq that would not have WMD capability as an enduring legacy.

The reasoning of Bush Administration officials that no regime could survive a disaster as compelling as Iraq's defeat in the Gulf War was no doubt true for a democratic system. Saddam's endurance, however, stands as yet another stark reminder of the dangers of attempting to understand the world on the basis solely of our own values and experience. Saddam's Iraq was and is a fierce, totalitarian dictatorship that can survive as long as it maintains coercive power over its citizens. Once Saddam's survival became a fact then all hope of his voluntarily yielding up the very weapons that allow him to hope to dominate the region was lost.

What is much less well understood is the impact that the discovery of the gigantic scope and indigenous nature of Saddam's weapons program had on the prospects of being able to eliminate this program by inspection alone. We now know that the Iraqi efforts to build an arsenal of weapons of mass destruction:

- spanned a decade;
- cost more than $20 Billion;
- involved more than 40,000 Iraqis and succeed in mastering all the technical and most of the productions steps necessary to acquire a devil's armory of nuclear, chemical and biological weapons as well as the missiles necessary to deliver them over vast distances.

Iraq's weapons programs benefited greatly from access to Western technology and material, however, by the time of the invasion of Kuwait this program had become

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[1] David A. Kay led for the International Atomic Energy Agency and UNSCOM, three arms inspection missions as chief nuclear weapons inspector in Iraq during 1991-92. Now a Corporate vice president with San Diego-headquartered Science Applications International Corp., he is based in McLean, Va. The views expressed here are entirely his own and do not represent the views of SAIC.

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thoroughly indigenous and for reasons of both deception and efficiency was often embedded in civilian, dual-use industries. The over-all project code for the Iraqi nuclear weapons program was PC-3 Petrochemical Project 3.

The capability to produce weapons of mass destruction cannot be eliminated by simply destroying "weapons" facilities. The weapons secrets are now Iraqi secrets well understood by a large stratum of Iraq's technical elite, and the production capabilities necessary to turn these "secrets" into weapons are part and parcel of the domestic infrastructure of Iraq which will survive even the most draconian of sanctions regimes. Simply put, Iraq is not Libya, but very much like post-Versailles Germany in terms of its ability to maintain a weapons capability in the teeth of international inspections. Once sanctions are eased, or ended, that capability can be expected to become quickly a reality.

For seven years, US Iraqi policy has focused essentially on only two related issues, maintaining sanctions and keeping UNSCOM's inspections going. The hope was that inspections and sanctions would keep Saddam's WMD program in check until somehow Saddam would disappear. While sanctions and inspections still have considerable value, the Annan agreement makes clear that they no longer can define US policy and, in fact concentrating on them has masked a series of challenges that the US must now face.

The most recent crisis with Iraq over sanctions began in October 1997 and ended with an agreement brokered by the UN Secretary General in February-March 1998. This most recent dispute with Iraq has been widely portrayed as over the right of the inspectors to immediate, unconditional and unrestricted access in their search for Iraq's remaining weapons of mass destruction. This formulation of the crisis—and it is one that Iraq has succeeded in be widely accepted—is fundamentally wrong. Immediate, unconditional and unrestricted access has never been more than a means—important, but still a means—to achieve the primary objective of the UN inspectors which is defined as the "destruction, removal or rendering harmless" of Iraq's prohibited weapons of mass destruction and their means of production.

The consequence of this misconception can be seen in the contrasting manner in which the diplomatic nannies that the Secretary General and Iraq agreed must accompany the inspectors to designated sensitive sites reported on the first series of visits as opposed to the report prepared by the inspectors that the diplomats accompanied.

- The diplomats' report[2] concerns itself entirely with issues of access and resolving disputes that occurred over access. The tone is positive and is well reflected in the statement by the President of the Security Council when the Council on 14 May 1998 reviewed the report. The President of the Security Council, on behalf of the Council, welcomes the improved access provided to the Special Commission and the IAEA by the Government of Iraq following the signature of the Memorandum of Understanding by the Deputy Prime Minister of Iraq and the Secretary General on 23 February' and its subsequent approval by the Council.
- The head of the inspectors, however, struck a quite different tone. For example, "The initial entry to the sites had limited objectives, which were achieved. It is important to emphasize that this mission was not a search-type mission, nor was it no-notice. Iraq had over a month to make whatever preparations it desired... The mission was not intended to be a search for prohibited material and none was found. In fact, there was very little equipment, documentation or other material in the sites at all. It was clearly apparent that all sites had undergone extensive evacuation.... Another potential problem surfaced regarding the procedures and stated requirements for the presence of senior diplomats at specific locations. Iraq stated that UNSCOM and IAEA staff could not enter buildings without a diplomat being present. This did not pose a problem during the course of this mission since many diplomats were present and it was not a surprise visit. However, it must be noted that the procedures do not contain any such requirement and in fact allow for the division of the team into subteams at the discretion of the Head of the Team of Experts. There is no stated requirement for a senior diplomat to be present in each sub-team. In the future this may be problematic since no-notice visits require quick movement into the location often by multiple sub-teams. Assuring the presence of several diplomats at all locations will inhibit the possibility of surprise, since non-Baghdad-based senior diplomats may then be required."
- The Chairman of UNSCOM, Ambassador Butler, summed up best the consequence of focusing on access and forgetting the reason that access is important when he submitted in April his latest semi-annual report on the inspec-

[2] United Nations S/1998/326.

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tions. "...as is evident in the disarmament section of this report, a major consequence of the four-month crisis authored by Iraq has been that, in contrast with the prior reporting period, virtually no progress in verifying disarmament has been able to be reported. If this is what Iraq intended by the crisis, then, in large measure, it could be said to have been successful. Iraq's heightened policy of disarmament by declaration, no matter how vigorously pushed or stridently voiced, cannot remove the need for verification as the key means through which the credibility of its claim can be established."

Unfortunately, Ambassador Butler is correct. Iraq has been successful. The focus now has shifted to procedure and process. The real aim of the inspections, the elimination of Iraq's WMD weapons and production capacity and the establishment of a long-term monitoring process is sliding away in the face of resolute Iraqi defiance and the desire of the Russians and the French for short-term economic gain. We should also credit a successful Iraqi propaganda campaign that has gone unanswered and has convinced many in the Gulf and in our own country that the US is responsible for keeping on economic sanctions that have devastated Iraq women and children.

The major problems that now must be confronted include:

The security structure that Secretary Baker crafted to respond to Iraq's invasion of Kuwait is no longer viable. Major states in the region, certainly including Egypt, Saudi Arabia and the UAE, are no longer willing to let an automatic anti-Saddam reflex define their policy in the Gulf. Even states, such as Kuwait and Bahrain, which are much more dependent upon the US for their security, are resisting US leadership when it threatens military confrontation. Equally important, Iran is no longer the marginalized state that it was in 1990-91 and has learned to skillfully play each crisis to benefit its long-term goal of removing US influence from the Gulf.

We are left with "allies" that lack sufficient military power to stand up to a rearmed Iraq, and that are unwilling to provide the US with the political support and operational bases that would allow the US to deal with Iraq even in its present weakened state. This same splintering of alliance ties can be seen in the non-regional allies that were a key part of Gulf coalition structure. The French are no longer willing partners, and the Russians can no longer be coerced or bribed into silent cooperation.

The US has failed to convince its allies of the dangers to themselves of the proliferation of weapons of mass destruction in the tinderbox Middle East. Also we have not yet equipped our own military forces to be able to fight and win when faced with such a threat at costs and risks that appear tolerable to our own citizens and political leaders. If there were ever a psychological campaign that either was not fought or misfired, it has been the US effort to make the states of the Gulf and our European and Asian allies understand how much more dangerous the future is about to become as Iraq rebuilds its nuclear, chemical and biological weapons, the Iranians further accelerate their own efforts and the rest of the region scrambles for political and military protection.

The US military build up in the Gulf between October 1997 and February 1998 should send shockwaves through both policy makers and Congressional leaders who though that some important lessons had been learned as a result of the Gulf War. First, the build up took almost five months to reach a force level that military commanders seem to think was adequate to achieve an admittedly shifting set of political objectives. This was almost as long as it took the US to deploy a much larger force to meet the invasion of Kuwait.

