

IRAQ: DEMOCRACY OR CIVIL WAR?

HEARING

BEFORE THE
SUBCOMMITTEE ON NATIONAL SECURITY,
EMERGING THREATS, AND INTERNATIONAL
RELATIONS

OF THE
COMMITTEE ON
GOVERNMENT REFORM
HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

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IRAQ: DEMOCRACY OR CIVIL WAR?

WEDNESDAY, SEPTEMBER 13, 2006

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON NATIONAL SECURITY, EMERGING
THREATS, AND INTERNATIONAL RELATIONS,
COMMITTEE ON GOVERNMENT REFORM,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:02 a.m., in room 2154, Rayburn House Office Building, Hon. Christopher Shays (chairman of the subcommittee) presiding.

Present: Representatives Shays, Platts, Duncan, Dent, Kucinich, Van Hollen, Lynch, and Higgins.

Also present: Representative Waxman.

Staff present: J. Vincent Chase, chief investigator; R. Nicholas Palarino, Ph.D., staff director; Kaleb Redden, professional staff member; Robert A. Briggs, analyst; Robert Kelley, chief counsel; Micheal Girbov, graduate assistant; Phil Barnett, minority staff director/chief counsel; Karen Lightfoot, minority communications director/senior policy advisor; Earley Green, minority chief clerk; and Jean Gosa, minority assistant clerk.

Mr. SHAYS. A quorum being present, the Subcommittee on National Security, Emerging Threats, and International Relations entitled "Iraq, Democracy or Civil War? What Will It Take to Achieve a National Reconciliation" is called back to order.

This is an extremely important topic, and thus, we want the record to be complete. Today's hearing is a continuation of Monday's hearing. At the end of today we will again recess, not adjourn, and we will reconvene on Friday for the hearing's final day.

At the start of each reconvened session, Members have the opportunity to make opening statements. In all other respects, we will proceed as usual, without prejudice to the rights and privileges of any Member.

Today, we continue our 3-day hearing, "Iraq: Democracy Or Civil War," examining security force levels; prospects for a national reconciliation; and the consequence of leaving Iraq immediately, later but still prematurely, or when Iraqis are capable of taking over for Coalition forces.

The conflict in Iraq finds United States and Coalition forces up against increasing insurgent, sectarian and terrorist violence. Thomas Friedman of the New York Times, who has supported the U.S. objective to foster progressive democracy in the Middle East, bluntly stated, "It is now obvious that we are not midwifing democracy in Iraq, we are baby-sitting a civil war." While some may take issue with Mr. Friedman's choice of words, the broad contours of

his point are clear: The violence in Iraq continues, if not increases. The new Iraqi leadership has not yet shown the political will to confront it, and its efforts to promote peace and democracy are stalled.

Iraq security forces are truly improving and growing in number, but they face an uphill battle if Iraq politicians are not willing to confront the militias and make peace among themselves.

Our witnesses this past Monday came to different conclusions about security in Iraq, but one thing was clear from their testimony: Our current baseline for overall security forces is inadequate; we do not have enough Coalition forces in Iraq. In addition, it is clear to me, based on my 14 visits to Iraq and all our hearings, that 325,500 projected Iraqi security force level to be reached in December of this year will be inadequate and not allow us to bring most of our troops home. Only when we establish credible, realistic estimates of the number of Coalition forces and competent Iraq security forces will we be able to set the conditions to eventually withdraw the U.S. troop commitment in Iraq.

We cannot delude ourselves. If we want to be successful, the administration needs to work with the Iraqi Government to reassess the total number of forces needed to secure Iraq, and this reassessment must be completed as quickly as possible.

Today we investigate what may be the most important issue for achieving stability in and democracy in Iraq: the political will to implement national reconciliation. Since January of this year, little progress has been made. Some of our diplomats and military officers openly question whether Iraq's leaders have the political will to make tough decisions required to drive down current violence and maintain security. Last week when the Iraqi legislators returned from vacation, the Speaker of their Parliament Mahmoud al-Mashhadani said the Iraqis, "have 3 to 4 months to reconcile with each other. If the country doesn't survive this, it will go under."

Make no mistake. I understand the Iraqi people and the officials they elected are grappling with daunting issues that have no easy solutions, amnesty, rollback of de-Ba'athification, federalism, share the oil wealth, and standing down militias; but their current inaction is alarming and should trouble every American's concern for our men and women who are there in harm's way.

Each of the political milestones achieved in Iraq so far has been preceded by strong U.S. pressure. They were more than benchmarks, they were specific timelines established to produce specific results. These timelines were not easy to meet, but they forced Iraqis to make the difficult choices and compromises to move forward.

It is time for the U.S. Government to be blunt with the Iraqi leadership. If they are not willing to make peace among themselves, the United States will have no choice but to rethink how long troops can remain in Iraq. It is time to expect results.

The topics we will discuss today are the prospects, timing, and conditions for achieving national reconciliation, and a permanent Constitution. We asked our witnesses to address the following questions: What are the positions of the Shia, Sunni and Kurdish political leadership on each issue related to national reconciliation?

What are possible ways to bridge the differences among the political leadership? What are prospects for agreement among the political leadership, and when can we expect such agreements to be reached?

During our first panel we will hear testimony from Ambassador David Satterfield. Ambassador Satterfield is the senior advisor on Iraq to the Secretary of State and was formerly Deputy Chief of Mission at the U.S. Embassy in Baghdad.

Also testifying on panel one will be Mr. Jim Bever, Deputy Assistant Administrator for Near East and Asia, U.S. Agency for International Development.

On our second panel we are fortunate to hear the perspectives of three prominent Iraqis, Dr. Hajim Al-Hassani, former Speaker of the Iraqi Parliament and currently a Sunni member of Parliament; Mr. Karim Al-Musawi, Washington representative of the Supreme Council for the Islamic Revolution in Iraq, the largest political party in Iraq; and Mr. Qubad Talabani, Washington representative of the Kurdish Regional Government and son of Iraq's President Jalal Talabani.

We thank all our witnesses for taking the time to appear before us today; in fact, we're very grateful that they're here.

[The prepared statement of Hon. Christopher Shays follows:]

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Statement of Representative Christopher Shays
September 13, 2006

Today we continue our three day hearing *Iraq: Democracy or Civil War?*, examining security force levels; prospects for national reconciliation; and the consequences of leaving Iraq immediately, later but still prematurely, or when Iraqis are capable of taking over for Coalition forces.

The conflict in Iraq finds US and Coalition forces up against increasing insurgent, sectarian and terrorist violence.

Thomas Friedman of *The New York Times*, a supporter of the United States objective to foster progressive democracy in the Middle East bluntly stated, "It is now obvious that we are not midwifing democracy in Iraq. We are baby-sitting a civil war."

While some may take issue with Mr. Friedman's choice of words, the broad contours of his point are clear—the violence in Iraq continues, if not increases, the new Iraqi leadership has not yet shown the political will to confront it, and efforts to promote peace and democracy are stalled.

Iraqi Security Forces are truly improving and growing in number, but they face an uphill battle if Iraqi politicians are not willing to confront the militias and make peace among themselves.

*Statement of Rep. Christopher Shays
September 13, 2006*

Our witnesses this past Monday came to different conclusions about security in Iraq, but one thing was clear from their testimony: our current baseline for overall security forces is inadequate. We do not have enough Coalition Forces in Iraq.

In addition it is clear to me, based on my fourteen visits to Iraq and all our hearings, the 325,500 projected Iraqi Security Force level to be reached in December of this year will be inadequate, and not allow us to bring most of our troops home.

Only when we establish credible, realistic estimates of the number of Coalition Forces and competent Iraqi Security Forces will we be able to set the conditions to eventually drawdown the US troop commitment in Iraq.

We cannot delude ourselves. If we want to be successful the Administration needs to work with the Iraqi Government to reassess the total number of forces needed to secure Iraq. This reassessment must be completed as quickly as possible.

Today we investigate what may be the most important issue for achieving stability and democracy in Iraq: the political will to implement national reconciliation.

Since January of this year little progress has been made. Some of our diplomats and military officers openly question whether Iraq's leaders have the political will to make the tough decisions required to drive down current violence and maintain security. Last week when Iraqi legislators returned from vacation, the Speaker of their Parliament, Mahmoud Al-Mashhadani, said the Iraqis "have three to four months to reconcile with each other. If the country doesn't survive this, it will go under."

Make no mistake. I understand the Iraqi people and the officials they elected are grappling with daunting issues that have no easy solutions—amnesty, roll back of de-Baathification, federalism, sharing the oil wealth, and standing down militias. But their current inaction is alarming, and should trouble every American concerned for our men and women who are there in harm's way.

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September 13, 2006*

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It is time for the US government to be blunt with the Iraqi leadership: if they are not willing to make peace among themselves, the United States will have no choice but to rethink how long troops can remain in Iraq. It is time to expect results.

The topics we will discuss today are the prospects, timing, and conditions for achieving national reconciliation and a permanent Constitution. We asked our witnesses to address the following questions:

- What are the positions of the Shia, Sunni and Kurdish political leadership on each issue related to national reconciliation?
- What are possible ways to bridge the differences among the political leadership?
- What are prospects for agreement among the political leadership, and when can we expect such agreements to be reached?

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We thank all our witness for taking the time to appear before us today.

Mr. SHAYS. At this time, the Chair would recognize Mr. Kucinich, the ranking member of the committee.

Mr. KUCINICH. Thank you, Mr. Chairman. And since the ranking member of the full committee Mr. Waxman is here, I'd be glad to yield to him.

Mr. SHAYS. Absolutely.

Mr. KUCINICH. I thank Mr. Waxman.

Good morning, Mr. Chairman, and to the witnesses. I want to thank you and all the witnesses for being here today.

Today's hearing asks the question, "Iraq: Democracy or Civil War? What Will It Take to Achieve National Reconciliation?" the President's assertions that Iraq is not in a civil war is not honest. Over 3 years after the administration's misguided war of choice, failed occupation and disastrous reconstruction effort, Iraq today is mired in a civil war, with U.S. troops and innocent Iraqis caught in the crossfire. The fact that July was the deadliest month for innocent civilians since the start of the war only further proves that after 3 years of the administration's ill-advised and misguided war and occupation of Iraq, the situation on the ground is getting worse, not better. The civil war in Iraq cannot and will not be won by the administration's military occupation of Iraq.

Today's hearing asks the question, what will it take to achieve national reconciliation? That's a good question. Maybe we could begin by asking first how that relates to the United States, and what would it take to achieve national reconciliation in the United States? Because the truth of the matter is that unless you talk about national reconciliation in the same breath as truth—South Africa, truth in reconciliation—Americans will continue to go down the blind alley in which the President laid another brick in with his speech the other night by continuing to conflate Iraq and September 11th.

The Bible says, you shall know the truth, and the truth shall set you free. The only way the people of this country are going to be free from the lies of September 11th is to have the truth come out. Iraq had nothing to do with September 11th, it was al Qaeda's role in September 11th. Iraq did not have the intention or the capability of attacking the United States, and therefore the President's statement the other night that Saddam's regime posed a risk the world could not afford to take and that the regime of Saddam Hussein was a clear threat, there is a mountain of facts to the contrary.

Yes, we need national reconciliation not just in Iraq, we need it in here in the United States, and the only way we can get to it is to have the truth. And I'm hopeful these hearings will provide some semblance of a forum to accomplish that.

Let's talk about national reconciliation in Iraq today, because maybe talking about it in the United States in the full committee might not be within the scope of this particular Congress. But I think that we need to focus on another question, and that is the desire to end the U.S. occupation, because ending the U.S. occupation may be the only thing that unifies the various factions in Iraq.

Three years after our so-called liberation of Iraq, a recent public opinion poll found that nearly half of all Iraqis, 47 percent, approve of attacks on Americans. Think about that. The policy of this administration has placed 130,000 U.S. troops in the middle of a civil

war in a country in which almost half the population supports the idea of killing our troops. National reconciliation indeed.

In addition, last week a coalition of 300 tribal leaders demanded the release of Saddam Hussein to possibly reinstate him to his post as President. While not a majority, it's certainly a troubling sign. "When the Iraqis stand up, we will stand down." That's a slogan, it's not a plan. When the desire to kill our soldiers may be the most agreed-upon thing in Iraq, one would have to wonder if sticking to our guns is a rational thought. Our presence in Iraq is entirely counterproductive and only fuels the growing insurgency. The disastrous reconstruction of Iraq, conducted with virtually no congressional oversight, has served only to line the pockets of Halliburton and other defense contractors, while average Iraqis continue to suffer daily without the most basic of services.

American taxpayers have footed the bill for nearly \$400 billion in war costs, but have those dollars actually improved the quality of life of Iraqis? Iraqis are still without reliable electricity, clean water or sewage, and garbage piles up in the streets. Schools and hospitals remain unbuilt. And the oil sector, which was to finance reconstruction costs and was the lifeblood and economic driver of the nation, is nowhere near to its previous capacity. By almost any standard, the quality of life of the average Iraqi is worse off today than it was before our invasion.

While we tried a military solution, that has failed to bring about peace and stability to Iraq. We learned this week that all military intelligence officials have given up on Anbar Province. In addition, after 3 years of military presence, even Baghdad, Iraq's capital, is not safe. Read today's news. The bodies are just piling up. It would be interesting to hear in the testimony today from some of the witnesses whom is killing whom there. What is fueling this tremendous increase in murder?

Repeatedly, our own generals have told us that the war in Iraq cannot be won by military force alone; unfortunately, the policy-makers here in Washington have arrogantly refused to listen.

Mr. Chairman, I think a better topic for this hearing would be, "Three years later, what in the world have we accomplished?" it's increasingly clear that this administration's occupation and reconstruction of Iraq have failed. After 3½ years, Iraq is less safe, not more. Al Qaeda, which prior to the U.S. invasion had no influence, has now grown in influence and number of recruits. The fact is, Mr. Chairman, this administration's policies have turned Iraq into a breeding ground and training ground for terrorists and created the greatest recruiting tool ever for al Qaeda.

Mr. Chairman, the greatest tragedy of this war is the 2,669 American soldiers who have been irrevocably lost, and tens of thousands more injured. Between 100,000 and 200,000 innocent Iraqis have died as a result of the U.S. invasion. Every day 120 more Iraqis die at the hands of execution-style death squads, kidnappings, murders, IEDs and sectarian violence. The war in Iraq was a great and a tragic mistake, it has cost us in blood and treasure, it has damaged our once unchallenged reputation in the world and squandered the goodwill that rained on this Nation after September 11th, and has been a distraction for our efforts to root

out terrorism worldwide and bring to justice those responsible for September 11th.

The President's promise that we would not leave Iraq until after his Presidency will only compound past failures and make our Nation less safe. Our continued occupation of Iraq is not only counter-productive, but it fuels a civil war.

Mr. Chairman, I believe it's time we end this great misadventure in Iraq, bring our troops home with honor and dignity. Thanks again, and I look forward to hearing the testimony of the witnesses.

Mr. SHAYS. I thank the gentleman.

[The prepared statement of Hon. Dennis J. Kucinich follows:]

Statement of Representative Dennis J. Kucinich

**Ranking Minority Member
Subcommittee on National Security, Emerging Threats and
International Relations
Committee on Government Reform
U.S. House of Representatives**

**Hearing on Iraq: Democracy or Civil War? What Will It Take to
Achieve National Reconciliation?**

September 13, 2006

Good morning, and thank you for all of the witnesses for being here today. Today's hearing ask the question, Iraq: Democracy or Civil War?

The President's assertions that Iraq is not in a civil war is as honest and truthful as his claims that Iraq had WMD's or Vice President Cheney's claims that we would be greeted as liberators.

Over three years after the Administration's misguided war of choice, failed occupation and disastrous reconstruction effort, Iraq today is mired in a civil war with US troops, and innocent Iraqis, caught in the crossfire.

The fact that July was the deadliest month for innocent civilians, since the start of the war, only further proves that after three years of the Administration's ill-advised and misguided war and occupation of Iraq, the situation on the ground is getting worse, not better.

The civil war in Iraq cannot and will not be won by the Administration's military occupation of Iraq.

Today's hearing specifically asks the question, what will it take to achieve national reconciliation? I suggest we focus on the more direct question, is the desire to end the U.S. occupation the only thing that unifies the various factions in Iraq?

Three years after our so called 'liberation' of Iraq, a recent public opinion poll found that nearly half of all Iraqi's, 47%, approve of attacks on

Americans. Think about that, the policy of this Administration has placed 130,000 US troops in middle of a civil war in a country in which almost half the population supports the idea of killing our troops.

In addition, last week, a coalition of 300 tribal leaders, demanded the release of Saddam Hussein, to possibly reinstate him to his post as President! While not a majority, certainly a very troubling sign.

‘When the Iraqis stand up, we will stand down’ is a slogan, not a plan. When the desire to kill our soldiers may be the most agreed upon thing in Iraq, one has to wonder if “sticking to our guns” (pun intended) is a rational thought.

Our presence in Iraq is entirely counterproductive, and only fuels the growing insurgency.

The disastrous reconstruction of Iraq, conducted with virtually no Congressional oversight, has served only to line the pockets of Halliburton, and other defense contractors, while average Iraqis continue to suffer daily without the most basic of services.

American taxpayers have footed the bill for nearly \$400 billion in war costs, but have those dollars actually improved the quality of life of Iraqis? Iraqis are still without reliable electricity, clean water or sewage, and garbage piles up in the streets. Schools and hospitals remain unbuilt. And the oil sector which was to finance reconstruction costs, and is the lifeblood and economic driver of the nation, is nowhere near its previous capacity.

By almost any standard, the quality of life for the average Iraqi is worse off today than it was before our invasion.

We’ve tried a military solution, and that has failed to bring about peace and stability to Iraq. We learned this week that our own military intelligence officials have given up on Anbar Province. In addition, after three years of US military presence, even Baghdad Iraq’s capital, is not safe.

Repeatedly, our own Generals have told us that the war in Iraq cannot be won by military force alone, unfortunately the policy makers here in Washington have arrogantly refused to listen.

Mr. Chairman, I would say a better TOPIC for this hearing would be, Three years later, what have we accomplished?

It is increasingly clear that this Administration's occupation and reconstruction of Iraq has failed.

After three and half years, Iraq is less safe, not more. Al Qaeda, which prior to the U.S. invasion had no influence, has now grown in influence and number of recruits. The fact is Mr. Chairman, this Administration's policies has turned Iraq into a breeding and training grounds for terrorists, and created the greatest recruiting tool ever for al-Qaeda.

But, Mr. Chairman, the greatest tragedy of this war is the 2,669 American soldiers that have been irrevocably lost, and tens of thousands more injured. Between 100,000 and 200,000 innocent Iraqis have died as a result of the U.S. invasion. Everyday, 120 more Iraqis die at the hands of execution-style death squads, kidnappings, murders, IEDs, and sectarian violence.

The war in Iraq has been a grave and tragic mistake. It has cost us in blood and treasure. It has damaged our once unchallenged reputation in the world. It has squandered the good will rained upon this nation after 9/11. And, has been a distraction from our efforts to root out terrorism worldwide and bring to justice for those responsible for 9/11.

The President's promise that we would not leave Iraq until after his Presidency will only compound past failures and make our nation less safe.

Our continued occupation of Iraq is not only counterproductive, but fuels the civil war.

Mr. Chairman, I believe it is time we end this grave misadventure in Iraq and bring our troops home with the honor and dignity they deserve.

Thank you again, and I look forward to hearing the testimony of the witnesses today.

Mr. SHAYS. The Chair would recognize Mr. Duncan.

Mr. DUNCAN. Thank you very much, Mr. Chairman, and thank you for calling this important hearing. And your 14 trips to Iraq, I think, surely are more than any other Member of Congress has been there, and no one has worked harder on this issue than you have.

This morning on CNN it was reported that a bombing earlier today killed 14 and injured 67, and that 60 other bodies were found around which had been—who had been tortured. And I doubt that anybody in this country was shocked by that report or even surprised by that report because we hear these reports daily.

Almost every article that I ever read says that 100,000 civilians have been killed in Iraq over the past 3½ years. Is that civil war? Well, this is a country with one-twelfth the population of our country, so 100,000 civilians would be like 1.2 million people being killed in this Nation. Would we say we were at civil war if 1.2 million Americans had been killed in the past 3½ years? I think so.

Then on September 1st, the Pentagon released a report that all the new stories described as grim, saying that attacks on American soldiers have increased 15 percent over the previous 3 months, and that civilian deaths were going up averaging 120 a day, equal to 43,000 a year, which in our country would be the equivalent of 516,000 a year. The report also said that marine intelligence report said—the report on CNN this morning said a marine intelligence report said al-Anbar Province, which includes Ramadi and Fallujah and other key areas, have been lost, and that even the addition of 15,000 or 20,000 more troops would just be a temporary fix at best.

This was a war against an evil man, but a man who had a military budget slightly over 2/10 of 1 percent of ours, and he spent most of that protecting himself and his family. He was absolutely no threat to us whatsoever.

Fortune Magazine on November 25, 2002, said, before the war, “Iraq, we win, what then?” The article said a military victory could turn into a strategic defeat, and that an American occupation would be, “prolonged and expensive, and could turn U.S. troops into sitting ducks for Islamic terrorists.”

A columnist for the National Journal wrote that, “throughout the Middle East anti-Americanism has grown along with U.S. influence.” He said the lessons of great power breeds great resentment.

William Buckley, Jr., the godfather of conservatism, wrote in 2004 that if he had known in 2002 what he knew in 2004, he would have opposed the war. Then last year he said something very profound, I think. He wrote that if the killings of Americans continued at the same rate for the next year—and they have actually, and they have actually increased—he said we would reach a point, “at which to remain would become not steadfastness of purpose, but, rather, misapplication of pride.”

In fact, the fact is—and few people realize this because the conservatives with national television audiences or national radio audiences have supported the war, but over half of conservative newspaper columnists have opposed this war since the beginning. Now, some say that it was a mistake to go in; in fact, more than some, many have said, I’ve heard many times, many have said it was a mistake to go in, but now that we’re there, we must stay the course

or finish the job or complete the mission, we can't cut and run. But I think if you find out that you're going the wrong way down an interstate, you don't just keep on going in that wrong direction, you get off at the next exit.

And so I'm saddened at what has occurred there. I'm saddened at the tremendous expense to our taxpayers and our military, the deaths, the maimings and serious injuries to so many thousands of young Americans. This is no criticism of the American military, they do a good job wherever they're sent, but over half of what we've spent over there has been just pure foreign aid, which conservatives have traditionally been against. Governor Bush, when he was running for President, criticized President Clinton for nation building and said we need a more humble foreign policy. I agree with that. And so I thank you for calling this hearing today, and I yield back.

Mr. SHAYS. I thank the gentleman very much.

And, Mr. Waxman, you will be recognized—I need to make a phone call, that's the only reason I will be relinquishing the chair, but you have the floor.

Mr. WAXMAN. Thank you very much, Mr. Chairman. I thank you for holding this hearing, and I want to tell you I was very impressed and moved by the comments of my Republican colleague Mr. Duncan in his statement that he has just made.

It is difficult to take responsibility; it's difficult to say that sometimes mistakes are made by those who make them. And we speak as Americans, not as Democrats or Republicans, as we look at the tragedy that's been unfolding before us.

Three and a half years have passed since the invasion of Iraq, but the situation on the ground today can only be described as dismal. The violence in Iraq is spiraling out of control. In July, 3,000 Iraqis were killed. The number of attacks reached an all time high. There were more than 1,600 sectarian execution-style killings. By early August there were almost 800 attacks per week. Death squads and terrorists are running rampant, and independent observers believe a civil war has already started.

And we know that reconstruction hasn't gone any better. In Baghdad they don't have electricity except for a few hours during the day, and that's in Baghdad. Millions of Iraqis don't have access to drinkable water, and the oil production in Iraq is below prewar levels.

Well, there are several ways to approach the reality of what we've seen, repeatedly seen. One could be what the administration has been saying. They're saying that Iraq stands as a shining example of great progress. I don't think there is any basis for this kind of optimism. It took 4 months to form a government, and the current Iraqi leaders seem to lack the political will to reach agreement on the issues that divide them.

So how has the President responded to all of this? Over and over again we get the same kind of talk from this administration: We are just about to turn the corner. We have a steady stream of optimistic projections, we're at a key turning point, we're going to have a crucial breakthrough.

Before the war began, Vice President Cheney promised the American people that we will, in fact, be greeted as liberators.

Well, that never happened. About a month after the war, President Bush stood in front of a giant “Mission Accomplished” sign and said, we have seen the turning of the tide, and since then we’ve had that steady stream of nonsense.

On June 28, 2004, when we turned over sovereignty, President Bush promised that Iraq was at a turning point, but the violence just intensified. And even at the January 2005 elections, President Bush explained, tomorrow the world will witness a turning point in the history of Iraq, a milestone to the advance of freedom. It sounded good, but it was a complete fantasy.

A few months later Vice President Cheney presented the American people with the ultimate of happy talk. On Larry King Live he said, “the level of activity that we see today from a military standpoint, I think, will clearly decline. I think we’re in the last throes, if you will, of the insurgency.”

In December 2005, President Bush: “we’re making an quiet, steady progress in Iraq.” Well, if 2005 was a turning point, it was definitely a turning point for the worse.

Over and over again the approach of the Republican administration has been to tell us, we need to stay the course, it’s working out well for the Iraqi people and for the American people. That’s why I’m so impressed by our Republican colleague making the statement this morning that we’ve got to face reality, it is not turning out well. It is a mess.

Now, I know that some people on this committee have said in the past—I’m one person who believes that our involvement in Iraq is a noble effort. That was stated by one of the members of our committee. They never say, I was wrong. Now we have people saying what we need to do is have a reassessment of the forces that are needed to control the security in Iraq. Do we trust this administration to reassess the number of forces that we need to have stability in Iraq? They weren’t able to even assess the number of troops we needed from the very beginning to maintain security in Iraq. And we heard that we ought to be blunt with the Iraqi leadership, we’re going to give them a deadline. And if they can’t work out their differences, then what? Are we threatening to leave? Well, in the middle of a civil war, if you tell people at this deadline you’ve got to work out your problems, the aggrieved party in the civil war will not agree to work out the problems because they would like to see us leave, and maybe both sides would like to see us leave. But we have no leverage because we told them we’re going to reconstruct the country, and we failed. We told them we’re going to bring about security, and we failed. We told them that they’re at a turning point, and they turned the wrong way.

So I think it is a mistake to say, for those who thought this was a noble war, that what we need to do is set some deadlines, tell them to work it all out, reassess the number of troops, and, well, that will get us past the election, won’t it? But it’s not an answer. What we need is honest talk from those who thought this was a noble war. We need them to admit that they were wrong. We need to learn that somebody’s got to be held accountable. This administration has to be held accountable; the Republicans and the Congress that supported it have to be held accountable. The Democrats that never learned after event after event after event should have

alerted them to the fact that we've made a mistake and we're getting deeper and deeper in this quagmire need to admit as well. And after that, you hold people responsible, you move forward, and you don't hold on to a noble cause until you lose more and more lives for that noble cause and face the end of the road. And we already may be at the end of the road.

Thank you, Mr. Chairman. I yield back my time.

Mr. SHAYS. Mr. Waxman, thank you.

The Chair would recognize Mr. Van Hollen.

Mr. VAN HOLLEN. Thank you, Mr. Chairman. Thank you for holding these hearings, and I'm looking forward to hearing the testimony of the witnesses. But I do think that given the fact that we're gathered here just a few days after the solemn 5th anniversary of the September 11th attacks on our country, it is very worth pointing out that the attacks on our country had nothing to do with Iraq and had nothing to do with Saddam Hussein.

And I think it's important that we take a look at the situation in Afghanistan today because, after all, the attack launched by Osama bin Laden and al Qaeda came from there because they were given safe haven by the Taliban Government in a failed state. And this country was absolutely united in taking action against al Qaeda and the Taliban, and the international community was united as well. NATO invoked the article of the Charter that said an attack on one is an attack on all. The United Nations unanimously passed a resolution condemning the terrorist attack on the United States and said they would join us on the war on terrorism, and here we are 5 years later with a world divided and a country divided.

And in Afghanistan, al Qaeda still remains active. Osama bin Laden is still at large. We've seen in the last many months a resurgence of Taliban activity in southern Afghanistan, and despite that resurgence, which has been testified to by General Maples, the head of the DIA, and cleared everybody following events in southern Afghanistan, despite that, we have actually reduced the number of American forces in southern Afghanistan.

We see today that opium production in Afghanistan is at an all-time historic high, and we learned within the last 10 days that the Pakistani Government has essentially entered into a cease-fire agreement with the Taliban in the northern part of Afghanistan and with those in the northwest frontier area, in the Waziristan area, that they're backing off.

And so when I think back to President Bush on the aircraft carrier, the USS Lincoln, back in May 2003 declaring mission accomplished, it wasn't only that we didn't begin to accomplish any kind of mission in Iraq, we haven't come close to accomplishing the chief mission that we've set out to do as a united country uniting the national community of making sure that we totally disabled al Qaeda, because they're still there, and they're still planning, and they're still plotting, and we have not begun to accomplish the mission, and we haven't provided the resources necessary as a Nation to complete the job, and we haven't gotten the cooperation of the Pakistanis and others to complete the job.

And instead, we took our eye off the ball. We took our eye off the ball. We invaded a country that had absolutely nothing to do with

the attacks on this country on September 11th, and we have created a mess there. We now confirmed what we already knew from the Select Senate Intelligence Committee report, a bipartisan report: There was no collaboration between al Qaeda and Saddam Hussein; in fact, they were ideological opposites. Saddam Hussein didn't want any Islamic extremists in Iraq upsetting the apple cart, and yet as a result of our activity, we have created a mess there, we've opened Pandora's box, and now we're left with trying to deal with the mess that's been created.

And as my colleague Mr. Waxman said, we continue to get happy talk. We had mission accomplished 1 day. We had the plan for victory charts back in November at the Naval Academy—this White House seems to really like these charts a lot—and then we had Vice President Cheney saying, as Mr. Waxman said, “we're in the last throes.”

I think the Vice President should read the Pentagon report that just came out about a week ago. He said the insurgency was in the last throes. That report says the insurgency remains, “potent and viable.” And on top of that, we now understand from the Pentagon and people above that the insurgency is really the lesser of our problems. We now also have an incipient civil war. Call it what you want, read today's paper, read yesterday's paper, people are being brutally killed. They've had their hands cuffed, they've been shot through the head, reprisal killing, cycle of violence that continues, and yet nobody has been held accountable.

Stay the course is a slogan, it's not a strategy. More of the same. More of the same of what? Now, there are some people that have talked about different ways to try to achieve a political settlement, which is the only way we're going to be able to resolve this issue. I'm not sure there is going to be a peaceful political reconciliation, but certainly that should be our goal. But this constant talk of just keep doing exactly what we're doing is a recipe for disaster as well. We need some real thinking.

And I will close with this, Mr. Chairman: When you have a system that rewards those people who constantly got it wrong, and yet punishes or marginalizes those in the administration or those, frankly, in the professional civil service who got it right, whether it was on weapons of mass destruction, whether it was on the question of no connections between Saddam Hussein and al Qaeda, when you punish or ignore the people who got it right, and you reward the people who get it wrong, you're going to get a continuation of a failed policy.

And unfortunately, when the President has said he has all the answers, the Republican leadership certainly in Congress says, yes, Mr. President, you do have all the answers, and they haven't asked all the questions. It's been a blank check, it's been a rubber-stamp Congress, and at the very least, if we're going to have a national conversation, which the President says he wants, we shouldn't say that 1 day and then point fingers at people who disagree with the administration on the other day. That is just political partisanship. And when the President says, let's have a united conversation, and then the Vice President otherwise goes out and goes name-calling everybody else, that is not a two-way conversation.

I hope that we will begin to have a two-way conversation, but it doesn't appear that we're going to get there. I hope people will begin to be held accountable.

Thank you, Mr. Chairman.

Mr. SHAYS. I thank the gentleman.

Mr. Platts.

Mr. PLATTS. Thank you, Mr. Chairman. I have no statement at this point.

Mr. SHAYS. Thank you for being here.

Mr. Higgins, welcome. You have the floor.

Mr. HIGGINS. Thank you, Mr. Chairman. And I appreciate very much having had the opportunity to travel with Chairman Shays and other Members of Congress to the Middle East in the month of August. We spent time in Iraq, we spent time in Lebanon, and Israel and in the Sudanese region of Darfur, but.

I think the most difficult thing about this issue is that it's not one-dimensional, it's multidimensional. When you talk about Iraq, you also have to talk about Iran, you also have to talk about the Israeli-Palestinian stalemate. And I think the one, perhaps only, clear conclusion about this is that despite all the tough talk, despite all the fake bravado, this administration fails to recognize that at the source of this problem is our Nation's addiction to oil.

When you look at the situation in Syria, when you look at the situation in Iran, they're not exporting goods to the rest of the world, they're exporting hate and intolerance. That stands as the basis for the conflict that we are now confronting in the Middle East. Places like Iran and Syria, they use oil money; they use oil money to insulate themselves from real political and economic reform. And unless and until this Nation, our Nation, gets serious about developing energy independence, we will always have a conflict that we can't control and obviously can't control today.

I look forward to the testimony from this expert panel of witnesses, and look forward to working with you, Mr. Chairman, moving forward. Thank you.

Mr. SHAYS. Thank you.

We've been joined by Mr. Lynch.

Welcome. You have the floor, sir.

Mr. LYNCH. Thank you. Good morning, Mr. Chairman.

Mr. SHAYS. Thank you for coming.

Mr. LYNCH. First of all, I want to thank Chairman Shays and Ranking Member Kucinich for holding this hearing. I'd also like to welcome today's panelists and thank you for your willingness to help the committee in this work.

Over the past 2 years, we've witnessed major events in Iraq, from the June 2004 transfer of power to the Iraqi Interim Government, and to the December 2005 Council of Representatives elections, to the May 2006 formation of a new Iraqi Government. Regrettably, however, Iraq's political developments have been accompanied by heightened sectarian violence. It has changed the dynamic in the country where we first faced a resistance among the Ba'athist regime under—previously under the control of Saddam Hussein, to one in which on a daily basis we hear of major conflict between Sunni and Shia tribal leaders within Iraq, and it has changed the dynamic of our mission there enormously.

The focus of ethnic and sectarian identity has sharpened as a result of Iraq's political process, while nationalism and a sense of Iraqi identity have weakened. And accordingly, the political process of national reconciliation in Iraq has borne an additional military obligation for our brave men and women in uniform who are already shouldering enormous burdens of battling a terrorist insurgency.