True to the warnings of many who said we should never again give an opponent that much time to counter our force deployment, Saddam used the time to hammer our forces—not with Scuds and chemical weapons but with a political campaign that was probably even more effective. Second, the US forces that came to do battle brought smarter weapons, but none that their commanders seemed to be confident could find or kill chemical and biological weapons without risking unacceptable damage to civilians in the region. It is hard to escape the conclusion that the much-touted US counterproliferation forces are not yet ready to meet the standards that they must if they are to be a real threat to proliferators.

If these are the major problems, what choices are we left with? Few and mostly bad in the short run is the simple answer. The easy nostrums—support the opposition, containment as we did with the Soviets, or even Annan's "I can do business with Saddam"—seem expensive, risky and, at best, only partial answers.

The best hope of the opposition was in the chaos at the end of the Gulf War. This opportunity, however, was lost when the US decided to stand aside and let Saddam freely slaughter many brave Iraqis. In the seven intervening years US policy toward the opposition has grown to resemble nothing so much as the mating ritual of the

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female Back Widow—promising but quickly lethal to the male. I do not believe that it is true that supporting forces of democratic change is something that Americans are genetically unable to do. It is clear, however, that we generally are so inept at it that it is likely to deplete the gene pool of promising opponents to tyrants before we are successful. It is certainly a policy worth another try, if you can find any of Saddam's opponents willing to run the risk of having us support them, but it is not a policy that will offer short term successes.

Containment has a nice ring and the virtue of a clear success in the fall of the Soviet Union. On the other hand, one can only despair that those who urge containment of Saddam as an appropriate policy have not examined the preconditions of the Cold War case to see if they exist in the Gulf. The US maintained for 40 years more than a million troops in Europe as part of its effort to contain the Soviets and invested vast resources in the social, political and economic reconstruction of Europe into a bastion of democratic values. In the Gulf there is no simple overriding fear of Saddam that will dominate all politics the way the Soviet threat did. For example, the Iranians who have every reason to fear the Iraqis will not see a US presence that contains Saddam as serving their interest. Many holders of traditional tribal societal and fundamentalist religious values will worry more about the threat of democratic and modern influences that flow from US presence than they will the threat from Iraq. Some of the states in the region are more fearful of a rapid democratic modernization of their societies than they are of Saddam.

Political change in Iraq holds the only hope for eliminating Iraq's capacity for producing weapons of mass destruction and the equally dangerous arms race that is about to ignite across the Gulf. Clearly Saddam needs to be held in check, that is contained, while the forces of political change are given a chance to work. But a policy that is solely one of containment is more likely to ignite the fires of anti-Americanism, undermine our allies and embolden Iraq, Iran and Russia than it is to accelerate political change. The various opposition groups inside and outside Iraq clearly have a role in accelerating political change, although I doubt that this will be greatly hastened by covert assistance programs.

Political change seems most likely to be accelerated by four factors:

- First, the external world must make it clear that Saddam will not be part of the solution. Annan is wrong. We must clearly insist that we cannot "do business" with Saddam. There should be no "ifs, ands, buts" or escape clauses of deathbed conversions to this policy. If we are less than committed to the removal of Saddam as a precondition for the reintegration of Iraq into the global system we will have Saddam and destroy all opposition groups.
- Second, a better definition is needed of what post-Saddam Iraq can expect in terms of reconstruction and reintegration into the world. Iraq has become a land of sorrow and little hope. Saddam bears the ultimate responsibility for this fate, but we all share a failure to hold up a compelling vision of what the future can be for the Iraqi people.
- Third, the US must abandon the myth that it helped create that there can be a stable Gulf policy apart from a stable Middle East. This myth served US interests well during the Cold War, but we forget that it was never more than a useful myth. Unless and until the security needs of Israel and its neighbors can be reconciled and jointly shared, long-term stability in the Gulf will be an unattainable dream. This is not to say that the Gulf does not have many problems of its own that require resolution, but as long as Arab-Israeli politics remains characterized by daily violence and deep distrust, stability in the Gulf will never be possible.
- Fourth, the US military needs to drive to rapid completion the restructuring of its forces and doctrine. In situations that look like neither the Cold War of Central Europe nor the idealized situation we found in Desert Storm, we must be able to credibly and quickly bring to bear decisive military force. Diplomacy is not likely to be strengthened by a military force and deployment structure that gives the opponent time to raise questions about our own adequacy, even more so when those questions start to resonate at home.
- Fifth, U.S. intelligence—and more broadly all of the institutions of U.S. national security and foreign policy—must rediscover that oldest tool of true covert operations, information operations that aim to shape the perceptions of opponents. As in most things, it is fair to say that the Chinese first did it and the Greeks first got credit for it, but information operations should be a technique at which Americans excel. We apparently do when it comes to domestic politics and consumer marketing. Our record, however, in foreign operations—and never more so than in Iraq after the Gulf War—is sadly wanting. I commend, and strongly urge that everyone carefully read, the recent comments of Representative Porter

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J. Goss, Chairman of House intelligence committee, on the importance of information operations to the revitalization of U.S. intelligence.

Iraq is of a class of problems where all the easy answers seem to have been in the past and all the near terms options are not answers. But that is the future in the Middle East. If it is of any comfort, we should all acknowledge there were never any easy answers in the past.

Chairman MURKOWSKI. Thank you very much, Dr. Kay. You have certainly highlighted some statements that are provoking, relative to parallels between Iraq's posture and that of post Versailles Germany.

Dr. Pollack. He is a Persian Gulf analyst with the Washington Institute for Near East Policy. We welcome you, and ask you to proceed.

STATEMENT OF DR. KEN POLLACK, PERSIAN GULF ANALYST, WASHINGTON INSTITUTE FOR NEAR EAST POLICY, WASHINGTON, DC

Dr. POLLACK. I, too, will submit more extensive comments for the record——

Chairman MURKOWSKI. Without objection.

Dr. POLLACK. [continuing]. and present only an abbreviated version.

Mr. Chairman, the obvious problem that the United States faces today with regard to Iraq is that we have no perfect option toward Iraq. There are policies we can adopt that would solve the problems of Saddam Hussein forever, but they come at a price we may be loath to pay. There are policies we could adopt that would come at an acceptable price, but they offer no permanent solution, at least not in the short term.

Indeed, it is this conundrum that drove us to containment of Iraq after the Gulf War just as similar conundrums drove us to accept the containment of the Soviet Union, of Communist China, of North Korea, and of Cuba, in their time.

I, too, share popular frustrations with containment of Iraq. I, too, would like to find ways to get rid of Saddam Hussein quickly, but I am forced to accept the logic that containment is the best course of action toward Iraq. For better or worse, containment is our only reasonable course of action toward Iraq at present. Indeed, even a more aggressive policy toward Iraq would have to build off the base of containment.

Unless we choose to give up on Iraq and accommodate Saddam, or else invade the country, any policy toward Iraq will simply be a variant of containment.

At this point in time, I think we have to rule out either accommodating Saddam or invading Iraq. Everything we are left with is a variant of containment in some way or another. Even the idea of supporting the Iraqi opposition against Saddam is just going to be an adjunct of a containment policy rather than an alternative to it.

It would take a tremendous effort on the part of the United States, including hundreds of millions of dollars and several years, to reform, reorganize, rearm, and retrain the Iraqi opposition to the point where it could return to Iraq as a credible opposition. During the years it would require to support an Iraqi opposition capable

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of effective operations inside Iraq the United States would still have to keep Saddam weak and isolated through containment.

Thus, Mr. Chairman, we would return inevitably to containment at all times, not because it is the best policy, but because it is the least worst option we have available to us.

Nevertheless, while it is clear that the United States will have to rely on some form of containment, it is equally clear that we cannot continue with business as usual. We are reaching a point where we must act to restore containment, to bolster it so that it can last over the long term.

Containment is under attack from a variety of directions, and these attacks are doing real damage. We are already being forced to make concessions in some areas of the containment regime in order to hold the line on others. In the future, to make containment last we will have to make additional tradeoffs.

The question that the United States must answer is, what kind of a containment regime do we want to have, and what tradeoffs are we willing to make?

Essentially, there are two different sets of tradeoffs we could make to bolster containment. On the one hand, we could make tradeoffs among our various foreign policy agendas. We could make concessions on some foreign policy issues in hope of securing greater cooperation from our allies on Iraq.

On the other hand, we could make tradeoffs within our Iraq policy. We could make concessions on some aspects of the sanctions and inspections regimes in order to lock in other, more important mechanisms for the long-term.

The former option I call broad containment. The goal of this approach would be to preserve the current sanctions against Iraq intact and in toto. There is real reason to try to preserve containment as it currently exists.

Simply put, the containment of Iraq we have held in place over the last 7 years is the most far-reaching and effective the modern world has seen. Bad-mouth it though we may, fret over Saddam's noncompliance though we may, the sanctions and inspections regimes established after Iraq's invasion of Kuwait have been remarkably successful.

Iraq's military continues to wither. UNSCOM has obliterated vast quantities of Iraq's weapons of mass destruction and, ultimately, Baghdad remains isolated. If we can find a way to keep this policy intact and hold it together over the long-term, we should do so.

Unfortunately, it is the very strength and comprehensiveness of broad containment that has created our problem. It is the effectiveness of this containment regime that provokes Baghdad to fight it so ferociously, and that causes France, Russia, China, and so many other States to increasingly oppose it. Consequently, if we are going to keep containment this strong and this comprehensive, we will have to be willing to make very significant sacrifices on other issues to hold it together.

Ultimately, Iraq is not a primary foreign policy concern for France, nor is it for Russia, nor for China, or Egypt, or most countries in the world. For most of the world, Iraq is less important to them than it is to the United States.

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On the other hand, there are policy issues that matter far more to these other countries than does Iraq. Consequently, if the United States is going to hold on to broad containment of Iraq, it will have to be willing to make concessions to other States on foreign policy issues more important to them than Iraq.

If we are unwilling to make sacrifices on other foreign policy issues to try to persuade other nations to be more cooperative on Iraq, the alternative is to make concessions within the containment regime itself.

The option I will call narrow containment would tradeoff the more comprehensive aspects of the sanctions currently in existence in return for a new set of international agreements locking in the most important aspects of containment over the long term.

There are four areas that are crucial to the continued containment of Iraq over the long-term, limiting Iraq's conventional military, preventing Iraq from acquiring weapons of mass destruction, maintaining Iraq's diplomatic isolation, and monitoring Iraqi spending.

A policy of narrow containment would envision trading off other aspects of the current containment regime in return for locking in regulations that will allow containment of Iraq to continue in these four areas. It would envision new international agreements reaffirming the prohibition on Iraqi weapons of mass destruction, banning the sale of offensive conventional weaponry to Iraq, and reaffirming the inviability of Iraq's international borders.

Now, depending on what the international community would be able to agree to under a policy of narrow containment, the United States would have to be prepared to make concessions on Iraqi imports and exports other than arms and dual use technology, frozen assets, the no-fly zones, the no-drive zones, flight bans, Iraqi compensation to its victims, and even the return of Kuwaiti property stolen during the Iraqi occupation of Kuwait.

Mr. Chairman, to summarize and conclude, although we do not have any perfect options toward Iraq, we cannot afford not to choose among those we have. Because of the pressures on the current sanctions and inspections regime and because of the compromises we have already been forced to make in response to those pressures, simply muddling through, of which I am often a proponent, will not do.

The United States has no choice but to employ some variant of containment, but we must decide which variant we will employ. We must develop a cohesive strategy to implement it, and we must devote all necessary attention and resources toward executing it.

Our Iraq policy faces considerable challenges, but it is hardly dead. If we do not give it the attention and resources it requires, containment will continue to erode, and 1 day we could wake up with no choice but to either invade Iraq or accommodate Saddam.

However, there is every reason to believe that containment can be reformed and made to last over the long term. We Americans do not like containment, but we happen to be very good at it. We contained the Soviet Union for 45 years, until it collapsed. We continue to contain both Cuba and North Korea with relatively little effort. All of these States were far more formidable adversaries than Iraq will ever be.

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Mr. Chairman, there is no reason we cannot continue to contain Iraq as we contain these other rogue States, as long as we make the effort to do so.

[The prepared statement of Dr. Pollack follows:]

PREPARED STATEMENT OF DR. KENNETH M. POLLACK,

It is an honor to appear before this committee to discuss the future of sanctions and U.S. policy toward Iraq.

Mr. Chairman, the greatest problem that the United States faces today with regard to Iraq is that we have no perfect option. There are policies we could adopt that would solve the problem of Saddam Husayn forever, but they come at a price we are loathe to pay. There are polices that we could adopt that would come at an acceptable price, but they offer no permanent solution—at least not in the short term. Unfortunately, there are no policies that would allow us to solve the problem of Saddam Husayn in the foreseeable future and do so at a reasonable cost in lives and treasure.

Indeed, it is this conundrum that drove us to containment of Iraq after the Gulf War, just as similar conundrums drove us to accept containment of the Soviet Union, Communist China, North Korea, and Cuba, in their time. Containment is a difficult policy for Americans to stomach. Not only because the United States is the most powerful nation the world has ever seen and it is enraging to believe that we cannot rid ourselves of this loathsome dictator with the flick of a finger, but because we as Americans like to solve our problems. We are an impatient people and a capable people: when we have a problem we solve it and we move on. Containment is an admission that we cannot find a quick solution to a difficult problem.

I too share popular frustrations with containment. I too would like to find a way to get rid of Saddam Husayn. But I am forced to accept the logic that containment is our best course of action toward Iraq.

Containment is our *only* reasonable course of action toward Iraq. Indeed, even a more aggressive policy toward Iraq would have to build off the base of containment: unless we choose to give up on Iraq or invade the country, any policy toward Iraq will simply be a variant of containment.

THE EXTREME OPTIONS ARE TOO EXTREME

There are essentially two alternatives to some form of containment. On the one hand, we could adopt the policy urged on us by our French allies and accommodate Saddam—or as they put it, "learn to live with Saddam". We could agree to a lifting of the sanctions, dismantle UNSCOM, attempt to use carrots to lure Iraq back into the family of nations, and rely on pure deterrence to prevent him from employing his conventional and non-conventional military power to threaten U.S. allies in the region.

Mr. Chairman, we tried this approach in the 1980s and it failed. Miserably. I would like to believe that we learn from our mistakes, rather than repeat them. Saddam Husayn has demonstrated that his aspirations and idiosyncrasies make him uniquely threatening to the region. What is more, since the Gulf War, Saddam has concluded in a way he had not before that the United States is his implacable adversary and the greatest obstacle to his ambitions. No matter how accommodating the United States may be, if Saddam is freed from his bondage, he will work tirelessly against the U.S. in the Gulf, in the Middle East, and wherever he can throughout the world. As long as Saddam Husayn is in power in Iraq, we cannot forgive or forget.

On the other hand, there are those who have argued for an outright American invasion of Iraq. Mr. Chairman, I do not dismiss the notion of an American invasion, because this is the only policy option that would be guaranteed to rid us of the problem of Saddam. However, I recognize that there are very serious costs which I do not believe the United States is yet willing to pay, and very serious risks for which I do not believe the United States yet has answers.

There is no question that the United States military could conquer Iraq, destroy the Republican Guard, extirpate Iraq's weapons of mass destruction, and hunt down Saddam Husayn. But doing so will cost tens of billions of dollars, hundreds (perhaps thousands) of American lives, and tens of thousands of Iraqi lives. What's more there are several very important wild cards in the deck: if the Republican Guard decided to fight it out with us in Iraq's cities, casualties—both in terms of American servicemen and Iraqi civilians—could increase exponentially. Likewise, we would have to expect that with his back to the wall, Saddam would have little incentive to refrain from using his remaining arsenal of weapons of mass destruction either

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against U.S. forces or regional allies. Finally, perhaps the greatest problem we would face would be what to do with Iraq once we had conquered it. All of Iraq's neighbors have very different ideas about what a future Iraqi state should look like. Most of these ideas are in conflict with one another, few would accord with American desires to establish a representative democracy in Iraq, and all of Iraq's neighbors have demonstrated a capability and a willingness to meddle in Iraqi affairs and undermine U.S. efforts there. In short, we would undoubtedly win the war but we could easily lose the peace if we were to invade.