As noted by the Department of Defense in its August 2006 quarterly report on Iraq to the Congress, rising sectarian strife defines the emerging nature of violence in mid-2006 in Iraq. And since the last report, the core conflict in Iraq changed into a struggle between Sunni and Shia extremists seeking to control key areas in Baghdad, create or protect sectarian enclaves, divert economic resources and impose their own respective political and religious agendas. That is what is going on in Iraq today, and as a result, U.S. forces levels in Baghdad have been significantly increased with an additional 7,000 American troops sent to Baghdad largely for the purpose of curbing sectarian violence between Iraqis.

And, Mr. Chairman, in light of the deterioration in the security environment in Iraq, and following my fifth visit to the country, I believe that Iraq's strategy is clearly lacking in one clear respect: It is the absence of an effective mechanism by which to expeditiously and fully transition Iraqi Government operations, including political tasks of national reconciliation, to the newly elected Iraqi Government.

I was in Fallujah back in April, and during my visit we got hit with a sandstorm, so I spent a couple of days there, stayed overnight. And I noticed that when in east Fallujah they had problems with water and electricity, it was the U.S. Marines, the engineers, who went out there and put the water back on and tried to get the electricity back on. Those are functions that should be, by now, in the hands of the Iraqi Government. They were elected back in December, and yet they still do not handle the basic operations, the basic day-to-day duties of government.

And we need to make sure that responsibility is shifted over to the Iraqis not only to reduce our own need for personnel in those respects, but also because I think it's common sense that if their government is elected—and they have been elected since December—and yet for the daily duties and obligations of government, the Iraqi people continue to look to the United States and Coalition forces, eventually they will lose credibility. The Iraqi elected government, if they are considered a puppet government and they do nothing in the main realm of what governments should do, they will lose credibility among their own people, and we see some of that happening today. Recent reports in the last few days coming directly from the Iraqi leadership complain of this point directly.

And the function of moving that governmental responsibility to the Iraqis is a necessary precondition of any United States withdrawal. That needs to happen, but no one right now is focusing on that specific job, and we need to establish an organization that looks at that issue and makes sure that the Iraqis do stand up and take responsibility for those basic government operations in their own country.

Mr. Chairman, I welcome our panel's thoughts on the suggestions that are put forward, and I look forward to their respective positions on the progress of the national reconciliation efforts in Iraq.

I yield back the balance of my time. Thank you.

Mr. SHAYS. I thank the gentleman very much.

Before recognizing our witnesses, I want to just take care of some business. I ask unanimous consent that all members of the subcommittee be permitted to place an opening statement in the record, and that the record remain open for 3 days for that purpose. Without objection, so ordered.

I ask future unanimous consent that all witnesses be permitted to include their written statement, in the record. Without objection, so ordered.

We have before us our first panel. And I appreciate our panel understanding that it's important for Members to put on the record their concerns about this particular hearing and the issue in general, and hopefully that will help you address some of the questions and responses. And I say that as well to our second panel, we are clearly divided on a very important issue facing our country and the world.

Ambassador David Satterfield is the senior advisor on Iraq to the Secretary of State. He's the former Deputy Chief of Mission from Baghdad. And I will just say that in my interaction with him in Iraq, I found him to be extraordinarily candid, obviously very aware of the issues that our country faces, and someone that I have just unbelievable respect for. And I thank him for his service in Iraq and his service now.

Mr. James Bever is the Deputy Assistant Administrator, Near East and Asia, U.S. Agency for International Development. I understand you've been assigned to this position in the last few months. You do not have a statement for us, but you're here to respond to questions, and I appreciate that very much.

I will say, before swearing the witnesses in, the vote on authorized use of U.S. Air Force—Armed Forces against Iraq passed 296 to 133, with 3 not voting. Mr. Platts voted for this resolution, I did, Mr. Lynch did, and Mr. Waxman. Mr. Kucinich voted against it, and Mr. Duncan voted against it, and two of the other Members here today were not here when we voted on that resolution.

Ambassador, if you will stand up, I will swear you in.

Mr. KUCINICH. Would the Chair yield to a question?

Mr. SHAYS. Let me just swear the witnesses in. Excuse me, Mr. Bever as well. As you know, we swear in all the witnesses.

[Witnesses sworn.]

Mr. SHAYS. I note for the record that our witnesses have responded in the affirmative.

Was there a question?

Mr. KUCINICH. Yeah. I always appreciate the Chair bringing information to the committee to illuminate us in the context of hearings, but could I inquire of the Chair what was the purpose of citing my vote against that resolution?

Mr. SHAYS. The purpose was to help enlighten our witnesses that some of the Members who have spoken for or against this war, in fact, voted for the war. I just wanted them to realize that.

Mr. WAXMAN. Mr. Chairman, since you mentioned my name, I did vote for that resolution because I was concerned about nuclear weapons of mass destruction. I didn't know it was all a fantasy of this administration's.

I also hoped that we would do better, and then found that reconstruction was just lining of pockets of Halliburton and the contractors. I saw that the Iraqi people weren't taking control of things. I saw that the civil war was coming. I saw the disaster year after year after year. It was as late as June 13, 2006, that I said, as you did, I'm one person this on this committee who believes that our investment in Iraq is a noble effort. I don't believe it was a noble effort, and I thought—my vote was a vote that I would certainly not have cast had we known the facts, and I wouldn't vote that way today. And I do not think it's a noble effort.

I don't know why you decided to cite something that took place so long ago when we knew so little of what we know now.

Mr. SHAYS. Just in response to your comments, Mr. Waxman, since I was the gentleman who said it was a noble effort, I felt that your comments were directed at me without using my name, and then you talked about people being honest. And so I would like to put for the record that I voted for this war. I believe it is an absolutely noble effort with all my heart and soul. I believe it would be a catastrophe if we were to leave prematurely. I believe the Iraqi—the terrorists, Islamist terrorists, would win. I believe there would be an all-out civil war, and I believe Iran would be the dominant force, and that's what I believe with regard to that.

And I was noting the Member's attack against me, and I did want to make sure that my name is associated with that noble cause.

Ambassador Satterfield, you have the floor.

**STATEMENT OF DAVID SATTERFIELD, SENIOR ADVISOR ON
IRAQ TO THE SECRETARY OF STATE**

Ambassador SATTERFIELD. Thank you, Mr. Chairman.

Mr. Chairman, members of the committee, I appreciate the opportunity—

Mr. SHAYS. Let me explain. We do 5 minutes. We will roll over another 5 minutes. Since you're the only one with testimony, I don't want you to feel rushed to make whatever statement you want to make. Thank you.

Ambassador SATTERFIELD. Thank you.

Mr. Chairman, members of the committee, I do appreciate the opportunity to appear before you today to testify on developments in Iraq, especially on the urgent critical need for reconciliation among Iraq's sectarian groups. And I appreciate the opportunity to enter into the record my prepared remarks. I would like to make some brief summary comments before taking questions.

The Iraqi people, as well as Iraqi and Coalition forces, have suffered through a violent summer. While the insurgency and al Qaeda terror remain challenges, lethal challenges, sustained sectarian violence is perhaps the greatest threat today to a stable, unified, prosperous Iraq. If sectarian violence cannot be demonstrably, tangibly reduced and sustained, that reduction over the next several months, an Iraqi Government that represents all of its

people, is a partner against terror, and is at peace both at home and with its neighbors will be difficult, if not impossible, to achieve.

The challenges facing the citizens in the Government of Iraq are serious, and they are very difficult, but, I believe, still surmountable. However, it will take a concerted urgent effort to achieve success. Iraq's future is dependent upon the performance and commitment over a sustained period of time of three basic pillars of actors? first and foremost, the Iraqi Government itself and the Iraqi people; the Coalition; and the international community, in particular Iraq's neighbors. If any one of these pillars should fail to fulfill its responsibilities and to sustain those responsibilities, each will suffer the consequences of a destabilized and violent Iraq.

For the Iraqis themselves, failure means the reality of a civil conflict that would lead to loss of life, disintegration of a national government, division of the country along sectarian lines.

For the United States, for the Coalition, failure means the possibility that Iraq would either become a permanent haven for terrorists, a satellite of Iranian influence, or both. Either outcome would pose a direct threat to American national interests and to the security of the American people.

For international actors, especially for Iraq's neighbors in the region, failure would mean a further destabilized Middle East that could disrupt national economies, provoke refugee flows, and, in a worst-case scenario, lead to regional conflict. To avoid these specters of failure, all must do their part.

The U.S. Government, the Coalition have already begun to make progress, and progress on a changed basis in several critical areas. We are not engaged in business as usual in Iraq, all is not the same. We have adapted and we will continue to adapt to changing dynamics on the ground, to our assessment, which evolves with the nature of the threat and the manner of dealing with that threat most effectively. We have responded to criticism from the Congress and from the Special Inspector General for Iraq Reconstruction to improve performance.

On security. Multinational and Iraqi security forces reacted to the deteriorating security situation in Baghdad, which many of the Members present have commented on, and have launched Operation Together Forward, a strategy to clear Baghdad of armed elements, terrorists, criminal groups and insurgents one key neighborhood at a time.

After clearing armed groups from these neighborhoods, they're clearing the streets, they're restoring basic services. The object here is to provide a greater sense of normalcy for Baghdad residents in their daily lives.

Since August 7, almost 50,000 buildings have been cleared, hundreds of weapons seized, dozens of militants, armed elements detained, and we are seeing results. Over the first 5 weeks of this operation, there has been a significant drop in execution-style sectarian killings in Baghdad city. Much work remains, but we appear to be—we, meaning the Iraqi forces in the lead on the streets, with support from Coalition elements—turning around the trend line of violence that followed the bombing of the Samarra Mosque in February.

I do not want to overstate success in Baghdad. This is an ongoing proposition, and we assess on a daily basis what is being done and what needs to be done, but the trend has been positive.

On reconstruction and good governance, critical elements both to putting Iraq on a sustainable path, a stable future, we have shifted the focus of our contracting efforts from foreign companies to Iraqi contractors. We're helping to support Iraqi businesses, to create Iraqi jobs, and not just make-work jobs, but sustainable positions. Both of these are necessary for the economic future of Iraq, and they're both necessary to provide a state for those who want to oppose violence, for those who see their future not in struggle, not in conflict, but in peaceful and normal lives.

We're working jointly in an unprecedented fashion, in military civilian teams, to stand up and to run provincial reconstruction efforts throughout Iraq as well as in the capital. These are helping to rebuild critical infrastructure, to train Iraqi officials in democratic best practices so they can indeed take over the lead, because the lead is what must be handed to Iraqis.

We already have seven provincial reconstruction teams up and running. Two more are operational and will launch officially very shortly.

On essential services. We have rehabilitated or maintained more than twice the electrical capacity now on line in Iraq. We have improved access to fresh water and to sewage treatment for over 5 million Iraqis. And while our focus in the past was on building national capacity in these services, we have moved forward. We are now focusing on what we call the next mile. It is connecting the capacity which exists in the system to homes, to the user when they turn on the light switch or turn on the tap.

Our goal is simple. We want Iraqis, particularly in Baghdad, to be able to see, feel and touch the accomplishments that U.S. taxpayer money and the effort of committed men and women have brought in their country. We're making progress in that direction.

Finally, on oil production. We have worked hard, and we have successfully increased Iraq's crude output above prewar levels from an average of 2 million barrels a day to 2.2 million barrel as day, with a significant increase in that latter figure by the end of the year as now wells come on line in the south.

Now, these are all positive developments, but they cannot exist or be assessed in a vacuum. To have lasting impact, to have strategic impact, the Iraqi Government and the international community must reinforce them by addressing other critical areas of concern, and there is no such area that requires more immediate attention in Iraq right now than reconciliation. On this issue the United States and the Coalition can only do so much. Only the Iraqis themselves, their elected leaders, can ultimately resolve the differences that currently divide them, and the clock is very much ticking.

We are pressing the government of Prime Minister Maliki to move now to match excellent rhetoric with real action. Prime Minister Maliki made a positive step forward in June when he presented a national reconciliation and dialog project to the Council of Representatives, but the Iraqi Government now must move forward to implement this swiftly and comprehensively. As Iraq's partner,

we stand willing to help in any way we can to advance this process, and we understand the stakes, but only the Iraqis can make the difficult decisions and compromises that will guarantee for them and for their people a secure, peaceful future.

Success in Iraq will not be possible unless all extragovernmental armed groups, terrorists and insurgents are demobilized, and Iraq's main sectarian groups, Shia, Sunni and Kurd, resolve their differences peacefully and in a manner that supports a democratic process.

I'd like to say, Mr. Chairman, a word about the important role of the international community at this point.

This month the United Nations and the Iraqi Government are launching an International Compact for Iraq that is loosely based on the successful International Compact for Afghanistan that was concluded in January of this year. The goal of the compact is for the Iraqi Government to demonstrate to the international community, to the region, to the world and to its own people its commitment to implementing needed social, political and economic reforms, to move forward on security, to promote private sector investment and public sector development. The United Nations will be holding a compact meeting in New York on September 18th, less than a week from now, after a very successful preparatory meeting this past week in Abu Dhabi.

Now, as the Iraqis reach out to the international community and to their neighbors, it's critical that the international community and the region reach back. Now, this is especially true for Iraq's neighbors, who have for too long sat on the fence and complained about conditions in Iraq without doing anything about them. We share the concerns expressed by many of our friends in the region about Iranian influence, about the growth of Sunni Islamic terror, al Qaeda in Iraq, but the way to deal with this phenomenon is not to isolate and exclude Iraq, it is to recognize that a new Iraq exists, to embrace that change, and to work actively with us, with the Coalition, to support a different, better, stable future for Iraq. It is time for the region to invest, as we have, in Iraq's future.

Mr. Chairman, President Bush, Secretary Rice, Ambassador Khalilzad, everyone in this administration, is committed to completing the mission in Iraq. If all of us, the United States, our Coalition partners, the Iraqi Government and the international community, do our part, we can and I believe we will succeed. And I would be happy to answer any questions the committee may have. Thank you.

Mr. SHAYS. I thank the gentleman very much.

[The prepared statement of Ambassador Satterfield follows:]

**Ambassador David Satterfield,
Senior Advisor on Iraq to the Secretary of State
Statement Before the Government Reform Committee, Subcommittee on National
Security, Emerging Threats and International Relations
September 13, 2006**

Mr. Chairman and Members of the Committee, thank you for the opportunity to appear before you today to testify on developments in Iraq and to address the progress of the Iraqi people as they continue to rebuild their country. There are still many challenges that lie ahead: coping with terrorist and sectarian violence, promoting Iraqi unity and national reconciliation, fighting corruption and promoting rule of law, and building government capacity. Let me begin by emphasizing that success *is achievable* in Iraq, but that everyone – the United States, the Government of Iraq, the Iraqi people, the international community, especially Iraq's neighbors, and the private sector – must do their part. The challenges are real, but—with your support and the support of the whole of the U.S. Congress—success will be achieved.

Mr. Chairman,

This has been a rough summer. The escalation of sectarian violence following the al-Askariya shrine bombing in Samarra on February 22, 2006 has overshadowed the progress on the political front. In this same year, Iraq has established its first government under a democratic constitution in 80 years. A successful military operation that rid the Iraqis and the world of a notorious dictator was followed by an increase in violence by his radical organization. Recently, the Prime Minister announced a national reconciliation plan in an effort to stem the sectarian violence as the number of murders peaked in Baghdad during the month of July.

Please allow me to lay out the four main issues that I will address today: first, the issue of security; second, reconciliation; third, democracy and good governance; and finally, essential services and ministerial capacity.

I. SECURITY

While the insurgency and al-Qaeda in Iraq remain major challenges, sustained ethno-sectarian violence conducted by private militias is perhaps the greatest threat to a stable, unitary, and prosperous Iraq. In addition, Iraqis are faced with daily confrontations from villainous death squads and groups that operate within the Iraqi

security forces and carry out acts of murder, intimidation, kidnapping, extortion and violence. We are also concerned with the threat posed by advanced Improvised Explosive Devices (IED) technology coming into Iraq from manufacturers in Iran. This is exacerbated by Iraq's porous borders, particularly its border with Syria.

Baghdad, as the heart of Iraqi diversity, has become the critical battleground upon which the vision of a stable, multi-ethnic, multi-sectarian, democratic Iraq is being fought. To this end, in August, 12,000 additional troops of the Multi-National and Iraqi Security Forces launched the second phase of Operation Together Forward, a neighborhood-by-neighborhood sweep to dislodge insurgents and militias and prevent their return by leaving behind a trained security presence. This is the "Clear" part of "Clear, Hold, and Build." Operation Together Forward also incorporates Iraqi-funded programs to enhance economic opportunity and to improve local governance, especially in the provision of essential services.

In cleared neighborhoods, we are seeing evidence that encourages optimism: women and children have returned to the streets, markets and shops are reopening, Iraqi and American soldiers are greeted with smiles, and local leaders have expressed their gratitude and support. Most importantly, over the first five weeks of Operation Together Forward, we have seen a significant drop in execution-style sectarian killings in Baghdad City. While I do not want to overstate the success of this operation, our progress is encouraging. Enduring success will depend on the ability of the GOI to maintain the progress gained through Operation Together Forward.

We are actively continuing to help train and equip the Iraqi Security Forces (ISF) to enable them to assume responsibility for Iraq's security. As the ISF stands up and achieves an acceptable level of training and readiness to maintain public order, we will adjust our military presence accordingly.