At least for the moment, these are both bad options. Everything we are left with is a variant of containment in some way or another. But this does not mean that we are already doing the best we can. There are different versions of containment and important ways to reform the policy.

SUPPORTING THE IRAQI OPPOSITION

First, let me say a few words about supporting the Iraqi opposition.

Many of the Iraq experts around town simply dismiss this idea altogether. I do not. I think there could be real benefits from such an approach. I firmly believe that a real opposition with real support from the United States would put real pressure on Saddam's regime.

However, I also think we have to be realistic about the current limitations of the Iraqi opposition and the limits these failings place upon our policy. The Iraqi opposition is currently moribund. Whether you blame the Bush Administration, the Clinton administration, or the opposition leaders themselves for this state of affairs, the fact remains that the Iraqi opposition today is impotent. Its leadership is divided, it has no support inside Iraq—especially in the Sunni heartland, it has not displayed any ability to organize resistance to Saddam, and during its four years in northern Iraq it demonstrated neither military skill nor an ability to cajole meaningful numbers of Iraqi military personnel to defect to their cause. It would take a tremendous effort on the part of the United States, including hundreds of millions of dollars and several years, to reform, reorganize, rearm and retrain the Iraqi opposition to the point where it could return to Iraq as a credible opposition.

This would hold true even with a massive commitment of U.S. air power to support the Iraqi opposition. There is simply no way around the necessary time and effort to get the Iraqi opposition to the point where it could be effective enough even to walk in and occupy charred fields cleared by American air power. To do otherwise would be to invite another Bay of Pigs.

Consequently, even supporting the Iraqi opposition can only be seen, ultimately, as an adjunct to containment and not an alternative to it. During the years it would require to recruit, train and equip an Iraqi opposition capable of effective operations inside Iraq the United States will still have to keep Saddam weak and isolated through continued containment. Moreover, we must recognize that even after a viable opposition is up and running, the probability that Saddam will actually fall as a result of such an effort is low. Thus, the United States will still have to ensure an effective containment regime to guard against the very real risk, indeed the likelihood, that even a well-supported opposition will fail to remove him from power.

REFORMING CONTAINMENT

Thus, Mr. Chairman, we return inevitably to the policy of containment. Not because it is the best policy, but because it is the "least-worst" option available to us given what we hope to achieve and what we are willing to pay. Nevertheless, while it is clear that the United States will have to rely on some form of containment for the foreseeable future, it is equally clear that we cannot continue with business as usual.

Containment is under attack from a variety of directions. What's more, these attacks are doing real damage. Over the last three years, the United States has been forced to give ground on a number of issues in the face of such pressure. The United States supported Resolutions 986, and 1153 simply because we recognized that it was impossible to do otherwise. Although, one must give credit to the Administration for the ingenious approach embodied in the resolutions which make concessions on Iraqi exports while retaining control over Iraqi imports, we must still recognize that both resolutions entailed sacrificing part of the sanctions regime in the face of pressure from the international community. Similarly, our limited response to Saddam's attack on Irbil in 1996 and our willingness to accept Kofi Annan's compromise deal with Saddam in 1998 both speak to the great difficulty we now have finding states willing to support us on those occasions when it is necessary to use force to prevent or punish Iraqi defiance.

Mr. Chairman, we are reaching a point where we must act to restore containment, to bolster it so that it can last over the long-term. We are already being forced to

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make concessions in some areas of the containment regime in order to hold the line on others. In the future, to make containment last, we will have to make additional trade-offs. The question that the United States must answer is what kind of a containment regime do we want to have and what trade-offs are we willing to make.

Essentially, there are two different sets of trade-offs we could make to bolster containment. On the one hand, we could make trade-offs among our various foreign policy agendas: we could make concessions on other foreign policy issues in order to secure greater cooperation from our allies on Iraq. On the other hand, we could make trade-offs within our Iraq policy: we could make concessions on some aspects of the sanctions and inspections regimes in order to lock-in other, more important, mechanisms for the long-term.

Broad Containment. The former option I call "broad containment." The goal of this approach would be to preserve the current sanctions against Iraq intact and *in toto*. There is real reason to try to preserve containment as it currently exists. Simply put, the containment of Iraq we have held in place for the last seven years is the most far-reaching and effective the modern world has seen. Bad mouth it though we may, fret over Saddam's non-compliance though we may, the sanctions and inspections regimes established after Iraq's invasion of Kuwait have been remarkably successful: Iraq's military continues to whither, UNSCOM has obliterated vast quantities of Iraq's weapons of mass destruction, and ultimately, Bagdad remains diplomatically isolated. If we can find a way to keep this regime intact and hold it together over the long term, we should do so.

Unfortunately, it is the very strength and comprehensiveness of broad containment that has created our problem. It is the effectiveness of this containment regime that causes Baghdad to fight it so ferociously and causes France, Russia, China, and so many other states to increasingly oppose it. Consequently, if we are going to keep containment this strong and this comprehensive, we will have to be willing to make very significant sacrifices on other issues to hold it together.

Ultimately, Iraq is not a primary foreign policy concern for France. Nor is it for Russia, nor for China, or Egypt or most other countries. For most of the world, Iraq is less important to them than it is to the United States. On the other hand, there are policy issues that matter far more to these other countries than does Iraq. Consequently, if the United States is going to hold on to broad containment of Iraq it will have to be willing to make concessions to other states on foreign policy issues more important to them than Iraq. This could mean making concessions to Russia on NATO expansion, to China over trade issues, to France over Iran, and so on.

Narrow Containment. If we are unwilling to make sacrifices on other foreign policy issues to try to persuade other nations to be more cooperative on Iraq, the alternative is to make concessions within the containment regime itself. The option I will call "narrow containment" would trade-off the more comprehensive aspects of the sanctions currently in existence in return for a new set of international agreements locking in the most important aspects of containment over the long term.

There are four areas that are crucial to the continued containment of Iraq over the long-term:

- Limiting Iraq's conventional military forces. Although Iraq's WMD capability grabs the headlines, in the end, it has been Iraq's ability to project conventional military power that has proven the greatest destabilizing force in the Gulf region.
- Preventing Iraq from acquiring weapons of mass destruction. In particular, Iraqi possession of a nuclear weapon could have catastrophic consequences.
- Maintaining Iraq's diplomatic isolation. It is crucial that even under a narrow containment regime, there be no illusion that Saddam is free to act as he wants. Iraq and its neighbors must always know that Iraq will live under the constant scrutiny of the United States and the international community as long as it is ruled by Saddam Husayn.
- Monitoring Iraqi spending. Ultimately, the only way to be sure that Saddam cannot rebuild a large conventional or WMD arsenal is to continue to oversee Iraqi spending.

A policy of narrow containment would envision trading off other aspects of the current containment regime in return for locking in regulations that will allow containment of Iraq to proceed long into the future in these four areas. It would envision new international agreements re-affirming the prohibition on Iraqi possession of WMD, banning the sale of offensive conventional weaponry to Iraq (offensive weaponry here defined as tanks, combat aircraft, attack helicopters, long-range artillery, and a number of other categories of weapons), and reaffirming the inviolability of Iraq's international borders. To see these enforced, the United States would seek, among other measures, a clear reaffirmation of: UNSCOM's charter and par-

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ticularly its long-term monitoring mission; the UN escrow account for Iraqi revenues, as well as UN supervision of Iraqi imports; and Baghdad's renunciation of any use of force beyond Iraq's borders *under any circumstances.*

Depending on what the international community would be willing to agree to, under a policy of narrow containment the United States would be prepared to make concessions on Iraqi imports and exports other than arms and dual-use technology, frozen Iraqi assets, the no-fly zones, the no-drive zone, the flight bans, Iraqi compensation to victims of its aggression, and even on the return of Kuwaiti property stolen during the Iraqi occupation of Kuwait.

One of the problems we have today is that it is very hard to convince the average American, let alone the average Saudi or Egyptian, to support military action over the composition of UN inspection teams. A virtue of the narrow containment approach is that it would draw firm "red lines" around those things which the entire international community recognizes as dangerous. Thus there would be fewer restrictions on Iraqi behavior, but those that remain would be much clearer and more defensible. After all, even the French and Russians agree both publicly and privately that Iraq cannot be allowed to rearm.

The strength of narrow containment is that it uses as leverage those elements of the current containment regime which we are unlikely to be able to hold on to forever in order to strengthen our ability to hold on to that which really constrains Iraq. This last is a very important point: narrow containment is not a fall-back position from broad containment. If we allow broad containment to continue to deteriorate, we will lose the leverage we still possess to lock-in the most important restrictions on Iraq for the long-term. To be successful, narrow containment must be implemented in the near term, while we still have things to trade-off and still have time to secure international cooperation to lock-in revamped restrictions on Iraq for the long term.

Conclusions

Mr. Chairman, although we do not have any perfect options toward Iraq, we cannot afford not to choose among those we have. Because of the pressures on the current containment regime, and because of the compromises we have been forced to make in response to those pressures, simply "muddling through" of which I am often a proponent will not do.

The United States has no choice but to employ some variant of containment, either as a stand alone policy, or in conjunction with an effort to pressure the regime by supporting the Iraqi opposition. But we must decide which variant we will employ. We must develop a cohesive strategy to implement it. And we must devote all necessary attention and resources toward executing it.

If we choose to support the Iraqi opposition, we must move quickly to halt the continued disintegration of its organization and the further erosion of its meager support inside Iraq. We must also begin to work with our allies to find ways to aid the opposition without undermining the underlying containment policy.

If we choose to re-invigorate broad containment then we must decide which other aspects of American foreign policy we will be willing to sacrifice for the sake of cooperation on Iraq. We must also begin to work with our allies to craft compromises, close loopholes in the existing sanctions regime, and take decisive action either diplomatic or, if necessary, military to compel Iraq to cease its provocations and comply in full with the UN resolutions.

Finally, if we choose to move toward a narrow containment regime we must formulate our position and begin negotiations with the other members of the Security Council while we still have the leverage of comprehensive sanctions.

Our Iraq policy faces considerable challenges, but it is hardly dead. If we do not give it the attention and resources it requires, containment will continue to erode and one day we could wake up with no choice but to invade Iraq or accommodate Saddam. However, there is every reason to believe that containment can be reformed and made to last over the long term. Americans don't like containment but we happen to be very good at it. We contained the Soviet Union for 45 years until it collapsed. We continue to contain both Cuba and North Korea with relatively little effort. All of these states were far more formidable adversaries than Iraq will ever be. Mr. Chairman, there is no reason we cannot continue to contain Iraq as we contained these other rogue states, so long as we make the effort to do so.

Chairman MURKOWSKI. Thank you very much, Dr. Pollack.

I find your recommendations of containment, to reflect on the fact that we have had evidence of their success for the last 5, 6, 7 years, I think we have to ask ourselves is Saddam Hussein better

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off today than he was a year ago, 2 years ago, 3 years ago, 4 years ago?

The fact that he is able to survive and continue to rebuild his economic base, namely oil, through the reconstruction of his refineries, his exploration and production of his oilfields under this policy certainly supports his continuity as head of his regime, and I find that just a stark reality and self-evident as a consequence of our containment policy.

Your reference that—the importance of Iraq relative to other parts of the world is interesting, as we reflect on the reality that we saw Iraq and its objectives 7 years ago important enough to fight a war over. The war was over oil and power. Who won that war? Saddam Hussein is still with us, and still surviving, and I think, if we honestly ask the question, Saddam Hussein is better off today than he was 6, 5, 4 years ago, whatever.

Gentlemen, there has been a suggestion of some legislative approach to this dilemma. Where we have a policy of containment, its success is somewhat in the eyes of the beholder. What specific legislation do you have in mind, if any, for congressional action that might alleviate this dilemma?

Mr. PERLE. Well, Senator, if I could take a crack at that, the Majority Leader has sponsored legislation that would begin to give some American support to the opposition in Iraq. If you believe, as I do, that Saddam Hussein is either going to achieve a victory or he is going to be removed but there is no in-between, this is not going to be a stand-off. It is not going to be a draw. Eventually the sanctions will disappear altogether and he will triumph, or he goes before the sanctions do.

But we are dithering now. We are doing nothing to hasten his departure. I share high regard for Tom Pickering, but when Tom Pickering described as our heart's desire, the hope that Saddam might somehow be eliminated, I thought, that is not the robust terminology with which I would wish to see American policy objectives toward a murderous dictator like Saddam Hussein described.

Our heart's desire that there be a successor regime? There is not going to be a successor regime unless we do something about it, and contrary to what we have just heard, I believe the best possibility of removing Saddam Hussein from power is to support the opposition to Saddam Hussein. We have no other policy and prospect.

Chairman MURKOWSKI. Our track record on that relative to some previous situations has been that he has been able to take care of his adversaries very effectively, even some of his relatives.

Mr. PERLE. He has certainly been able to eliminate coups against himself. I would not think that would be the way to go about it, but there is very widespread dissatisfaction, as you might imagine, with Saddam Hussein. There is an opposition, with the potential for being mobilized—not by attempting to engineer a coup but by very broad and open support for that opposition.

We have talked all morning, and everyone is in agreement that we have lost the propaganda war. One of the reasons we have lost the propaganda war is that we have shut off the opposition propaganda—the opposition to Saddam Hussein. He now dominates the

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air waves in Iraq and in the region, and we have turned off the switch on the democratic opposition.

It seems to me a very short-sighted policy. It is a policy of this administration. It is the policy of Under Secretary Pickering. It is the policy of the President, the Secretary of State, and Sandy Berger, and I do not believe it is going to change except under extreme pressure.

Now, Senator Lott has encouraged change by sponsoring legislation to make some money available to the opposition. The administration will find ways not to spend that money and not to implement the clear intent of Congress, so I would hope that you would go further with additional legislation. If necessary, there is a time-honored technique in moving administrations, and that is to deny them something important to themselves until they move in a manner consistent with existing legislation.

Chairman MURKOWSKI. Well, you know, some people say that we learn by history, and other people say, we don't learn much. I am fascinated with the reference to the posture of Iraq as post Versailles Germany. Would any of you care to elaborate a little further, because the implications of that are very significant relative to what we thought we were doing in Germany at the time of conclusion of the first world war, and the ability of Germany to rebuild while everybody was technically concerned about having put to rest ever again the possibility of Germany threatening Europe.

Go ahead, if you have anything to add. Dr. Kay, I think that was your point.

Dr. KAY. Well, Senator, most people have forgotten, although I assume if these walls, or at least the walls adjacent to here, could talk they would certainly remember, but at the end of the first world war we maintained 100 times more inspectors in postVersailles Germany than we have ever had in Iraq. There were over 2,500 inspectors running all around Germany, and it became almost a Mikado-like dance.

In fact, the French general who was the last head of the inspection regime as he left gave a very famous toast to his German counterpart in which he said, I want to thank you for helping me not find what you did not want me to find, nor my Government wanted me to find. It had become a ritualized dance.

And it is well-known now that in fact what the Germans did in that intervening period is, they trained their Air Force in what was then the Soviet Union. They trained a large infantry division, maneuvers also with the Soviets. They developed their arms industry under the cover of dual-use industries, because, in fact, they had both the political will to continue that program and the technical knowledge within Germany as to how to do it. I would argue that is very much like Iraq now.

The one thing that I think everyone agrees on is, Saddam has no intention of giving up his weapons of mass destruction. In fact, when you ask Ambassador Pickering what were the two most important things, he said preserving, in fact, the capacity to produce weapons of mass destruction, and the already existing capacity, was right up there at the top.

So I think it is very much the same, and I would just say, I think in terms of your question about a legislative agenda and what can

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be done, I think the most important thing is what the committee has started to do, and that is to focus legislative intention on changes that are occurring and being denied that they occurred.

I am almost tempted to paraphrase President Lincoln in a question about General Grant in reply to Dr. Pollack. If Baghdad remains isolated, I think maybe we had better order a case of that isolation for ourselves. Those of us who have been in the Gulf over the last 2 years, just as Senator Domenici reported, find, in fact, that the person being isolated is the United States.