II. RECONCILIATION

Reconciliation and security go hand-in-hand. On May 20, 2006, Prime Minister Nuri al-Maliki (PM Maliki) unveiled a new government program to the Council of Representatives (CoR), highlighting national reconciliation as one of the new National Unity government's central goals. PM Maliki presented a "National Reconciliation and Dialogue Project" to the CoR on June 25. The High Commission for National

Reconciliation and Dialogue (HCNRD) launched its work July 22 – with representatives from all the major political blocs, civil society members, tribal sheikhs, and religious leaders in attendance – and has met several times since. A tribal representative conference – the first under PM Maliki's reconciliation initiative – was held August 26. Five hundred tribal representatives from all of Iraq's major ethnic and sectarian groups endorsed the initiative at that conference and called for an end to sectarian violence, the disbanding of militias, the review of procedures on de-Ba'athification, and called for a delay in implementing more federal regions. Additional conferences – for political parties, civil society organizations, and religious leaders – are scheduled for later this month.

Related to reconciliation is the need to address the problem of sectarian militias and other armed groups. We know that DDR programs—programs to disarm, demobilize and reintegrate militia members—have helped many countries get back on their feet. We are mindful of the lessons of other countries, including the vital lesson that the right political context is indispensable for success. We are working to determine what measures can be employed now to deny the militias new recruits—carefully targeted training and jobs programs, for example, to reduce the ranks of unemployed males. At the same time, the GOI is pursuing its reconciliation agenda to create the political context that would enable it, when the time is right and with our help, to deploy an array of programs aimed at putting militias in Iraq's past.

III. DEMOCRACY AND GOOD GOVERNANCE

A third element necessary for successful reconciliation is the existence of all of the elements of a robust democracy, particularly good governance. The majority of Iraq's political parties have a ethnic and sectarian identity. Also of concern is the increasingly anti-democratic behavior by several Iraqi political parties, particularly in Iraq's southern provinces, as they pursue inappropriate and unacceptable means to intimidate women and political parties that do not share their views. The United States Government (USG) is committed to building democratic institutions in Iraq. We actively pursue this commitment through a range of programs and initiatives that are helping to reverse more than a generation of totalitarian rule. We will continue to support non-

governmental organizations (NGOs) that are carrying out pro-democracy activities and are looking for additional ways to promote political participation—especially by Iraqi women in political, economic and civic life.

The USG, Coalition partners, and international agencies are also working with the GOI to promote the rule of law and to combat corruption. The Coalition has helped the GOI improve its judicial system by building or renovating courthouses, creating and expanding the Central Criminal Court of Iraq (CCCI), and improving security. The Central Criminal Court is handling about 118 insurgency-related cases each month.

The major challenges for the implementation of rule of law in Iraq are poor security for judges and judicial facilities, an insufficient number of judges, and an inadequate court infrastructure. Judges are often subject to intimidation, threats, and violence. Many judges risk their lives and their families to prosecute insurgents but, sadly we are seeing an increase in the threats and intimidation of judges who are willing to fulfill their duties. The USG, through the U.S. Marshals Service, is responding to this challenge by providing secure housing, personal security details, courthouse protection, and personal protection firearms to members of the Iraqi judiciary. Working in conjunction with MNF-I, the U.S. Marshals service has started training an Iraqi Marshals Service which will ultimately take over these responsibilities.

Our Department of Justice estimates that Iraq needs 1500 judges, but has only about 740 currently serving. Iraq's Ministry of Justice's Judicial Training Institute has enrolled a new class of 180 students—40 judges and 140 prosecutors—in a two-year training program. Even with these graduates, there will still be a significant shortfall of judges. In order to alleviate this need, Iraqi Chief Justice Medhat Mahmud recently nominated an additional 200 lawyers to serve as investigative judges.

On corruption, the GOI has made a public commitment to eradicate corruption and empower institutions that promote public integrity. Coalition support for this effort revolves largely around three main anti-corruption institutions: the Board of Supreme Audit (BSA), the Commission on Public Integrity (CPI), and the Ministerial Inspectors General (IG). The CPI has become the lead anti-corruption agency in Iraq and has already investigated over 1100 cases this year.

The CCCI, which prosecutes cases referred by the CPI, has 826 criminal cases pending or under active prosecution. Over the past 20 months, 56 officials in Iraq's ministries were either convicted or subject to arrest warrants. However, the ability of the government to prosecute corruption cases successfully is hampered by the lack of enabling legislation, lack of CCCI capacity, and intimidation of investigators and judges. We are working to help the Iraqis overcome these problems.

A further problem in the democracy sector is that Iraq lacks a tradition of professional civil service. Experienced or talented employees have frequently been replaced with political party hacks or cronies of ministers as a result of a spoils system. Many of Iraq's political factions view government ministries and their budgets as sources of power, patronage, and funding for their political parties. Ministers without strong party ties often face significant pressure from the political factions, and sometimes have little control over the politically-appointed and connected people serving under them. Still entrenched in the culture of the old regime, some ministry personnel are reluctant to exercise independent initiative or take action to address Iraq's problems of corruption. We are working with the Iraqis to help them develop a professional civil service.

IV. ESSENTIAL SERVICES

For the GOI to succeed, it must improve its delivery of basic services. Reconstruction has been hindered by insurgent attacks that have driven up the cost of doing business, both in terms of financial costs and human resources. Despite these challenges, the USG, in cooperation with the GOI, has rehabilitated water and sewage services and immunized children against infectious diseases. Rebuilding the infrastructure of the oil and electricity sectors has been slowed by having to overcome decades of mismanagement, corruption, decay, dilapidated and insufficient infrastructure, and poor maintenance.

Under the Iraq Relief and Reconstruction Funds (IRRF I and II), the USG currently has allocated \$4.2 billion for electricity, \$2.1 billion for water, \$1.7 billion for oil,

\$819 million for the health sector, and over \$100 million for education. The initial focus of U.S. reconstruction efforts was to prevent a continued degradation of the existing infrastructure after years of neglect by the former regime. Our efforts focused on restoring large electricity and water plants with the expectation that we would be investing in what would have to be a larger, long-term program to strengthen Iraqi infrastructure and create a stable base for Iraq's economic growth. Most of these projects are well underway, and nearly all of the large infrastructure projects are expected to be completed by the end of calendar year 2006. These projects already have had a significant impact on the lives of average Iraqis. IRRF I and II projects have added or rehabilitated more than 2,700 megawatts (MW) of electricity generation capacity on the grid, improved access to fresh water, benefiting 4.6 million Iraqis; and improved access to sewage treatment services, benefiting 5.1 million Iraqis.

While our focus in the past was on building-up basic capacity in essential services, we have moved forward and are now concentrating our efforts on helping the Iraqis deliver them to every household. Our goal is simple. We want all Iraqis to see, feel, and touch our accomplishments at the faucet, light switch, and stove. And we're making progress in that direction.

We are also making advances on behalf of Iraq's children. Approximately 32 percent of Iraq's 14,121 school buildings were rehabilitated or refurbished, 60,000 teachers have been trained, and 8.7 million new textbooks were provided to Iraqi school children. Nearly all Iraqi children have been inoculated against crippling diseases such as polio and measles, and hundreds of health clinics throughout Iraq have been rehabilitated.

Iraq's crude oil production has recently increased above 2002 pre-war levels. In August 2006, production has averaged 2.2 million barrels a day, above the 2002 average of 2.0 million barrels per day.

The United States continues to work with Iraq to improve its ability to sustain critical infrastructure. The USG initially allocated \$121 million to the electricity sector to support sustainable operations for generation facilities, while another \$25 million USG program supported operations and maintenance in twelve water and sewage treatment plants. More recently, the USG allocated \$180 million of IRRF to continue sustainment

efforts in the electricity and water sectors and provide support to additional sectors (\$110 million in the water sector, \$61 million in the electricity sector, and \$9 million in the combined areas of communications/transportation/health) to help Iraq sustain its infrastructure. These programs are expected to keep Iraqi plants and facilities online, thereby improving the levels of service offered to the Iraqi people.

Congress generously provided \$345 million in the FY 2006 supplemental legislation to continue both sustainment and capacity development efforts at plant-level facilities. The Administration has requested an additional \$154 million in the FY 2007 budget to help Iraq set up programs to maintain its essential service infrastructure for years to come.

Under IRRF I and II, the United States supports many programs to help the Iraqis increase their capacity to deliver essential services. For example, the IRRF funds several projects which have an ongoing impact on building the capacity of Iraqi Ministries, including: assisting the Ministry of Finance in preparing and implementing banking and financial reforms; helping the Ministry of Trade prepare documents necessary to be considered for accession into the World Trade Organization (WTO) and establishing an investment promotion agency; assisting the Ministry of Labor and Social Affairs to develop a social safety net and viable pension system; providing assistance to the Ministry of Agriculture in the development of a national water strategy, and implementing pilot programs in wheat and animal husbandry; improving the institutional capacity of the Ministry of Health to deliver care and fight disease; and developing an Education Management Information System for the Ministry of Education to improve management of human and physical resources. The United States Government also has dedicated significant resources to rehabilitating and building new infrastructure, while working alongside the staff at the Ministries of Electricity, Municipalities and Public Works, Water Resources, and Oil to improve the ability of their national, regional, and local staff to operate and maintain United States Government-funded facilities, systems, and equipment on a sustainable basis.

While all of these activities improved the capacity of Iraqi ministries to manage their own portfolios at various levels, it has become increasingly apparent that a broader program was needed to focus directly on improving the capacity of key ministries to

carry out core functions, such as strategic planning, budgeting, training, and managing a personnel system.

To address that need, the United States established the National Capacity Development Program (NCDP), which helps the GOI strengthen the core functions necessary for the efficient administration of its key national ministries, the Prime Minister's Office, Inspectors General of the participating ministries, and anti-corruption organizations such as the Commission on Public Integrity (CPI) and the Board of Supreme Audit (BSA). The NCDP is currently working with \$25 million in reallocated IRRF funds; \$125 million in FY2006 supplemental funds, and the Administration has requested an additional \$25 million in the 2007 budget. The program is organized into two phases to enable rapid response to short-term priorities while at the same time building the foundation for long-term needs. Ministry Advisory Teams, composed of experts from the Mission, Iraqis, as well as donors, provide policy and programmatic advice and work jointly with the ministries to develop and resolve ministry priorities. The MATs are designed to strengthen the confidence and self-reliance of the Iraqi government. The MATs and the NCDP are supported by PM Maliki, and he has designated an Iraqi lead in his office. The longer-term NCDP track will focus on building core curriculum in Iraqi training institutions; civil service reform; and other broad goals.

The Embassy completed detailed scopes of work for projects to meet urgent capacity building needs in specific ministries. The USG will provide immediate support to ministries as well as long-term capacity-building assistance in the core functions (financial management, human resources, strategic planning, leadership and communications). The contract will also increase the capacity of national public administration centers to train ministry employees.

The United States continues to work with other donors to coordinate efforts on assisting Iraq. Donors such as the European Commission and development institutions such as the World Bank have expressed interest in supporting similar initiatives with related ministries. Among the most important initiatives in this area is the International Compact for Iraq, an initiative of the Iraqi government and the United Nations. Building on a successful meeting just three days ago in Abu Dhabi, the United Nations is hosting a meeting on September 18 in New York at which the Iraqis, the UN and the World

Bank will outline to the senior officials from a great many nations their visions of essential reforms that the Iraqis will need to make to reform their economy and overcome more than thirty years of Saddamist stagnation. In turn, the UN, the World Bank, and the international community at large need to look at Iraq in a new way, and to recognize—as we do—that a stable, prosperous and more democratic Iraq will be a worthwhile investment for the world economy and for the region.

CONCLUSION

Mr. Chairman,

President Bush, Secretary Rice, Ambassador Khalilzad and everyone in this Administration is committed to the success of the Iraqi people. We recognize that their success is our success.

I would be happy to answer any questions the committee may have.

Mr. SHAYS. Considering we have so many of my Democratic colleagues, I think I will start with them first, and then I'll go to Mr. Duncan.

Mr. Kucinich, you have the floor first.

Mr. KUCINICH. Thank you very much, Mr. Chairman.

Mr. SHAYS. And what we are going to do—we are going to do 10 minutes. We'll do 5 minutes. Then we'll roll over for another 5 minutes. That way I think we can really get into some issues.

Mr. KUCINICH. Thank you very much, Mr. Chairman. Ambassador, thank you for being here.

A recent report by a marine intelligence official in Iraq publicized in the Washington Post claims that this situation at Anbar Province is almost hopeless. It says there's nothing the United States can do to improve the political and social situation there. You read the report?

Ambassador SATTERFIELD. Yes.

Mr. KUCINICH. Do you agree or disagree with its findings?

Ambassador SATTERFIELD. We certainly agree.

Mr. KUCINICH. I can't hear you.

Ambassador SATTERFIELD. We certainly agree. The situation in Anbar Province is, indeed, very serious, and we agree that major measures need to be taken to address the social, the political situation there. We disagree that the situation is hopeless, and we disagree that it is not possible to address the underlying factors which make the violence in Anbar so untrackable.

Mr. KUCINICH. Have you read any State Department reports that draw a similar conclusion?

Ambassador SATTERFIELD. Well, Mr. Kucinich, we have many, many reports from our staff, from military staff in Anbar Province. All of them confirm the difficult nature of the situation there, and it's a situation which through a combination of means outreached to the Sunni community, not just in Anbar Province, but the exile community outside Anbar Province in other countries; extension of government services as best as can be done to provide a better stake for the residents of that area; but above all—

Mr. KUCINICH. Mr. Ambassador, thank you. I want to ask you, if you have read such State Department reports, are you willing to provide them to this committee?

Ambassador SATTERFIELD. That is an issue I will take back to the Department, Mr. Kucinich.

Mr. KUCINICH. If you've read such reports, when is the first time that you read a report saying that the situation at Anbar Province had deteriorated sharply?

Ambassador SATTERFIELD. There are consistent reporting. There is consistent reporting from Anbar Province underscoring the serious nature of both violence, political situation, essential services provision in that province. It is not any one report or any one dramatic event. Anbar is a very, very difficult area. It is the most violent province in Iraq. It has been the most violent province since 2004.

Mr. KUCINICH. Is the State Department recommending to the President that we send more troops there?

Ambassador SATTERFIELD. That is not the role of the State Department.

Mr. KUCINICH. Does the State Department feel that there is a military solution in Anbar Province?

Ambassador SATTERFIELD. The U.S. Government, the mission in Baghdad, civilian and military, is united in a strategy of approaching the violence in Anbar, the political situation in Anbar as elsewhere in Iraq on a basis of both security steps and political and assistance steps.

Mr. KUCINICH. Mr. Ambassador, to what do you attribute the sharp increase in extrajudicial killings in the Baghdad area?

Ambassador SATTERFIELD. The al-Sadr Hamas bombing in February was the beginning of a shift in tactics by al Qaeda and its followers in Iraq from broadbrush attacks against civilians to a specific targeting of Shia holy sites, Shia communities. The object, as we know from Zarqawi's own letters, was to prompt Shia responses, Shia violence against Sunnis, and, in his distorted mind, to then provoke a civil war which he believed would be the prompt for the creation of a Sunni caliphate in Iraq.

Mr. KUCINICH. Are there State Department reports of rising al Qaeda influence in Anbar Province?

Ambassador SATTERFIELD. Again, sir, there is a consistent problem in Anbar Province not just with the insurgency, but also with the presence of al Qaeda elements.

Mr. KUCINICH. And when were these reports first written?

Ambassador SATTERFIELD. These reports have been present for several years.

Mr. KUCINICH. And what is the position of the State Department with respect to reports of men in army uniforms arriving in villages, seizing individuals, and then those individuals turn up handcuffed and blindfolded and shot to death?

Ambassador SATTERFIELD. There is a consistent occurrence of individuals in the uniform, the garb of Iraqi security forces, usually police but sometimes army, operating under the color of authority, taking prisoners, executing individuals. It is for that—

Mr. KUCINICH. Are you saying people connected to the Iraqi Ministry—

Ambassador SATTERFIELD. No, operating under color of authority.

Mr. KUCINICH. What does that mean?

Ambassador SATTERFIELD. That means purporting the—

Mr. KUCINICH. Who is killing all these people?

Ambassador SATTERFIELD. Killing is taking place at the hands of insurgents. Killing is taking place at the hands of al Qaeda terrorists. Killing is taking place at the hands of extragovernmental armed groups that have a sectarian color to them and a criminal color to them.

Mr. KUCINICH. You have victims of extrajudicial killings. There seems to be some systematic approach here—victims' hands tied or handcuffed, blindfolded, shot in the head, people showing up in military uniforms, gathering the—gathering people before they take them away, people in white Toyota Land Cruisers with police markings.

What is the position of the State Department on who is responsible for these murders.

Ambassador SATTERFIELD. Mr. Kucinich, there are two sets of issues here. One is dealing with the critical need for reform within

Iraq's Ministry of Interior, within its police services to ensure that none of those security officers are operating in a manner that is not national, appropriate, and it contributes to reconciliation.

The second issue is the presence of armed gangs, armed groups, some with a militia identity, others with a criminal identity, who are conducting these targeted executions and killings. Both need "addressal."

Mr. KUCINICH. Are you familiar with reports that kidnapers have appeared with expensive foreign equipment issued to security forces such as the Toyota Land Cruisers, Glock 0.9-millimeter pistols? Have you heard those reports?

Ambassador SATTERFIELD. We're certainly aware of those reports, sir.

Mr. KUCINICH. And what is the relationship now between the State Department and the Iraq Ministry of—Interior Ministry?

Ambassador SATTERFIELD. Well, the mission in Iraq, civilian and military, is working with the Iraqi Government to undertake reforms of the Ministry of Interior, both its leadership as well as the police services under the Ministry's control.

Mr. KUCINICH. What responsibility should the United States have with respect to a Ministry of Interior of a government that we helped set up, working, apparently, to provide circumstances that result in extrajudicial killings?

Ambassador SATTERFIELD. Sir, our mission is to help the Iraqis set up credible national institutions and credible means institutions that work and are seen as working on behalf of all Iraqis that are not engaged in armed activities outside official government sanction.

Mr. KUCINICH. Has the State Department conducted an investigation of who is responsible for the extrajudicial killings?

Ambassador SATTERFIELD. The U.S. Government, all of its entities, civilian and military, do, indeed, examine this issue on a continuing basis and have done so for quite some time, and respond to the results of that investigation both through efforts such as the Baghdad security plan, our press for reconciliation efforts, as well as addressal of the specific need for reform within the Ministry of Interior.

Mr. KUCINICH. So who's doing the killings? Are these people that are killing with the United States looking the other way?

Ambassador SATTERFIELD. No, they are not.

Mr. Kucinich, as I noted previously, the killing is being done by a number of groups, some who are, indeed, part of Iraqi security forces, and that's something that must be stopped. Others are operating wholly outside any official color or sanction. They are insurgents. They are terrorists. They are sectarian groups, militias and gangs.

Mr. KUCINICH. Well, you're pretty specific about that. Do you have incident-by-incident reports that would indicate exactly who has been doing the kidnapping and the executions and the extrajudicial killings?

Ambassador SATTERFIELD. There is often no such precise, instant-by-instant accounting, but there are patterns of behavior, sir, which we do, indeed, follow which allows us to give a best estimate of who is responsible for patterns of events.

Mr. KUCINICH. Well, we're learning now there were 162 bodies found last night. Maybe 100 people died in a day. We're talking about national reconciliation. What is the United States of America doing with respect to trying to stop the extrajudicial killings?

Ambassador SATTERFIELD. Sir, we have committed additional forces to Iraq. Iraqi Government forces have been added to the capital. We, along with the Iraqis, have devised a new security plan which evolves continuously, and it has achieved over the month of August significant results. We are working on reform of the Iraqi security forces, particularly the Ministry of Interior, and we are promoting a reconciliation process from which must come a DDR process, disarmament, mobilization and reintegration that ends militia activity.

Mr. KUCINICH. How many Ministry of Interior officials have been held accountable for their role or support of these extrajudicial killings and are militias?

Ambassador SATTERFIELD. Sir, one of the issues which we have urged Prime Minister Maliki to focus upon is the critical need to show that there are consequences, real consequences, through the judicial process for violations of human rights, for actions that involve torture, for corruption, large and small. Consequences need to be demonstrated.

Establishing the rule of law in Iraq, starting at the level of government officials, is critical. This is a difficult area, and I will not mince words on this point. It is hard to move this forward. Prime Minister Maliki has made the right statements. He has pledged his support for efforts against officials involved in violence, involved in corruption, but you need two things here, sir. You need a government that provides strong political backing for rule of law, for the fight against corruption, and you need a judiciary which is able to stand up free of intimidation, free of threat, and carry forward a fair and transparent process of bringing these individuals to justice, both present issues in Iraq which we are addressing.

Mr. SHAYS. I thank the gentleman.

Mr. KUCINICH. Mr. Chairman.

Mr. SHAYS. Yes, sir.

Mr. KUCINICH. Are we going to have another round here?

Mr. SHAYS. No, we won't have another round here because we have to be out by 2. I can do—let me just explain. We can do 5 minutes and then do a certain amount, or we can do 10 minutes. Now, I just need 10 minutes, but do you just have a quick follow-up?

Mr. KUCINICH. Well, I just want the record to show that the Ambassador has essentially said that no one's right now being held accountable. There's nobody being charged with anything, and you've got all these extrajudicial killings going on and tied to the Ministry of the Interior, and we're supporting them. Hello?

Mr. SHAYS. I thank the gentleman.

At this time, Mr. Duncan has the floor.

Mr. DUNCAN. Thank you, Mr. Chairman.

Mr. Ambassador, you know from my opening statement and also from the vote that Chairman Shays called out that I have opposed this war from the start, and I feel it was a very unnecessary war, and I think it will go down in the history as one of the biggest for-

eign policy mistakes in this country's history. However, I will say this: I have many good friends here and at home that supported this war and still support it, and certainly I think good people can disagree in respectful ways. And I certainly have no disrespect for you or people like you because I think that you're just trying to do the best you can in a very difficult situation. But having said that, I just—really just have two questions, and they boil down to these: How much and how long? And I'll make just a few statements to explain those questions.

When they found out that I was leaning against the war before we cast our original vote, as Chairman Shays just mentioned, about 4 days or so before that vote in October 2002, I was called to the White House for a briefing by Secretary Rice and George Tenet and John McLaughlin, and I asked—one of the questions that I asked was Lawrence Lindsey had just lost his job at the White House because he said the war would cost \$100 to \$200 billion, and I asked Secretary Rice in that meeting—there were six members there. I said, how much—I asked her about that estimate by Lawrence Lindsey, and she said, oh, no. It wouldn't cost anywhere close to that much, \$50 or \$60 billion at the most.

Well, now most estimates are higher, it's cost \$300 billion or more, and I think most Americans, while they don't want, you know, Iraq to pull out or some sort of specific exit date, they would like to see us wind this down at some point. Yet we're going in the other direction. We recently increased our troop levels by 13,000 to, I think, 140,000 roughly is what—the figure that I read.

This is a Nation that Newsweek Magazine said in the year before the war had a gross domestic product, the GDP, of \$65 billion total, so I know they love all of our money coming in there. And at this same committee a year and a half or 2 years ago, we had David Walker, who is the head of the GAO. I'm sure you know him. He was inspector general of the Defense Department at that time. He had issued a report saying that 35—that he had found \$35 billion that had been just totally misspent in Iraq and another \$9 billion that couldn't be accounted for at all, \$44 billion.

And then just about 3 weeks ago I led a congressional delegation to Europe, and in one of the countries—and I won't say the man's name because I don't want to get him in trouble—but one of the highest-ranking Foreign Service officers that we met said that—in one of the countries said that he had spent—that he had—not too long before we finished a year in Iraq, and he said that he saw SUVs just stuffed full of cash with barely room for the driver, and that he just saw horrendous waste.

And so I'm wondering, sir, how much? I've read a report. I don't have it in front of me. Joseph Stiglitz, I think his name is, and another Nobel Prize-winning economist say the ultimate costs of this war will be well over \$1 trillion counting what we—what we have spent, what we will spend and the medical costs of the troops and so forth. And then a couple of years ago, before the Armed Services Committee, Secretary Wolfowitz said we would have to be there at least 10 years.

So what I'm wondering about is how much do you think this war is going to cost us in the end, how much; and then, since things seem to be getting worse rather than better, according to the Pen-

tagon report and other reports, what do you think of that original estimate from a couple of years ago that Secretary Wolfowitz made that we would have to be there at least 10 years.

Ambassador SATTERFIELD. Well, Congressman, the cost of the war has been considerable. I am not able at this point to look back on what has been said, what has been done or the basis for those assessments. My role is to focus on where we are today and how best to move forward to a success, a success which, for Americans as well as for Iraqis and for the world, ensures that the cost of Iraq, the real cost of Iraq, is not just something that we measure in dollars or even in the tragic loss of life of American citizens there, but rather the cost in terms of both the terror, the cost in terms of instability in the region and elsewhere, and the cost in terms of our ability to promote a process of democratization not just in the Middle East, but elsewhere around the world. And that could be a very high cost, indeed, if there is not a success in Iraq.

With respect to lessons learned, we have learned lessons, sharp lessons, from the experience of the Coalition Provisional Authority in terms of accountability. There has been excellent work done and continuing to be done in Iraq by Stu Bowen, the Office of the Special Inspector General for Reconstruction, and we have taken to heart the steps that need to be taken to ensure that there is not waste or mismanagement of U.S. funds.

Well, when you speak of cost, Congressman, the cost has to be viewed in the broadest perspective. What is the price for a failure in Iraq? Now, transition to Iraqi lead is critical. As I underscored in my remarks, as the Secretary and the President and Ambassador Khalilzad have said, the Iraqis have to take over here. They have to take over from the standpoint of security. They have to take over from the standpoint of governance, establishing a rule of law, moving forward their own reconciliation deal that provides a new national compact, a basis for living in the country, and we're pressing them on these points.

On security we have seen very significant progress made in terms of the standup of Iraqi forces. This is not just a notional concept. It's not just rhetoric on our or the Iraqi parts. Iraqi forces are in the lead in many parts of the country. They have made significant command transfers over the course of the last 60 days, some within the last 30 days. That process is going to continue.

Now, Baghdad is a special focus. Because of the phenomenon of sectarian violence, because it is the center of the country and the heart of its national life, it's essential that success there come as quickly as possible, and it is why both we and Iraqis have committed additional elements to that fight. But I would note, sir, the ability that we have—the Coalition has—and the Iraqis have to move significant elements from elsewhere in Iraq to Baghdad is a sign that, in most parts of the country, the security situation has significantly improved, that those elements can be shifted to areas where the security situation remains threatening.

Mr. DUNCAN. Well, thank you very much. I'll just simply close and yield back the balance of my time to the chairman by saying—after I say this, that, you know, I read a few months ago a column by Ann McFetters, a columnist for the Scripps Howard news chain,

in which she said we're headed for a financial tsunami when the baby boomers start retiring in large numbers in 2008.

So I just don't see how this Nation can afford to keep spending \$100 billion or more every year in Iraq and do all of the things that we've promised, and I also don't see how a person can call themselves a fiscal conservative and not be horrified when they hear David Walker say that \$35 billion was misspent in Iraq, and \$9 billion—\$9 billion with a B—had just been totally lost. And when we hear these rip-offs by all these contractors, if you're a fiscal conservative, it seems to me you have to be horrified by that, and at some point in the very near future, we are going to have to see some decreases in these costs because, with a national debt of \$8.5 trillion, we just simply can't afford it.

I yield the balance of my time to the chairman.

Mr. SHAYS. Thank you.

The gentleman just has 2 minutes left, and I'll use those times just to set up for questions I'll do later. But Ambassador, you are a career diplomat; is that true.

Ambassador SATTERFIELD. That is correct, Mr. Chairman.

Mr. SHAYS. And you clearly didn't vote to send us into Iraq, Members of Congress did, and you're being tasked with the effort to help us and the Iraqis win this effort. Let me ask you, how long were you in Iraq as the Deputy?

Ambassador SATTERFIELD. Fifteen months, sir.

Mr. SHAYS. Yeah, and have you been there—when did you go in, and when did you leave?

Ambassador SATTERFIELD. I arrived in late spring of last year. I left a little over a month ago.

Mr. SHAYS. So you basically were there a year after the power had been transferred to the Iraqis in June 2004.

I'm going to want you to react to what is motivating this whole series of hearings, but I want to say to you, I believe in the beginning we made huge mistakes. We disbanded their army, their police and their border patrol. We allowed the looting. We were part of a de-Baathification that basically took too many Iraqis out of the opportunity to be part of this new government. I thought we turned it around, but having now dug a deep hole when we transferred power in June 2004—and that was a deadline, and a lot of the critics of the war were angry when we transferred power.

The bottom line is I then saw tremendous success when—for 18 months when we saw an election to create a transitional government. A transitional government was elected. They created the constitutional convention. The constitutional convention created the Constitution. All of these were deadlines, and then you had the election, allowed from the case of the Constitution an election of the new government, and my point will be when I start to question is what has happened since January of this year to now, and what do we do to get the Iraqi politicians to do all of the things they need to do on reconciliation, the Constitution and provisional election?

So that's where I'm going to be headed, but my time has run out now. Let me go to Mr. Waxman.

Mr. Waxman, you have 15—10 minutes.

Mr. WAXMAN. Thank you, Mr. Chairman.

Ambassador Satterfield, I am familiar with your career in the Foreign Service and your service to our country. You are an expert in the Middle East. You've served in Lebanon and Jeddah, and you've been in Iraq. You've been involved in the Arab-Israeli issues, so you're very familiar with that part of the world and fully cognizant of the consequences of our actions in that part of the world.

Repeatedly in your testimony, which I very much appreciate, it was very sobering, you repeatedly say we've got to hold the Iraqi Government accountable. They have to be accountable for torture and violation of human rights. They've got to be accountable for national reconciliation. They've got to be accountable for security.

My question is shouldn't we be holding the U.S. Government accountable as well and the administration that has brought us to this point?

Things have not gone the way we were told they would go when we engaged in this whole so-called noble cause. We were told it was going to be easy; we were going to be greeted as liberators; that we were going to create a democracy; that it's going to be a shining star on the hill; that we would produce further democracies throughout the Middle East.

Isn't it the case that we have strengthened Iran's hand and the role of the Shiites in what could be something of a civil war throughout the Arab and Muslim world.

Ambassador SATTERFIELD. Congressman, I do not believe that our actions in Iraq or elsewhere in the region have contributed to a strengthening of Iran's hand, and we specifically reject the concept that there is some threatening Shia, our core Shia crescent, that extends throughout the region that links all the Shia populations of Lebanon, of Syria, of Iraq, the Gulf in some unified conspiracy which has nefarious ends.

Mr. WAXMAN. Well, let me just—I appreciate that answer, but it seems to me hard to believe that if we are successful in our mission as we now have redefined it, that we're going to have anything other than a government in Iraq that is going to be very dependent on Iran. And the party that has now taken power in Iraq is a religious Shiite party that has strong ties to Iran; is that true?

Ambassador SATTERFIELD. Sir, the majority of Iraq's population is Shia. In democratic, free and fair elections, representatives, the majority of whom are Shia, were chosen, and the complex of the government, including the sectarian identity of the Prime Minister, reflect that democratic outcome. But we do not believe, very strongly do not believe, that the Shia of Iraq are Iranian, that their allegiance is anything other than to Iraq, or that they are not committed to the concept of nationhood as we would see the best future for Iraq or other countries in the region.

Mr. WAXMAN. While I appreciate that answer, I would hope you're right, but I'm afraid that what you're expressing is wishful thinking, and what we've had consistently in this noble experiment, this noble cause, is wishful thinking that turned out not to be accurate.

I don't know at what point you hold people accountable when we found out there were no weapons of mass destruction, there was no tie between Iraq and al Qaeda, that the people didn't greet us as liberators, that we needed more troops, and we made serious mis-

takes in not getting enough. In fact, we penalized the Americans who gave us warnings, like General Shinseki who said we needed more troops, or others in the administration who said it was going to cost more, and we've gone step by step by step, and every step of the way we are told that we're at a turning point, that things are really going to get better, and we're not at a very good point.

I don't know if it was just hopelessly naive talk, but would you agree that the insurgency was far from dead in 2005 when we were told that they're in their last throes, and would you say now that, in fact, the insurgency is far from dead at this time.

Ambassador SATTERFIELD. The insurgency is a very significant element in Iraq.

Mr. WAXMAN. So we were told that the insurgency was going to be taken care of, and now we find ourselves hoping this government—and trying to help this government in Iraq—can deal with the insurgency.

I think we need to ask ourselves when is a noble effort a mistake. In 2000, 672 American soldiers have died in Iraq; 19,000, close to 20,000, have been wounded. We spent over \$300 billion in taxpayers' funds, yet the violence is spiraling out of control. Iraq is in the midst of a civil war, and Iran is far more powerful in the Middle East than it was 3 years ago.

I think it's time for the administration to accept responsibility for this debacle, and I think the American people want accountability.

Mr. Chairman, I didn't attack you. I did criticize your views, and I don't want you to take it personally. We have a difference of opinion on this issue. I don't think you said all the things this administration has said, but when you tell us that, with all your heart and your soul, you believe it was—it is a noble cause, that does not impress me, because all you're telling me is you're sincere. And I believe that President Bush has been sincere, but I think this war has been wrong, and the estimates have been wrong, and the happy assessments and the wishful thinking has turned out not to be accurate, and now we're in the very difficult situation that Ambassador Satterfield has described for us.

You said, Ambassador, that we need to complete our mission in Iraq. Is our mission the same mission that we hoped it would be in the very beginning, that this would be a democracy, that it would be an example to the rest of the world, or do we just hope now our mission is to have this government stable enough to take over from us.

Ambassador SATTERFIELD. Sir, our mission is a stable, democratic, prosperous Iraq.

Mr. WAXMAN. Do you think that some of the insurgency and internal strife is due to the fact that the Iraqi people don't respect this government because they think we've set it up?

Ambassador SATTERFIELD. No, I do not believe, sir, that is an element, but it is quite true that any government, including the government of Prime Minister Maliki, that is not able to deliver on basic commitments in terms of provision of essential services, identification with a national program, including the security services composition and behavior, is not a government which is going to be able to succeed, and no government that does not establish or significantly strengthen the rule of law can succeed.

Mr. WAXMAN. Well, I think you're absolutely correct in that statement, but they looked at the United States as a country that occupied Iraq, caused a war against the regime in Iraq, brought it down, and then tried to occupy the country, and we were not successful in any of those activities either. We didn't provide security. We didn't provide reconstruction. We didn't provide any credible thinking on the part of the Iraqi people that they were going to be better off, at least I think the majority, because we were there.

Now we want a government that we've helped set up through a process, a democratic process, to accomplish that goal as well, and I hope we get there. I hope we get there, but I just wonder at some point when the President is going to say, as the chairman of this committee has said, "Well, there have been mistakes, and I'm responsible for those mistakes. There are other opinions that I should have listened to, and there have been consequences for the errors," rather than that whole pattern over and over again of never taking responsibility and telling us they're in the last throes. We're at a turning point. We've got to stay the course. Things are going to get better. We're going to redo the Middle East.