Containment, let me say, is never a policy. It, too, is only a tool, and to cite our experience in the second world war is to forget the fact that this country maintained well over 1 million men and women in Europe for 40 years. We invested a huge amount of money in the democratic reformation of European societies.

If you look at the Gulf and ask if those conditions are present today, we have to be honest. We are not going to spend, nor are the Saudis going to spend, to maintain large American troops in the region and, quite frankly, many of our allies in that region are more afraid of democratic modernization of their own societies than they are of Saddam Hussein.

Containment, we have had containment for 7 years. It is becoming less effective, and we have just got to adjust to that. It is not going to work. Containment buys you time, but I think Mr. Perle is absolutely right that in fact, unless you have a political strategy to change the political landscape of Iraq, containment will not last, and you will have misspent that time.

And at the risk of urging one House of the U.S. Congress to look at what another House does, let me call to your attention to the statement by Representative Porter Goss last week in looking at the failures of the intelligence community with regard to the issue of Iraq, and subsequently of India, I might add. He took them to task for believing that a covert action only means assassination and ignoring the important role of information operations, of psychological operations designed to shape the political landscape.

I think we have largely walked away from the task of supporting political change in Iraq for short-term things that we cannot do and do not do well, and ignored the long-term policy.

Chairman MURKOWSKI. Thank you very much, Dr. Kay.

I want to turn to my colleague Senator Robb, and I would ask if you would be kind enough to conclude the hearing this morning, or I should say early this afternoon. I have a meeting that I am 20 minutes late for.

Let me thank all of you, and I think what we have established for the record here is of great significance, and the views that you have expressed I think are pertinent to a recognition that Saddam Hussein is not at the peak of public concern that he was a few months ago, but nevertheless the threat is very real.

His continued efforts to pursue his own agenda are obvious to us all, and the ultimate disposition of that, only history will tell us, but it is clear as we look back on our obligations in our joint Committees of Foreign Relations and Energy & Natural Resources, that we should continue to keep the views and the public informed I think on a regular basis and consider the recommendations that

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you have suggested with regard to a clear policy toward Saddam Hussein and the dilemma associated with just how we reach that.

I think somebody coined a word, political strategy, and I think this current administration lacks a clear definition of just what that political strategy is. Maybe they do not have it. I think it is important that they address it, and maybe the contribution today will be a start in that process.

I would intend to again have a joint opportunity for both committees to meet with intelligence people, the CIA. I want to again thank Senator Helms and the professional staff of he Foreign Relations Committee for arranging this, as well as my own professional staff of the Energy & Natural Resources Committee. Thank you again.

Senator Robb.

Senator ROBB. (presiding) Thank you, Mr. Chairman. I regret that I am also now 25 minutes late for an appointment that I thought I was going to be able to fulfill and missed one just before, and so I will be very brief, and I thank you, gentlemen, Mr. Perle, and I thank you, Mr. Chairman, for calling the joint hearing.

It is an important topic. It is a frustrating topic, and I think it is important that we engage in these discussions, whether we agree or disagree with any of the points that are offered and made, and I reluctantly come to the conclusions that are more in line with some of the things that Dr. Pollack suggested are the inevitable result of a lack of more desirable alternatives, but it is not very exciting to say that you are a defender of the status quo, or muddle along, or continued pursuit of something that clearly is not working effectively.

But let me focus for a minute, Mr. Perle, if I may, on your statement, and I was very interested in what you talked about, your 10 points. I knew they were going to be well thought out and tough and provocative, and I followed along, with perhaps the exception of a word or two I might have changed.

I was with you through the first six, even the seventh, if you accept the premise of the first six as being one point following another, whatever the case might be, but when you got to the eighth, you said Saddam's eventual political victory will be followed by a restoration of his military power, and then ninth, only a policy that is openly based on the need to eliminate the Saddam Hussein regime has any hope of attracting sufficient support in the region to succeed.

Those two were particularly interesting, and I would have to tell you as well, in all honesty, when I turned to 10 and then I looked to the next page, and the solution is—and there was no next page, so I am pleased that you responded to the question about support, at least, for a proposal that has been advanced by the Majority Leader.

Let me ask you a question or two, though, about the reality, or the likelihood of the reconstitution of the military. Would you give me some assessment of where you think Saddam's military in terms of its ability and the threat it poses to external neighbors is today, compared to where it was at its height, when the invasion of Kuwait took place?

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Mr. PERLE. Well, it is clearly much diminished as a result of the damage that was inflicted during Desert Storm. I did not mean to suggest that we are going to see a significant improvement in his military capability while the sanctions are in place, but once the sanctions are gone, then I think we will see him rebuild his military establishment.

In any case, I believe he has weapons of mass destruction now, and it is almost impossible to factor those into equations of a military balance. It is important to remember that Iraq's military power is relevant in relation to its neighbors, not in relation to the United States, unless we intend to fight that war all over again.

Senator ROBB. Which leads us to the ninth, and I do not quarrel with your reluctance to assess a particular ratio, or whatever, to the current strength as opposed to a former strength, or how soon that would occur, or, indeed, that if sanctions were removed altogether, the ability to reconstitute a more formidable force would certainly be facilitated.

But in your ninth statement, only a policy that is openly based on the need to eliminate the Saddam Hussein regime has any hope of attracting sufficient support in the region to succeed, now, that is the one I find most interesting and most difficult to agree with, not because I do not think Saddam's neighbors, like Secretary Pickering, would not in their heart of hearts like to see Saddam gone.

The question is whether they are willing to step up and do anything while he is still in power, knowing that the consequences that might be visited upon them in the absence of some support for others would be far more difficult than the situation that exists today.

Mr. PERLE. Senator, I think that is very much the key point. I think the answer is that of course they are not going to step up to the plate as long as the most we can say is, it is our heart's desire that there should be a successor regime.

That is not a serious policy. It does not represent any serious American commitment, and they are not about to risk their necks by themselves, which is the situation they would be in. It is our weakness——

Senator ROBB. I understand the point you are making. What is it that we have to do? Do you think simply suggesting that we are going to support an opposition group, and if so, what opposition group, what kind of support, and how do you equate that, again without going into things that should not be discussed in open session, with activities that have been widely reported in the last couple of years in terms of other reported covert activities?

Mr. PERLE. I think it has been a disastrous string of failures on the covert side, and I have no confidence at all, which is one reason I use the term openly.

Senator ROBB. I assume you are making a distinction, but I am curious as to what would constitute the degree of open support that would bring us any hope of changed circumstances.

Mr. PERLE. I think we should first of all say it is our objective, not our heart's desire but our objective to see the elimination of the regime of Saddam Hussein. We are not talking about assassinating him. That is not the official policy of the United States today.

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Senator ROBB. Although it has been articulated in ways that do not come into conflict with our official policy of not sanctioning assassinations. I do not think anyone in a position of official policy has suggested that they look forward to continuing to trying to do business with Saddam Hussein.

Mr. PERLE. But neither has the United States said it is the policy of the United States to see the regime of Saddam Hussein eliminated from power. If we said that, I think you would see an immediate change. It seems to me the first essential step is to adopt a policy that our policy is not simply to continue the sanctions and hope for the best.

Senator ROBB. Let us assume that whatever words are comfortable to you are uttered.

Mr. PERLE. Second, I believe that we should recognize that there is an Iraqi opposition whose claim to legitimacy is far greater than that of Saddam Hussein, and if it were up to me, I would recognize them as a Government of Iraq.

Senator ROBB. A Government in exile?

Mr. PERLE. Well, in exile—some of the individuals involved are actually in Iraq.

Senator ROBB. But that is the problem. I am not hostile to what you want to do. In fact, I am supportive of what you want to do, as I think you know, and I realize there are a number of things—you cannot telegraph all of your punches in terms of some of the kinds of things you would have to do to carry out that kind of policy, but I am frustrated by the fact that we continue to offer this alternative without a clear sense of how we could accomplish the alternative, and that is what I would like you to address.

Mr. PERLE. Well, I think there are credible plans for accomplishing the alternative. We would begin with reconstituting an organization, an opposition organization reflecting all of the people of Iraq.

I would seek to do it under the Iraqi National Congress, which might reconvene and once again go through the election process it went through at its inception. I believe the leadership will emerge from that. I am confident a leadership will emerge from that.