As the Secretary of State said during this Lebanon war, we're going through the growing pains of a new Middle East. Right now that new Middle East does not look very encouraging to me, and I don't think it would look very encouraging to the people in Iraq or their neighbors or the international community.

You said we need the role of the international community to be more involved, but didn't we take the position that we didn't care what the international community had to say, that we were going to go into this war alone? Didn't we also take the position after the first military victory that we wouldn't even let some of those other countries bid for contracts in Iraq because they weren't with us in the beginning? Do you think that those actions on our part might lead to some of the other countries we want now to be involved to feel that we stepped in it, and it's our responsibility, and they can sit on the sidelines? Is that a problem still.

Ambassador SATTERFIELD. Congressman, our focus, and indeed, I think, collectively all of our focus, is on how to deal with the situation today and move forward to a success, because the stakes of success or failure are so significant for us, for others.

Among the steps needed is to reach out, something we have been very much engaged in, to a broad community of international and regional support for Iraq.

Mr. WAXMAN. Well, I agree we have to do what we can do, and we have to reach out as best we can, but I think we've made it a lot more difficult for that to happen successfully based on our previous actions. Very sincere people running this country were very arrogant. They told these countries we didn't need them. We told the world we could accomplish this easily; we are the power, and we're going to throw our weight around. And I think that we have caused many, many more difficulties for ourselves than otherwise would have been the case. You agree with that, don't you?

Ambassador SATTERFIELD. Congressman, we have acknowledged that the situation is extremely troubled in Iraq and that everything possible needs to be done to address it from the standpoint of our own strategies and policies. What the international and the re-

gional communities do and, above all, what the Iraqi Government must do and how we urge them to take those steps, that's the course, that's the strategy we're embarked in.

Mr. WAXMAN. And when did you say we measure whether the set strategy has failed or succeeded, and is there a timeframe in which we can make that judgment?

Ambassador SATTERFIELD. Congressman, one of the aspects of the way we have tried to execute our assessments, our strategy and policy over the course of the past year in Baghdad and here in Washington is to constantly assess and to know what the benchmarks are for that assessment of whether or not what we are doing is working, and, if it isn't, to know that and to make changes.

Now, whether we're looking at the security area, the standup of Iraqi forces, the effectiveness of Iraqi forces, the government's provisions of essential services, capacity-building on the civilian side, or the issue of rule of law and corruption, we know what the goals are. We and the Iraqis talk together about where the hollowness, the weaknesses are, and we assess what can be done to address them.

There are some pieces we can't fill, the Iraqis must; some pieces we and they cannot address. The international community and the region have to come to help. But we assess every day what we are doing, whether it's succeeding or not, and we do not stay on the same rigid line. We reassess, reevaluate constantly, and we hold ourselves up against very real benchmarks of whether what we are doing is working or not, Baghdad security or civilian issues.

Mr. WAXMAN. Not just staying the course, we may even change the course as we reevaluate matters.

Ambassador SATTERFIELD. We assess what is necessary to achieve success in Iraq.

Mr. WAXMAN. Thank you.

Mr. SHAYS. I thank the gentleman very much, and, Mr. Dent, you have the floor.

Mr. DENT. Thank you, Mr. Chairman.

About 13 months ago at this time I was in Iraq. I visited Kirkuk. I was down in the southern areas near Basra and also in Baghdad within the Green Zone, and at that time the Iraqis were dealing with the constitutional issues and specifically the allocation of resources, which is a continuing problem there. And I think just last week one of the Deputy Prime Ministers of Iraq declared that issue had been resolved, but really gave no details, the issue of distribution or allocation of those resources or oil.

My specific question to you, Ambassador—Mr. Ambassador, is has that issue of the oil revenue allocation been resolved as indicated by the Deputy Prime Minister—I believe his last name is Sulih—and if it has been resolved, what are the provisions of that settlement.

Ambassador SATTERFIELD. Mr. Congressman, there is no resolution to the issue of a national oil and hydrocarbons law. The essence of such a law, which is an urgent priority for Iraq, will be a distribution both in terms of commercial rights, revenues between the center and provincial and regional authorities. That is something very much under discussion at a local as well as a national level, but it is not resolved.

Mr. DENT. They have not determined where those decisions will be made, either at the central level or at the provisional level then?

Ambassador SATTERFIELD. The law itself will set out what the relationship is for development exploitation as well as for profits and control between local and national authorities, and that remains very much under debate.

Mr. DENT. OK. On the issue of de-Baathification, Ambassador Bremer has been very candid that he believed we made a mistake in allowing Shia politicians to administer much of the de-Baathification process. I think it was the Ambassador's intent to affect about only 1 percent, the top 1 percent, of the Baathist Party members.

I guess the question I have for you is, since this is such a key issue to the Sunni Arabs in Iraq, do you believe that Prime Minister Maliki and the Shia political parties and the parliamentary bloc agree, and what action is Prime Minister Maliki's government taking to reform this whole de-Baathification process, and can we get the Sunni buy-in.

Ambassador SATTERFIELD. Mr. Congressman, the manner in which de-Baathification has been applied has indeed been extremely troublesome and divisive for Iraq; it has not been a unifying process, and it has not contributed to reconciliation.

In June, when Prime Minister Maliki made his speech to the Council of Representatives on the reconciliation issue, he specifically raised reform of de-Baathification as one of the issues that had to be addressed. This is an issue under the control of the Council of Representatives, but it is important for the government and for Iraq's political leadership both to have a view and to advance that view in a manner that supports national reconciliation. There cannot be a new national compact, a reconciliation deal for Iraq, without addressing the issue of how de-Baathification is to proceed.

Our hope would be that issue moves forward on the basis of punishment for individual criminal action and not some blanket or class proscription or prohibition as has been applied in the past, or, worse, the use of de-Baathification as a political or sectarian weapon.

Mr. DENT. On the issue of Kirkuk, I visited Kirkuk last year. I visited the big power-generating facility. I've forgotten the name of the town now, but I visited that facility, and I was struck by the ethnic diversity of Kirkuk—the Turkmen, the Sunni Arab, Shiite Arab, and the Kurds—and there was a very heavy Kurdish population at one time there until Saddam Hussein, I guess, Arabized Kirkuk.

What is the position, in your view, of the Sunni, Shia and Kurds respectively on the status of the city of Kirkuk, and what is the prospect that this issue can be resolved.

Ambassador SATTERFIELD. Mr. Congressman, the Constitution, as was the case with the preceding transitional administration law for Iraq, calls for an addressal of the issue of Kirkuk in its future in a manner that reflects the will of its people. The Constitution specifically requires a process to be entered into which could include, but does not specifically have to include, a referendum.

This is an issue that will need to be addressed, but it needs to be addressed, if I could say, in the context of national reconciliation. It needs to be addressed in the context of a resolution on how oil revenues, oil expectation, oil investment will be managed. It's not something that can be seen in isolation. It is part of the national compact, part of the package deal that needs to set forth a basis for Iraqis, all Iraqis, including in Kirkuk, to live together.

Mr. DENT. And on the issue of Kurdish autonomy, generally, I believe—I guess the President of the Kurdistan Regional Government barred the Iraqi flag from flying over government buildings and in the Kurdish regional area. What is the significance of the Prime Minister's recent actions barring that Iraqi flag flying and his talk of independence? What is your sense of what this means?

Ambassador SATTERFIELD. Congressman, the Iraqi Constitution recognizes the Kurdish Regional Government's area of responsibility as a Federal region of Iraq, but I would underscore "region of Iraq." We were quite concerned at the decision you referred to regarding flying of the Iraqi national flag. We addressed those concerns urgently and directly with very senior Kurdish officials. It did not contribute to the process of national reconciliation.

Mr. DENT. Has there been any response from the Turkish Government with respect to that action by the Kurds?

Ambassador SATTERFIELD. By the Turkish Government, sir?

Mr. DENT. Yeah.

Ambassador SATTERFIELD. The Turkish Government and we, the Turkish Government and Kurdish officials, the Turkish Government and officials of the central government in Baghdad, are in continuing contact on a great many issues, but on this specific issue there was no significant public reaction.

Mr. DENT. In the event that Iraq were ever to deteriorate into a full-blown civil war—I don't believe we're there today—but if that were the case, what do you believe the Turkish Government would do to protect its interests?

Ambassador SATTERFIELD. Mr. Congressman, I don't want to comment on hypotheticals because we do not concede that Iraq is destined for a full-blown civil war.

Mr. DENT. I'm not saying that either, but there is a lot of concern that, should that occur, the Turkish Government might take actions.

Ambassador SATTERFIELD. I would refer you to officials of the Turkish Government for an assessment of their possible steps.

Mr. DENT. And finally the issue of an—there has been a lot of talk, of course, about an autonomous region in the south, a Shia autonomous region. What are the prospects, in your view—just get right back to this issue of civil war, but what do you think are the prospects for a civil war if a Shia autonomous region is established in the south of Iraq as some experts have predicted?

Ambassador SATTERFIELD. The Constitution provides for a law to be passed on how regions may be formed from provinces, and then, of course, a provision for how provinces could request such a step to be taken. There is considerable debate, Mr. Congressman, not just between Shia and the other communities of Iraq, but within the Shia community, over what should be the shape of governance in southern Iraq. There is no one position on this issue. There is

no agreement even within the Shia community on this question, and our position would be any addressal of an issue as fundamental to the nature of governance and life in Iraq as setting up new Federal regions should be done in a manner which is transparent, which reflects clearly the will not only of those individuals in that region, but also contributes to the cause of a unified, national, peaceful Iraq, and that is not intrinsically destabilizing.

Mr. DENT. Did I understand that the position of our Government of the United States is that the issue of a Shia autonomous region should be left to the Iraqis? Is that our government's position?

Ambassador SATTERFIELD. Well, sir, it is an Iraqi decision, and it is provided for in the Constitution. There must be legislation passed to set up the specific procedures for establishing these regions beyond the Kurdish region. That debate is ongoing, but we believe the debate should be conducted, and the results of that debate should certainly contribute to national unity, not division.

Mr. DENT. Mr. Chairman, I'd like to yield the balance of my time back to you.

Mr. SHAYS. Thank you very much.

Ambassador, what is the significance of the statement by the Iraqi Speaker of the Council of Representatives that reconciliation must be achieved in 3 to 4 months or Iraq will go under?

Ambassador SATTERFIELD. Speaker al Mashhadani was reflecting in that comment the need for urgent action on national reconciliation, on a national compact on a basis for Iraqis to live together, and the elements of that deal, of that compact, are all of the things we've touched on today, economic, a national oil or hydrocarbons law, a relationship between the center and provinces or the center and potential Federal regions, good governance, and the ability to extend essential services in a sustained manner and a rule of law. All of those have to be part of that deal, and the clock, as I said in my remarks, is ticking and in an unforgiving fashion. There does need to be urgent progress on these issues.

Mr. SHAYS. OK. One of the things that I will be asking you with the next round of questions is I'm going to want you to rank—maybe some of your staff can write this down so you can then rank it—the issue of amnesty, rollback of de-Baathification, federalism, sharing the oil wealth, and standing down the militias. I want you to rank them in the ones that are going to be the most difficult to the most—to the easiest. That's amnesty, rollback of de-Baathification, federalism, sharing the oil wealth, and standing down the militia.

We have a huge opportunity in our next panel to have a representative from the Sunni community, the Shia community and the Kurdish community make a case for their country in how they can work together and where the problems are, and we're eager, though, to have your view about that.

At this time, the Chair would recognize Mr. Van Hollen. Thank you, sir.

Mr. VAN HOLLEN. Thank you, Mr. Chairman. Thank both of you gentlemen for being here.

Ambassador Satterfield, thank you for your testimony, and thank you for your service as well. As a Foreign Service brat, I really do

appreciate all your—all you've done for our country and what you've done in the Middle East in your service.

Mr. SHAYS. Note for the record he called himself that, not anyone else.

Mr. VAN HOLLEN. That's right. And before I turn to sort of looking at the future, I do think it's important, though, for the American people listening to us as we discuss what's at stake in Iraq and, as you've described, the potential of al Qaeda and Iraq taking—using Iraq as a base for the export of religious extremism, that I think you would agree that those consequences that you've talked to emanating from Iraq if we don't succeed did not exist coming out of Iraq before we invaded Iraq. I hope you would agree with that assessment. Iraq before we invaded was not a base of operations for al Qaeda, and there was not a danger of the export of extremist al Qaeda etiology and terrorism emanating from Iraq in that form before the invasion of Iraq.

Ambassador SATTERFIELD. Congressman, I will take that question for a considered response.

Mr. VAN HOLLEN. I appreciate that. If there's any way you can get back to that—and I understand the difficulty of the question, but I think it's important as we debate this because we're in the political season now. The President's given a series of speeches essentially saying, if you're not with him on his particular “stay the course” proposals on Iraq, he sort of questioned those who have questioned him, and I do think it's important that, regardless of what people think of the consequences that might happen if we don't succeed by whatever definition in Iraq, that those consequences are a result of us having invaded Iraq. And I don't need for you to respond any further to that.

On the question of national reconciliation, clearly that's the key to this, and as you pointed out, many of those key decisions are in the hands of the Iraqis, right? You would agree?

Ambassador SATTERFIELD. Certainly, sir.

Mr. VAN HOLLEN. OK.

Ambassador SATTERFIELD. All of those key decisions are in the hands—

Mr. VAN HOLLEN. So I think it's also important for the American people to understand that in this exchange that we're having that when we talk about whether or not we succeed in Iraq, we very much mean that we're depending on the Iraqi people to make the right decisions in order for success to be defined as we would like it to; isn't that right?

Ambassador SATTERFIELD. Congressman, I could not state more clearly that the use of “we” is we, the United States and Coalition; we, the Iraqi Government and people; and we, the international community.

Mr. VAN HOLLEN. Right, but as—I think your point was well taken that many of their critical decisions that are going to be made are decisions made by Iraqis with respect to how they see the future of Iraq; isn't that right?

Ambassador SATTERFIELD. That's correct, sir.

Mr. VAN HOLLEN. OK. Now, on this question of national reconciliation, I think the real issue here is within the Government of Iraq, who has made up their mind that the future of Iraq is a uni-

fied Iraq, or whether there are parties that are currently part of the government that have made up their mind that they see their future differently, more of an autonomous region either totally separated or with a very weak central government.

And in that regard, let me just ask you, we had the testimony yesterday of Colonel Alan King, someone who had been on the ground in Iraq. He wrote a book, and just with respect to the services, to the Ministry of Interior, he pointed out Iraq has formed an internal security—and I'm quoting from his testimony yesterday—formed its internal security along sectarian lines with the Shia-dominated Ministry of Interior and the existence of the militias imposing strict fundamentalist policies, including death squads, operating what is sequaciously being attributed to the Government's inaction or complacency. He went on to say, "The SCIRI's Badr Corps domination of the security forces has positioned a nonstate actor in a state-sponsored position to pursue its objectives independent of the government's objectives."

Are you persuaded as we're here today that the Minister of Interior has made a decision to purge itself of those connections to the Badr Corps?

Ambassador SATTERFIELD. Prime Minister Maliki and his Minister of Interior, indeed the government as a whole, has made a pledge both recognizing the problems in the Ministry of Interior that preceded this government and the problems ongoing in the Ministry of Interior and its forces to reform both structures and leadership.

Mr. VAN HOLLEN. And are you convinced—as you pointed out in your earlier testimony, we have rhetoric, and we have action. Have you seen the actions taken to meet the rhetoric that you just mentioned?

Ambassador SATTERFIELD. Sir, we have seen some actions taken already in terms of actions against senior officials of the Ministry of Interior. We have seen some actions initiated in terms of reform of the security services under control of the Ministry of Interior, but much more needs to be done.

Mr. VAN HOLLEN. Let me get back to this question about the—Barzani's decision to fly the Kurdish flag, and I understand that the United States made known that they didn't think that was helpful, but I think the real question is the sentiment underlying that decision that he made because, as you said, this is a question for the people in Iraq, whether they're Kurd or Shia or Sunni or whatever background they may be. And as we know, at the time of the January elections, there was a sort of straw poll taken in the Kurdish area. It wasn't a legally binding thing, but it did go to the question of whether there should be an independent Kurdistan, which has been the aspiration, understandably, of many of the Kurds in the region, and over 90 percent of the people said they would like an independent Kurdistan. The Peshmerga, you know, is already—essentially, that's an independent militia in many ways, but we recognize that the Kurds believe that's necessary for their own security.

So, given that fact, doesn't it suggest that many in Iraq have not made up their mind that they want to live in a united Iraq; that, in fact, many Iraqis—and I think this is—many Iraqis would prefer

to see some form of whether it's real autonomy for each of the three regions or some form of partition.

Ambassador SATTERFIELD. I would make two general comments. First, the views of the majority of Iraqis as reflected in the view of the majority of their political representatives are very much in favor of an Iraq which is unitary. What "unitary" means, how the relationship between the center and current provinces or the center and potential regions should be defined is very much a matter for debate, and there is the broadest spectrum of views which transcend Sunni, Shia, sectarian identification. There are many, many Shia who support a strong central government. There are many Shia who would like to see a different kind of formula followed for the south.