Senator ROBB. In the interim, you would not change what we are doing in terms of sanctions? You would wait until that had taken place?

Mr. PERLE. Yes. I certainly would not remove the sanctions, which would be a political victory for Saddam of enormous proportions. My fear is that they will be eroded and collapse before we do anything else.

Senator ROBB. Let us assume that this election takes place, and someone is chosen by this constituted group to represent the preferred alternative to Saddam Hussein. Then what do we do?

Mr. PERLE. I think the United States should make it clear that any territory that is not under the control of Saddam Hussein will be protected by air power, if necessary, from the United States and whatever allies we can encourage to participate with us.

Senator ROBB. Would you envision a sufficient military buildup in the region to provide that kind of support?

Mr. PERLE. No. I do not believe it is necessary.

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Senator ROBB. Do you think that we can engage in some kind of sustained combat without having sufficient reinforcements available to bring that to a conclusion if things do not go our way, as our heart of hearts might hope?

Mr. PERLE. They may not go our way, and I cannot tell you that I can guarantee the result any more than the current policy can guarantee its success, but I believe that the amount of air power that we now have in the region is sufficient for the protection against Saddam's armor of areas that would quickly fall under the control of the opposition, in particular the area around Basra in the south of Iraq, which is where all the oil is coming from.

And once Basra changed hands I think the politics of the region and the opposition would change dramatically. Even our allies would begin to look at things entirely differently. You would stop the illegal oil flow.

Senator ROBB. But is someone going to have to physically stand on the Basra territory before this dynamic occurs and, if so, who? Which troops are going to accomplish that?

Mr. PERLE. I think the Iraqi opposition elements, with relatively light armament, could accomplish that provided they were backed up by air power.

Senator ROBB. That is what I am coming back to, and again, I am not hostile to your intent. In fact, I would like to find a way to carry out your intent, because I clearly want Saddam Hussein removed, and I think the vast majority here, but let me ask you a question about what you believe, Congress' willingness to support an administration that would pursue the policy that you have just suggested.

Is there, in your judgment, support, sufficient support to provide the wherewithal and the commitment of troops and treasure, if you will, to sustain that kind of policy?

Mr. PERLE. Senator, I think in fairness to the Members, they would have to look at a plan that they could make some judgment about, and what I am talking about here is a plan that would depend significantly on air power of a low risk character and not on significant American ground presence.

Senator ROBB. But the inherent presumption is that all of the necessary land muscle is going to be provided by someone else and again, if we had that someone else standing in a queue some place waiting to go in——

Mr. PERLE. I believe it can be—look, up until August 1996, a third of Iraqi territory was not under Saddam's control. We blew it by failing to defend that territory in the manner that I am now suggesting. When Saddam moved in, he could have been stopped, and I think could have been stopped relatively easily even in the north, and it is more difficult in the north than in the south, because his armor is so exposed to air power in the south.

I think we could reconstitute that, but the key, the key to reconstituting significant areas of Iraq beyond Saddam's control—and this depends significantly on the fragility of his grasp on his own military establishment, which is a matter that is perhaps best discussed in other circumstances.

I believe that a reconstitution of that could be achieved, and the risks in trying are relatively modest. One can make it sound a far

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more formidable task than it really is, and if you want guarantees that it will work, then obviously you are talking about a much larger operation. There are no guarantees, but I think there are people prepared in Iraq, or who would be prepared if they knew they had U.S. air power to back them up.

Senator ROBB. Having acknowledged that Saddam still possesses the capability at least to constitute and deliver, if not nuclear certainly chemical and biological weapons, and with concern about nuclear that cannot be ultimately resolved either through generation within existing resources or acquired through acquisition from outside sources, do you think that the proposal like the one you have suggested would result in Saddam's use of those weapons of mass destruction, and if he were to use those weapons of mass destruction, what do you think would be the consequences for the region in terms of either support or military activity?

Mr. PERLE. I believe in a properly conducted operation he would be in a position to use weapons of mass destruction. I think the defections from his own military would be very rapid.

Senator ROBB. Would what has happened with respect to the inspectors in place, if not constraining the activity that he might otherwise have carried out, have diminished his ability to deliver weapons of mass destruction? In other words, would you concede that some progress has been made by UNSCOM?

Mr. PERLE. Oh, I am a big supporter of UNSCOM, absolutely. One of the signs of deterioration that causes alarm is the change in the way UNSCOM is now permitted to operate as opposed to the way UNSCOM operated before Kofi Annan. Far from an improvement, it is in fact much more difficult for UNSCOM to do its job today, not least of all because—and I defer to David, who is the expert on this—during the 4 months in which UNSCOM was not operating at all in Iraq, everything of interest was well hidden, and so our data base was devastated. We are not going to find anything, Senator.

When the President says, well, now we are going to see if this new regime, this new arrangement works, forget it. We are not going to catch them in violations any time soon, because they have moved everything that we thought we might have been able to identify.

Now, if we are there long enough, and we are free enough to operate, maybe one of these days we will find something, but it is not going to happen soon, and when it does not happen in 6 or 9 months——

Senator ROBB. I do not think anybody expected us to.

Mr. PERLE. Well, what is the argument going to be a year from now when Tarik Aziz says, Kofi Annan negotiated this agreement, you all said this was a wonderful step forward, and you have not found anything in a year, how much longer are you going to continue these sanctions?

That is what we are facing and I think you understand that.

Senator ROBB. Indeed, and as a matter of fact, we have had several meetings, at least in the Foreign Relations Committee, I do not know about the Energy Committee, on this very topic, and some of you have participated in those discussions.

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But the betting, if you will, at least from this side of the desk, was that it would be a matter of months before Tarik Aziz or Saddam Hussein or someone else acting in his stead declared that we have played your game, you found nothing, it is time for you to wrap it up and go home.

And that is the same advice you are going to be getting if you go to Russia, France, and China may or may not come in, depending upon whether or not the return head of State visit has been completed.

Mr. PERLE. That is why I think we are all concerned about where we go from here, and I do not see any new policy intervening. I think we are going to coast until we fall off the precipice. It is very frustrating, frankly, to see the administration mobilize so energetically to resist all the ideas that have emanated from the Majority Leader and others without finding anything new to put into its own policy.

Everybody agreed this morning to repeat the phrase that sanctions are a tool, not a policy, but they have become a policy by default because there is no other aspect to the current policy. It is a policy of supporting the sanctions, period. There is nothing else going on.

Senator ROBB. I am not sure whether this is being carried live some place, but I have got a call from an institution down at the other end of the street, and I am not going to respond at this point.

The question of whether or not sanctions are effective to the extent we would like them to be, I think there is a broad-based consensus here in Congress and elsewhere that it is not.

I think I would challenge your suggestion that the administration is fighting all efforts to change or to bring about a more effective policy and, again, I have been as tough with the administration over a long period of time in urging a more proactive, assertive role for the United States in dealing with rogue nations in this area and others, and so I am used to having my suggestions without the same responsibility to follow through listened to politely and not followed, so I am not without some concern there.

But let me—and I think you can sense from my questions here that I am frustrated, like you are and like many others, that we are not able to come to a more definitive result with respect to removing Saddam Hussein from power and moving on, so that we can address all of the humanitarian concerns that we know are there in one degree or another without regard to pinpointing whether they would be more or less if we took one action or another.

Let me, before we close up—and I have spoken exclusively to Mr. Perle. Dr. Kay, would either you or Dr. Pollack like to have any closing statement?

And Mr. Perle, I do not want to cut you off. Have you got something you would like to say? I do not want to cut you off, either.

Mr. PERLE. I was only going to make a suggestion. Because of your interest maybe you could persuade the administration to get a small group of people together quietly to reflect the views you have heard today and talk this through, and see whether there may be some common ground.

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What I worry about is that they become terribly defensive about Senator Lott's initiative, and so I see no serious fresh examination of what the options are.

Senator ROBB. I will present that directly. I happened to be part of a small group in the prior administration, right after the invasion, that was invited over to consult on that question, and I thought it was both valuable and politically wise.

Dr. Kay.