The important issue here is how is the debate conducted. What is the outcome of the debate? Does it leave an Iraq which is capable of being prosperous, secure and stable, or does it threaten those three goals? And those are not just for us to postulate; although, we do and must with our colleagues in the Iraqi Government. It's an issue for them to debate, and the next weeks and months must see these issues, whether it's focusing on oil, the question of federalism, governance as a whole, and de-Baathification and the other issues the chairman mentioned that are part of the reconciliation, move forward. How does it all work together to create that stable, prosperous and secure Iraq.

Mr. VAN HOLLEN. Well, in closing, I thank you, Mr. Chairman, for the time. I think you're right in stating the challenge with respect to bringing it all together. I guess the question is what will the final answer be, and a lot of that answer will come from the Iraqi people. All we do know is that there does continue to be this terrible and escalating cycle of violence, large internal migrations of people who used to live side by side as Sunni and Shia having to move out of their neighborhoods. And the real fear is, as time goes on, that the situation doesn't become even worse, and, you know, it doesn't—looking at the situation on the ground in the last couple weeks doesn't give you a lot of hope, as much as I hope for a good result.

Thank you, Mr. Chairman.

Mr. SHAYS. Thank you, gentlemen, very, very much.

Mr. Satterfield, just speak first to the question that I tried to discuss with you, and that is I've seen significant progress from June 2004 until January with tremendous expectation, and I understand that this new government took a while to form because the Kurdish community and the Sunni community exercised a veto as a minority over the choice of the selected Prime Minister. And so there was this debate between majority rule, minority rights, majority rule, minority rights, and minority won, and they got another Prime Minister; but the majority got to select that Prime Minister in the name of Mr. Maliki, Prime Minister Maliki, but that took 3½ months. And now I have seen this government operate for over 3½ months now, I'm hearing them say the right thing, and I'm not seeing them do what needs to be done.

Would you agree that there was some significant timelines in 2005 and timelines met that we are not seeing right now?

Ambassador SATTERFIELD. Mr. Chairman, let me respond to your question by telling you about two different issues, one of which is in direct response to what you just outlined. We certainly did see during the course of 2005 a series of fixed benchmarks, which laid in front of the Iraqi people the region, the Coalition-specific goals, the various referenda and national elections that took place. Holding Iraqis to those deadlines, Iraqis holding themselves to those deadlines, was an important factor in leveraging or driving progress, and as each deadline, as each event was reached and successfully held, and, indeed, with increasing success in terms of the participation particularly from the Sunni community as each referendum and election took place, we saw a burst of confidence, of support for the concept of governance, sovereignty in Iraq take place. And you're right, that momentum faltered with the beginning of 2006.

Mr. SHAYS. I'd like to say, as someone who was there four times during that year, it was remarkable.

Ambassador SATTERFIELD. Yes.

Mr. SHAYS. It was remarkable. In just 11 months, a new nation was created with three elections—one to create this transitional government. It was remarkable that they were able to agree on a body to write this Constitution and then invite Sunnis in, because they didn't have the legal representation on the transitional government because they didn't participate, and then to see that ratified and then to see this new government elected.

What troubles me is that there was this huge success, but it was—they had timelines to basically follow, and they met them. What will get this new government to act given there aren't timelines?

Ambassador SATTERFIELD. Mr. Chairman, there needs to be a clear sense of urgency instilled in the Government of Iraq and, indeed, beyond the government; I would say, in the political leadership of Iraq, representatives in or outside of government, from all significant political groupings, all ethnic and sectarian groups in the country, that their future, the future of all of their peoples, the people of Iraq collectively, depends upon movement, movement on reconciliation. And I would say, sir, reconciliation includes all of the elements which you outlined in your remarks.

Mr. SHAYS. Why don't we get to that, and if you could give me how you rank them. It's amnesty, rollback of de-Baathification, federalism, sharing the oil wealth, standing down militia. I'm going to ask you to rank them in two ways, one in terms of difficulty and another in terms of the importance.

What is the most important as you would—and maybe some of them are so equal you have to put them all in the same. But how would you rank them in terms of importance; amnesty, rollback, federalism, sharing the oil wealth, starting down the militias.

Ambassador SATTERFIELD. Mr. Chairman, I don't think there is any question that a decisive elimination of the presence of extragovernmental armed groups, militias, gangs operating as militias, whether with a sectarian or other identification, is the key challenge, and it is essential to moving Iraq forward to a better future.

Mr. SHAYS. What would you put second?

Ambassador SATTERFIELD. When you raise the issue of amnesty, that is part and parcel of the question of how you strike a reconciliation deal out of which flows a resolution on militias. You can't deal with militias, a DDR process, in isolation from a political package deal on reconciliation in which de-Baathification, amnesty have to be critical elements.

I have a young man in my office who is an Iraqi; I mean, he's now back at school. I asked him about, you know, some issues I was taking a stand on as it related to this. I asked him to comment about the militia. And he said, my parents never thought of themselves as Sunnis, they thought of themselves as Iraqis, but when they started to feel endangered as Sunnis, they then gravitated to the Sunni militia that could protect them. Which got me to think about the fact that, do I cut this Prime Minister a little slack in eliminating the militia, because if you eliminate the militia, is there going to be a void that no one then can take the place? In other words, through—in the process of wanting to bring peace, endanger my intern's parents by eliminating the Sunni militia that are protecting them.

Ambassador SATTERFIELD. Mr. Chairman, three key elements have to go together here, three very broad elements. Security has to be advanced. An element of security, a critical one right now, particularly in Baghdad, is extra governmental armed groups, militia violence. But dealing with the insurgency and the threat it poses, dealing with al Qaeda terror and the threat it poses must continue to be addressed. Security is one critical underpinning of the state. A reconciliation deal that helps drain off support for the insurgency, that helps turn Iraqis against terror, that's a critical element as well.

Mr. SHAYS. I'm sorry to interrupt you. I have 5 minutes left. I'm so eager to get your expertise here. But one of the points that he was really making to me that got me to think of it in a different light is the militia have a huge negative; they were created, in part, to provide the protection when we limited all security. I mean, if we eliminated all security in New York State of 19 million people, all security, you would have banks hiring private police, you would have local streets hiring protective police, you have—isn't part of the militia, the positive part, that they are protecting communities? The negative is that some are being aggressive and going beyond that.

Ambassador SATTERFIELD. Well, we question exactly how much protection militias truly offer to their communities, as opposed to their role, which is essentially violent and criminal, in advancing very particular objectives. So we would challenge the entire legitimacy of the protective—

Mr. SHAYS. If all militias left, I could see your point. The bottom line is there has to be something that takes their place to protect them. Which gets me back to the whole issue of whether we have enough security in Iraq to start with, which is another issue.

Tell me, what is—it seems to me the sharing of oil has to be the easiest. I had Bunker Hunt come to my office, stretch out a map, and basically tell me that he thinks Iraq has almost as much oil as Saudi Arabia, and that it is everywhere, not just in pockets; it's

in pockets now, but he says when full research is done, you will find it everywhere throughout Iraq.

What is—is the oil, sharing of the oil revenue the most difficult? Because it seems to me to be one that should be able to bring people together.

Ambassador SATTERFIELD. We don't think it is the most difficult issue to be addressed, we certainly don't. We think an equitable, rational basis for sharing exploitation as well as revenues can be devised. Our guidelines here would be a process of dealing with revenues and exploitation that contributes to national unity, that contributes to the stability of Iraq, and which is not intrinsically divisive.

Mr. SHAYS. Some of—and this is not everyone—but some who are most opposed to the war in Iraq spoke out very strongly when Iraqis started to talk about amnesty and they started to talk about forgiving acts. And then there was this point that anyone who killed Americans should not be forgiven. And I'd love to know the administration's opinion on this, because I'll tell you mine. My view is you need amnesty, you need—unless there were those who did heinous crimes of cutting off heads and so on. But it seems to me that you will not get amnesty—you will not have peace unless you have amnesty. And amnesty will require forgiveness, and forgiveness will mean that you have to forgive not only deaths of Iraqis, but of Americans. And it seems to me that's the one way you save future American lives is if you have amnesty.

Is amnesty, one, important? And, second, are you prepared to address it as it relates to Americans?

Ambassador SATTERFIELD. Amnesty is critical, Mr. Chairman. It is an essential element in any reconciliation deal. And without a comprehensive amnesty, that reconciliation deal cannot be struck. Now, our point has been made quite clearly to the Iraqi leadership and its political elites that we cannot accept any amnesty which differentiates between the legitimacy of killing Iraqis and the so-called legitimacy of killing Americans or Coalition members. But an amnesty deal will need to be there if this country is to move forward as part of—not stand alone—as part of a broader reconciliation package.

Mr. SHAYS. OK. In the minute we have thus left, would you just tell me what gets the Iraqi politicians—and I have tremendous respect for them, but I don't respect what I've seen happen in this last year—what gets them to move more quickly before, frankly, the United States pulls the rug out from under them? And I say that, not that the President will, but you could have a new Congress who may.

Ambassador SATTERFIELD. Mr. Chairman, I'll comment on the first part of what must be done to move the Iraqis forward. It is, I believe, the clearest possible message that, without movement, without concrete progress and urgent progress in the weeks and few months ahead on all of these issues—reconciliation, economic questions, good governance, security, end to sectarian violence, the beginnings of a demobilization process for militias—that success for them as they would define it cannot be achieved, much less success as we define it.

Urgent progress has to be made. And that message is one which we are passing and will continue to pass at the highest levels. We do have an interest in this succeeding.

Mr. SHAYS. Thank you very much.

Mr. LYNCH, you have the floor.

Mr. LYNCH. Thank you, Chairman. And, again, I want to thank you and the ranking member, Mr. Kucinich, for holding this hearing.

Mr. Ambassador, I want to start my questioning off with a quote which comes from H.L. Mencken, and he says that—let's see if I can get it here—for every problem—for every complicated problem there is a solution that is simple, neat, and almost always wrong. And I just want to start out by saying that given the complex nature of the problems that we have in Iraq and the changing nature of our challenges there, that staying the course may be clear and simple, but it is most definitely wrong.

And I've had an opportunity on five occasions to travel to Iraq and spend time there. I was there back in the beginning when General Gardner was actually serving in a role as Ambassador. I met also with Ambassador Bremer, and most recently Ambassador Khalizad, both in Iraq and in Afghanistan.

One of the things that I want to ask you about is, sitting here in Congress, the initial mission for our operation in Iraq, Operation Iraqi Freedom, was to remove Saddam Hussein and basically to give the Iraqis a chance—give the Iraqis a chance at having a stable democratic state. And when I went there on my earliest trips, that was definitely the mission. We were fighting Ba'athist loyalists and Fedajin, and we moved on to some of the milestones that have been cited here about the elections, and had the pleasure of meeting with President Jalal Talabani. There have been milestones there in terms of us creating the possibility, the chance, if you will, for Iraqis to have a stable democracy there.

But now the mission—indeed, the title and subject of this hearing is what do we need to reconcile the differences between the Shia and the Sunni? Now, I'm no historian, but I believe that schism between the Sunni and the Shia goes back to the year 632 A.D., the death of Mohammed, and the split over his successor. That has been a constant battle between Shia and Sunni for 1,400 years. And now we're trying to figure out a way to reconcile the differences between Shia and Sunni in Iraq?

I have to say that if that was the vote, if that was the vote that the chairman talked about, if the question on the war was are we going to commit our troops for the purpose of reconciling the differences between the Shia and the Sunni in Iraq, no votes—no votes—I don't think there is a single Member in this body that would have committed our troops for that purpose—

Mr. SHAYS. Would the gentleman yield?

Mr. LYNCH. Sir, I've sat here on this quietly for several hours—

Mr. SHAYS. I'm just asking, as chairman, if you will yield. I am not going to take away from your time.

Mr. LYNCH. OK, great.

Mr. SHAYS. I just have tremendous respect for the gentleman. I'm only saying that I really hope you're able to stay for the second panel when we have Sunnis, Shias and Kurds here.

Mr. LYNCH. Yes, absolutely, Mr. Chairman. I'm sorry.

Mr. SHAYS. And I give the gentleman an extra minute, please.

Mr. LYNCH. I thought you would give me a quick clock, that's all.

Mr. SHAYS. No, absolutely not.

Mr. LYNCH. And I appreciate Mr. Talabani's son is here. And I'm a big fan of his dad—wherever he is. I had a chance to meet with him on the first session of the Iraqi Parliament in the Convention Center when the air conditioning went out and it was 125 degrees. So I remember that day well.

But the mission has shifted here. And I think it requires us, as responsible leaders of this Nation and trying to be loyal to our sons and daughters in uniform and the resources of this country, being preserving of those resources and being mindful of the developments in the Middle East, it is just stunning in my mind that we have not taken a good hard look at what's going on there and adjusted our policy to the reality of Iraq today.

I want to say that in my visits to Iraq, one of the things that I've noticed over and over—and it was understandable at first, but even in my most recent visits back in April—and I talked about this in my opening statement—was the inability or the unwillingness or the resistance of some in terms of transferring the basic government operations over to the Iraqi Government, the Iraqi Government being elected back in December, and the idea that, at least among the people who went out and voted in those elections, that their own government was going to take over responsibility for their country, and that has not happened. And I hear complaints not only from, you know, average Iraqis when we go into Iraq, but also from the Iraqi leaders and the Iraqi Parliament that they don't have enough responsibility and power in their own country, and that when people need the services, basic services of government, they still after 3 years have to go the U.S. forces and the U.S. Marines, the engineering divisions of our Army, in order to get basic services provided.

And I just want to ask you, do you believe or do you not believe that in order to create the stable preconditions for U.S. withdrawal, that basic government operations substantially have to be shifted over to the Iraqi Government?

Ambassador SATTERFIELD. Congressman, we certainly agree that Iraqis must take the lead both on security and on governance.

Mr. LYNCH. My question is this: When I travel to Iraq, it's a very choppy assessment. As a Member of Congress and someone who is charged with the responsibility of oversight—and I'm sure the chairman will agree, he's been there 14 times, I've been there 5—but it is very difficult to make a clear assessment on where we are in terms of making that transition over to the Iraqis sector by sector, oil, energy, roads and bridges, security, obviously.

But I have, you know—I came back and I tried to think about what is the most responsible way of getting our troops home, given the reality of the situation in Iraq. And as I said before, stay the course is a simple answer, but it's wrong. And also I think announcing a date and evacuating is also a very simple answer but

may have tremendously disastrous consequences for our troops in the theater and for the country, as a responsible power.

But I do believe that we need to make that happen, and I don't see anyone whose sole responsibility is to make that transition happen. I see it's everybody's job but it's nobody's job. And it's very difficult to track that transition, to monitor it, to encourage it, facilitate it.

And so what I've done is adopted—drafted a bill, with the help of others, that would establish a national commission to make sure that transition goes forward, and to track it, to facilitate it, and to make sure the Iraqis are in a position to assume responsibility for their own government and let our people get the heck out of there. We have tens of thousands of our troops whose duties there on a daily basis are to provide the basic services of civilian government. And the Iraqis at this point need to pick up that responsibility, and I just don't think they're being pushed hard enough to do that. It's understandable under the circumstances that they're reluctant, but we have to make them do it nonetheless. As long as we're paying for it and as long as we're doing it, they're going to let us; that's human nature.

And I just don't see any agency within Iraq that's pushing hard on that issue and making that happen. You may have different observations, and I'm happy to hear them.

Ambassador SATTERFIELD. Congressman, with all respect, I do disagree with the thrust of your remarks. There are two individuals—one in uniform, one not—in Iraq who very much have as their central responsibility ensuring that this transition occurs: General George Casey and Ambassador Khalizad and the mission working under them. There is a very, very focused, structured effort with goals, with benchmarks, with monitoring mechanisms in place to determine what is needed from day to day, from week to week, to see whether success is being achieved on issues of capacity, on issues of security transition. We'd be happy to provide a briefing on this process.

This is the focus of our lives as an administration, as a mission, every day, and it does have a leadership.

Mr. LYNCH. OK. Ambassador, with all due respect to you, look, I think General Casey is a fine man, and he has seen way too much of me, I think; every time I go to Iraq I have at least a couple of hours to spend with him. And I do think that he regards that as a central responsibility. However, I also know from the situation on the ground that responsibility is secondary to the military responsibility. He has to address the insurgency and the military confrontation that's going on there, and that should be, and is, his first and by far most dominant concern. And every time that the transition to Iraqi control gets pushed back because of his military mission, I just feel that it's languishing. It is not anybody's first job. It's not General Casey's first job, it's not Ambassador Khalizad's first job.

And what I'm trying to do is to make sure this happens, because as long as this doesn't happen—it's not going to happen unless it's somebody's responsibility, if somebody is held accountable to making sure the Iraqis are transitioned into a governing role—it's just

not happening. And it's extremely frustrating to watch that process continue. And I just think we need some transparency there.

My bill draws from an example during the Second World War, quite frankly, when we found ourselves inadvertently in control of the Philippines militarily. We had driven the Japanese out and we controlled the Philippine islands. And the U.S. Government was fully supportive of their independence. And we set up a national commission, FDI did, and Truman after him, to create a national commission basically to transition the control of the Philippines from the military to the newly forming Philippine Government, and we did it very effectively.

And I think a similar panel needs to be established here to make sure that happens. The President—the White House had a role in it, the Senate and the House of Representatives each had roles in it, the State Department had a role in it, Defense Department. But it was a unified effort; it had transparency, it had accountability, it had benchmarks, and it got done because it was somebody's job and because there would have been hell to pay if nobody did it.

And I just think this bill offers the same framework. It's proven to be successful on at least that one occasion. And that's my assessment of it. I'm no expert. I just spend a lot of time on this, as you do, and we've just got to see some movement here, and I don't believe that maintaining our current course of action is an answer in any respect.