Dr. KAY. Senator Robb, I think you have asked all the right and tough questions that need to be asked with regard to anyone who is suggesting an alternative policy. My only concern is really twofold, is if that suggests that continuation of the current policy is an acceptable alternative, I think that is wrong.

I think the consensus of opinion is that inspections are becoming less effective, sanctions are eroding, that what we see, as Senator Domenici reported, among our allies is in fact a belief that, since we are changing our policy, we are not really opposing Saddam, we are going to accommodate slowly because we cannot think of an alternative, our allies are also going to accommodate and accommodate more rapidly.

The other thing I would add, and this is difficult to talk about in open session, but I will say I think Saddam Hussein is not as firmly planted in Baghdad, in control as we often seem to think he is and point to, that the issue is, with leadership and a new range of policies, if, in fact, our allies in the region became convinced that we were dedicated to his overthrow, we had come to the conclusion that even a rearmed but less powerful Iraq than in 1991, and particularly had weapons of mass destruction we were not going to tolerate, they would in fact be behind us and, indeed, I think Iraqi opposition would arise.

What has happened is, between 1992 and 1996 we lost credibility inside Iraq, and we lost credibility in the region. It is difficult for all the king's men to put that Humpty Dumpty back together again, but if we do not, the wall is going to come tumbling down on top of us. There is not an alternative, I believe, to stability and containment.

We do not have a stable situation now in the Gulf. We have a situation that is getting worse by the yo-yo pull of Saddam every time. It is quite clear that we did not have as many allies this October in this crisis that began in October and ended in February and March as we had 6 months before or 12 months before or 18 months before, and our allies know it and Saddam knows it.

We must reverse that. The questions I think are the right ones. I hope, though, in fact, we question the assumptions.

Senator ROBB. I do not want to open up a whole new line of questions, but if we were to support—in, say, Afghanistan we had Pakistan who assisted in channeling arms and equipment. We did not overtly send in the necessary arms, ammunitions, et cetera.

Would you, either you who are proponents of a more dramatic near-term change, and if we came to that point, would you recommend that we do that directly and overtly, or would you have in mind some other ally that would serve that role?

Mr. PERLE. I think you could have a combination of a strategy that in its political dimension is absolutely overt. We are commit-

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ted to the replacement of Saddam Hussein by a Government reflecting all the people of Iraq, and we could do a number of things in support of that.

To the degree to which that opposition required weapons, you could do it either way. There are arguments for doing that part of the operation without openly acknowledging it, but that seems to me a detail.

Senator ROBB. The devil is in the details.

Dr. Pollack.

Dr. POLLACK. Thank you, Senator Robb.

Let me begin by saying that I think it is critical that we do explore these kinds of alternatives to containment. Nevertheless, you have heard me say that ultimately right now I do not think we do have a good alternative to containment.

That is not to say that we should not have a more aggressive containment policy along the lines of the policy suggested by Dr. Kay and Mr. Perle, but the problem that I am trying to focus a bit of attention on here is that any of these suggestions are going to take time to unfold, and during that period of time we are going to have to rely on containment to hold the line. We have to play defense at the same time that we buildup an offensive option, if we are to buildup an offensive option against Saddam.

My concern is that right now we look very hard at containment, because as we are all in agreement here, the current approach to containment is not succeeding. It is eroding, and I think we need to make some very hard choices about how we are going to restructure containment and make it last over the long term.

And the worst of all possible worlds is that at some point in the future we do adopt either a more aggressive policy toward Saddam, or we discover an alternative to containment, only to find that we have so badly allowed containment to erode that when we finally get around to putting in place this new policy, it is impossible, because all the support is gone and Saddam is out of his box.

Senator ROBB. I think that is an appropriate place to conclude this particular discussion.

Mr. Perle, Dr. Kay, Dr. Pollack, thank you all for participating. This is a discussion to be continued.

This hearing is adjourned.

[Whereupon, at 12:50 p.m., the committees adjourned.]

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APPENDIX

PREPARED STATEMENT OF SENATOR LARRY E. CRAIG

Thank you, Mr. Chairman.

First, I would like to thank the Chairmen of both Committees, Senators Murkowski and Helms, for this unique opportunity to address the issue of sanctions.

Mr. Chairman, for years we have been hearing about "globalization"—the integration of the world economy. It is a simple fact of life that our nation's economic well-being will become more and more inter-dependent with that of our trading partners.

Congress can not change this world trend. We can adapt to it, and help guide this development in ways that protect our nation's prosperity. Or we can resist change, throw out an anchor, and create an economic drag.

But if we ignore the reality of growing globalization and indulge in unilateral sanctions on a whim, we will fail to further our true foreign policy objectives and only hurt our own workers and employers.

In 1997, total U.S. merchandise trade reached almost $1.6 trillion, with exports of $688.7 billion and imports of $870.6 billion. Compared with our Gross Domestic Product of $8 trillion, trade accounts for a fifth of our economy. Twelve million Americans are employed making or selling U.S. exports.

In my own state of Idaho, no fewer than 58 companies are registered with the Department of Commerce1s National Trade Data Base. I am told by members of the business community that, for a variety of reasons, this figure probably is understated by as much as one-half.

Idaho's exporters, in 1996, sold $1.67 billion worth of merchandise to the rest of the world. This does not even count services and foreign military sales, which typically add up to a similar number.

Idaho's exporters, like those of the rest of the nation, sell a diverse assortment of goods and services overseas. Our largest merchandise export sectors include machinery, electrical and electronic equipment, agricultural and food products, chemical and allied products, wood and paper products, and transportation equipment.

In other words, in Idaho, like the rest of the nation, virtually no worker, no household, and no sector of the economy is isolated from the benefits of trade, and the benefits of being able to sell our exports.

However, despite the growing need to embrace international trade, the growing trend here in the U.S. has been to move away. In the four year period from 1993 to 1996, there were 61 laws and executive actions which authorized unilateral economic sanctions against 35 countries. According to one study, by Donald Losman for "Business Economics" magazine, these actions have placed 42 percent of the world's population and almost $800 billion worth of exports off limits to U.S. businesses. In 1996 alone, there were 23 cases of sanction imposed by the U.S.

Now, the nation is alive with talk about the possibility of imposing unilateral sanctions against India and Pakistan—two nations which have historically been important markets for American products. While the decision as to what must be done regarding India and Pakistan has yet to reach the Senate, I am pleased to note that the actions being contemplated by the Administration would not affect food and other agricultural products.

Mr. Chairman, I have never supported the use of food as a foreign policy weapon. To do so would have a direct negative impact on U.S. farmers. To them, trade simultaneously represents the best opportunity for, and the biggest challenge to, their fiscal stability. Despite increasing efficiencies and continued growth in domestic production, exports of agricultural products are actually declining. Agricultural exports for FYI 998 are forecast to fall $1.3 billion, to $56 billion, and our imports will grow $2.2 billion, or 6 percent, to $38 billion. if current trends continue, the agricultural trade surplus will fall 16 percent this year, or $3.5 billion.

Now, Mr. Chairman, there are those who would support the inclusion of agricultural products in any unilateral sanction issued by the U.S. It has been done before—against Iran and others. I do not agree. The use of food as a weapon is wrong.

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Starving populations into submission is poor foreign policy. And requiring American farmers to pay the price for our questionable foreign objectives is intolerable.

I don't oppose all sanctions at all time. Sometimes, sanctions are warranted. The case certainly is there to be made that multilateral sanctions imposed by the international community can be effective in pursuing common goals. As a Senator who voted against NAFTA and GATT, I insist that a bad trade agreement is not better than no agreement at all. We can and should insist on trade agreements that are fair to American workers and employers. And I would not rule out unilateral action by the U.S. in every case, when vital foreign policy interests are at stake.

But any sanctions, any actions, initiated or supported by the United States should involve issues critical to our national interest, have clear objectives, have a high probability of effectiveness, be applied with prudence and objectivity, and anticipate the potential costs and benefits to Americans here and abroad.

I implore my colleagues and the Administration to not interfere with trade in agricultural products as a means to any political end.

Thank you again, Mr. Chairman. I realize my comments have gone beyond the scope of today's joint hearing. However, I want the people of my state and my colleagues in the Senate to know where I stand on the issue of sanctions. I appreciate the Chairman's indulgence and that of my fellow Committee members.

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