Mr. SHAYS. I would just thank the gentleman and say that maybe after the election, depending on who's back, we can practice what we're preaching with our esteemed colleagues in Iraq. When we ask Sunnis, Shias, and Kurds to work together, maybe there will be a way where we can find Republicans and Democrats can work together on this very important issue and find some common ground. And I appreciate your efforts to find an initiative and to move this forward, and I thank you for that.

Mr. LYNCH. Thank you, Mr. Chairman.

Mr. SHAYS. Mr. Van Hollen, you had one little point.

Mr. VAN HOLLEN. I had one question. Mr. Ambassador, I don't want to get into a long dialog on Iran. I happen to think Iran has been strengthened and emboldened because of the chaos in Iraq, but Ambassador Khalizad some time ago proposed that we engage in direct discussions with the Iranians with respect to the situation in Iraq. And my question is, what has come of that proposal and have there been discussions?

Ambassador SATTERFIELD. There have been no such discussions conducted. We are interested in addressing issues of Iranian behavior in Iraq in an appropriate forum, at an appropriate time.

Mr. VAN HOLLEN. If I could just followup, Mr. Chairman. Have we had no discussions with the Iranians on the Iraq question because of their lack of interest or of our failure to follow through with the proposal of Ambassador Khalizad?

Ambassador SATTERFIELD. No discussions have been held.

Mr. VAN HOLLEN. If you're saying you don't want to answer—

Ambassador SATTERFIELD. In this forum.

Mr. VAN HOLLEN. All right. I would like to followup on that in the appropriate forum.

Mr. SHAYS. Thank you. Let me just ask, Ambassador, if there are any points you want to put on the record before we go to our next panel. Is there anything that we should have asked you that we didn't, that you were prepared to answer, that you think we need to put on the record?

Ambassador SATTERFIELD. Mr. Chairman, I would just like to draw together comments made, I think, by every member here, and by you, Mr. Chairman.

One cannot deal, as you look at success in Iraq, in taking individual issues—amnesty, an oil deal, a demobilization/reintegration process—in isolation, or federalism. They're also interlaced, they're all interlinked. Success in Iraq, success for the Iraqis will depend upon an approach that brings these critical issues together, allows a deal to be struck that has elements taken and given on all of these points, and that moves the country forward and moves it forward in an urgent manner. The challenge is to find a way to do that and to do it quickly. All are important. If any one is taken away, you'll get failure, or less than success on the others. It is putting together those elements of a national compact that has to be advanced at this point.

And the only other comment I would make is to note we have made progress. Our soldiers, our civilians in Iraq, have achieved significant progress. Iraqis must do their part to continue that progress. So does the international community and the region. But on security transition, on capacity, on basic services, the situation is not what it was a year ago, and in turn, not what it was 3 years ago.

Mr. SHAYS. Not to leave a false impression, because this panel will be followed by a panel of Iraqi representatives of this government, I think you would agree there are a number of things we did that made their job more difficult; is that not true?

Ambassador SATTERFIELD. Mr. Chairman, the job for the Iraqi government is a very challenging one. We try constantly to do what we can to contribute to their success—because in the end that is our success—and not to thwart it.

Mr. SHAYS. OK. Well, then, I'm going to say it for the record, if you won't. We attacked them, we disbanded their army, their police, and their border patrol and left them with no security. We allowed huge amounts of looting to go on. And then we basically said, you know, let's move forward.

I realize they made decisions that were a mistake, but we made a number of them as well. And maybe it's more appropriate that I say it than you. But I realize that we've asked them to do some very difficult things, made more difficult by some of the decisions we made early on. So I will say that.

And I will conclude by saying to you, Ambassador, you are an American hero. You have served your country tremendously, in some of the most difficult places, and you have done it with a tremendous amount of class and honesty. You have received high marks from Republicans and Democrats alike, and we are very, very grateful for your service.

And, Mr. Bever, I want you to know that you have done your job perfectly, because no one wanted to ask you any questions, and the Ambassador was able to do what he needed to do. And given that

you're fairly new on this job, you must have someone up there who loves you, who was looking out for you. And so I thank you for your presence as a back-up if it was needed.

We're going to just take a 2-minute break, and then I am very eager to welcome our next witnesses. Thank you very much.

[Recess.]

Mr. SHAYS. I'd like to recognize our second panel. It's a distinguished panel and we are so grateful that they are participating in this hearing. We have Dr. Hajim Al-Hasani, a member of Parliament, a former Speaker of the Iraqi Parliament of 2005; and, something that gives him tremendous credibility with me, I think he earned his doctorate, but I know he attended school at UCON, University of Connecticut.

And we have Mr. AlMusawi, the Washington Representative of the Supreme Council for the Islamic Revolution in Iraq, SCIRI. And we welcome him.

And we have Mr. Qubad Talibany, the Representative of Kurdistan Regional Government of Iraq to the United States. And his father is the President of Iraq and a wonderful man, who I have had many occasion to visit with.

Gentlemen, as you know, we swear in our witnesses, and we would like to do that with you as well. We ask you either to swear or affirm, whatever is appropriate, but if you would stand and raise your right hands.

[Witnesses sworn.]

Mr. SHAYS. I just note for the record we are an investigative committee and all our witnesses are sworn in, every one of them, so that's why we do it.

Doctor, we're going to start with you, and we'll just go right down the list. You are a member of the Parliament, and it's wonderful to have you here. The mic, you might just tap this to see if it's on. OK, thank you, welcome.

STATEMENTS OF HAJIM AL-HASANI, MEMBER OF PARLIAMENT (SUNNI), FORMER SPEAKER, IRAQI PARLIAMENT 2005; KARIM ALMUSAWI, WASHINGTON REPRESENTATIVE, SUPREME COUNCIL FOR THE ISLAMIC REVOLUTION IN IRAQ (SCIRI) (SHIA); AND QUBAD TALABANY, REPRESENTATIVE OF THE KURDISTAN REGIONAL GOVERNMENT OF IRAQ TO THE UNITED STATES

STATEMENT OF HAJIM AL-HASANI

Dr. AL-HASANI. Thank you.

Mr. Chairman, ladies and gentlemen, almost 3½ years ago the United States and its allies went to Baghdad and removed Saddam's regime, abolished the oil state, and started the process of nation building in Iraq. However, incorrect policies that were based on wrong information provided by major Iraqi politicians led us to flawed fundamentals in building the new state. It is worthwhile here to mention a few major ones without going into details.

The biggest policy mistakes were dividing Iraqis into Shia, Sunni, Kurd. This is something we can't see even in this panel. This is something—I personally didn't accept it from the beginning,

and I personally don't accept it now. I'm Iraqi first, Iraqi second, Iraqi last.

The second mistake was the Iraqi security forces—disarming the Iraqi security forces, and then debaathification policy and open border.

Now let's let bygones be bygones. The issue now is, how can we overcome those mistakes? Here I would like to make a few points that are vital for the success of both the Iraqis and the United States, and could pave the roadmap to resolve Iraq's major problematic issues. First, the national reconciliation process should be the cornerstone of present United States and Iraqi policy, and we should not allow partisan, sectarian, and regional politics to spoil it. For this to succeed we need to identify the parties that we need to reconcile with. Some insurgency groups are important ones. Find a common vision among Iraqis on the new Iraqi state. This is what reconciliation is about. This vision includes building professional security forces that are well balanced and loyal to the state and Iraqi people; building a state based on the rule of law; support building democratic institutions; help parties reach an agreement on amending the new Iraqi constitution that will be accepted by all major groups, Sunni, Shia and Kurds; strengthen the Iraqi economy by stimulating strategic investments; fight and prosecute corruption to the maximum extent; dissolve all militia forces; stop regional meddling in Iraq's affairs; halt the debaathification process. Current Ba'athists should be processed by the judicial system. Determine who the real enemies are, al Qaeda and loyal Saddamists, and fight them together; general amnesty in Iraq.

This cannot be accomplished without strong regional and international pressure. The United States has a major role to play, especially by manipulating its political, economic and military levers to compel Iraqi players to abide by any agreement or progress. The emphasis here is that the United States has the ability to create a stable, economically viable democratic state as long as it stays engaged.

It must work to implement the aforementioned policies for us to see real progress in Iraq.

Finally, don't think about withdrawing U.S. troops now. That is not and must not be an option. If it happens, it will lead to communal civil war that would give the terrorists a victory and might lead to regional war, disruption of oil supplies, and will end what is today a unified Iraq. That will put blame on the United States and will shake the United States standing in the region and the world, not to mention the grim reality that terrorists will soon be knocking on your doors here in the United States. The war in Iraq is not an Iraq-specific war, it is an international war against terrorism. We are in this together and must fight it together.

It took 3 years to create this mess in Iraq; it is very difficult to sum up, you know, the solution for it in 5 minutes. Thank you, Mr. Chairman.

Mr. SHAYS. Doctor, we will have plenty of time to have a dialog. There will be no limit to how you respond to questions, and I'll give you every opportunity because we don't want to bring it down to just 5 minutes. You're one of the few speakers that's ever come be-

fore this committee that's actually tried to live within the 5-minute rule, so thank you very much.
[The prepared statement of Dr. Al-Hasani follows:]

Honorable Members, ladies and gentlemen

It is a pleasure to be here today amongst you discussing Iraq. I take this opportunity to thank Chairman Shays for inviting me here today, I hope that the information gleaned from this hearing will help Congress and the Administration move forward on Iraq.

The situation in Iraq is truly at a crossroads, we are working to resolve differences through the Prime Minister's National Reconciliation initiative. This is a good start, however it needs to be developed in away that presents a clearer program detailing what insurgents and others have to gain from reconciling and determining with whom exactly the reconciliation is between? This process should be the cornerstone of present US and Iraqi policy and we should not allow partisan, sectarian, or regional politics to derail it.

The real question is what this reconciliation is about. I believe that the building block of this program is to reach a common vision on the new Iraqi state. The former Iraqi state was abolished at the fall of Saddam's regime, incorrect policies which were based on wrong information provided by major Iraqi actors, led us to flawed fundamentals in building the new state. The biggest of these policy mistakes were: dividing Iraqis to Shiite, Sunnis, and Kurds, dissolving the Iraqi security forces, and deBaathification. These policies negatively affected the security situation and economic wellbeing of Iraqis. The bigger issue was that the constitution was drafted on these flawed premises and subsequent governments were established based on them.

On the security side, the Army and police forces were built with an emphasis on sectarian and ethnic divisions excluding important elements of society: namely Sunnis and secular as well as liberal Iraqis. This consequently worsened the security situation in Iraq. DeBaathification left thousands of people with no resources for a dignified livelihood which pushed many of them to be part of the insurgency. The Militia's presence in both the army and police complicated the problem. The end result was, security forces were not loyal to the state but to their sect, ethnicity, or party. A comprehensive plan to abolish the militias must be put forward and implemented, and deBaathification must be turned into a judicial process where only the truly guilty are punished.

This brings us to the fundamental question that is in the mind of every single American today: when can US forces come home? Let me start by saying, that coalition troop presence in Iraq is preventing us from straying into an abyss. I would say without any hesitation that any premature withdrawal of American forces will lead to communal civil war the only beneficiary of which is certain regional powers along with Al Qaeda and Saddamists. This will definitely not stop in Iraq, it will destabilize the Middle East by changing the balance of power in the region, thereby potentially disrupting global oil supplies. Terrorism will then be knocking other doors soon, especially if Iraq's resources fall in the hands of the terrorists inevitably leading to the eventual division of the country.

Finally, is reconciliation possible in Iraq? I would say yes! if the right requisites are used in building the new state of Iraq they must include a full general amnesty for all insurgents, reconstructing the new Iraqi security forces based on total loyalty to the Iraqi

state, returning innocent Baath Party members to their jobs, and disbanding all militias regardless of which party they belong. Bringing Sunnis into the armed forces is extremely important, an army that excluded Sunnis would make any constitutional deal irrelevant, because the Shiite-Kurdish alliance would effectively hold the real power in the country regardless of what was stipulated in the constitution. In addition, we must amend the constitution in a way so that it is acceptable to the majority of Iraqis, and postpone some of the most controversial issues that will only serve to increase sectarian and ethnic tensions such as Kirkuk and the creation of new federal regions. Institution building must go hand in hand with this process, including strengthening the economy by stimulating strategic investment, fighting and prosecuting corruption to the maximum extent, and building truly democratic national institutions. This cannot be accomplished without strong regional and international pressure. The US has a major role to play here, especially in manipulating its economic and military policy to compel players to abide by any future agreement or program.

The emphasis here is that the US has the ability to create a stable, economically viable democratic state as long as it stays engaged, but it must work to implement the aforementioned policies for us to see progress in Iraq.

Mr. SHAYS. Mr. AlMusawi, thank you, sir. Sir, I'm going to ask you to move the mic toward you in the middle.

STATEMENT OF KARIM ALMUSAWI

Mr. ALMUSAWI. Chairman Shays, and distinguished members of the subcommittee, good afternoon.

First, allow me to express the deep appreciation and admiration for the American men and women, military and civilians, who are trying hard to make Iraq succeed in partnership with Iraq's elected government.

Also, as we are remembering the fifth tragic anniversary of the September 11th crime, I want to express my sincere condolences to the American people and the families who lost their loved ones.

Since the day Prime Minister Al-Maliki announced his courageous reconciliation plan, his goals have been clear: to open a dialog with the insurgents, dismantle the militias, and implement certain measures to defuse the escalating sectarian tension and violence that has increased in the past few months, especially after the explosion of the Holy Shrine.

Reconciliation is a very immediate and most vital priority, and it is a collective mission of all Iraqi religious, political, and tribal leaders. Consequently, the national unity and the building of Iraq are two key pillars which reinforce all other activities of this new government.

Also, the cause of dividing Iraq as a part of the solution to get rid of the current sectarian congestion have been rejected. And the recent polls and surveys show that most Iraqis are again partitioning the country. By setting the priorities, the Iraqis could easily control the chaotic situation.

For instance, security isn't a priority for certain government aides and consultants in Iraq and Iraqi Kurdistan. Construction and investment might be the priority there. On the contrary, security is a priority in Baghdad.

The following terms need to be clarified:

First, the transferring of debaathification from its political category to the judicial security priority authority is good progress to define debaathification.

The formation of militia outside the framework of the Armed Forces is prohibited. Dismantling the militias should come through the legal channels in accordance with the Law 91.

Iraq issue amnesty to all the prisoners who have not committed any war or terrorist crimes or crimes against humanity. Indeed, it has become clear, following the killing of Zarqawi, that the Saddamists have been responsible for fueling violence a lot more than terrorists.

Accountability is necessary for rebuilding in Iraq, but it should be part of a system that includes all Iraqi institutions; otherwise, it will target one party and exclude others.

Second, the real interpretation of Article 3 is that all oil, gas and natural resources for the current fields or the ones which will be discovered in the future are all owned by the people of Iraq and all the regions and Governorates. Revenues will again be distributed fairly among Iraqis.

Third, the Powers of the Regions and the rights of forming federations are the main contentious issues. We have no major concern regarding any amendment if it would go through a legal process.

Fourth, the relationship between the Coalition forces and the Iraqi Government represents the focal point bringing security to success. And in view of this, any talking about the withdrawal of the Coalition forces unilaterally would definitely lead to the failure of the Iraqi experience.

Fifth, success will be in the benefit of all Iraqis, Coalition troops, the region's stability, and the international community. The original states should start viewing the newly elected Government of Iraq as a threat to the original systems. It is of utmost importance of the original states to secure the borders and to dry up the financial resources.

Also, I would like to agree with my brother, Dr. Al-Hasani, about identifying us as Shia and Sunnis. I would just like to mention that as well. And it's very important. This is my sense all my life; there is no sense that I am Shia, as AlMusawi said, I am first Iraqi and second Iraqi and last Iraqi. Thank you, Mr. Chairman.

Mr. SHAYS. Thank you very much.

[The prepared statement of Mr. AlMusawi follows:]



**Supreme Council for Islamic Revolution In Iraq
(SCIRI) Washington, DC**

What will it takes to achieve national reconciliation?

Testimony of Karim AlMusawi

Supreme Council for Islamic Revolution In Iraq
(SCIRI) Representative Washington, D.C.

To The Sub-Committee on
National Security, Emerging Threats, and International relations
House Committee on Government Reform
United States Congress
September 13th, 2006

What will it take to achieve national reconciliation?

Chairman Shays and distinguished members of the sub-committee,

First, allow me to express the deep appreciation and admiration – held by Iraqis across Iraq - for all the American men and women, military and civilians, who are trying hard to make Iraq succeed in partnership with Iraq's elected government.

Also, as we are remembering the fifth tragic anniversary of the 9 11 crime, I personally want to express my sincere condolences to the American people and the families who lost their loved ones.

1 - Introduction: Iraqi Politics

Since the day that Prime Minister Nouri Al-Maliki announced his courageous Reconciliation Plan on June 25, 2006, his goals have been clear and consistent: to open a dialogue with the insurgents, dismantle the Militias and implement certain measures to defuse the escalating sectarian tension and violence that has increased in the past few months, especially after the explosion at the Holy Shrine, known as the Golden Mosque, in Samara last February.

Clearly this terrible incident was an attempt by the terrorists to ignite a civil war among the Iraqis. And it is true; we have reached a very serious point which threatens the social and political infrastructure of Iraq, and this conflict has reached what so called "the balance of terror" and that the cycle of violence would lead nowhere. The Shiite's perspective is that they have been abused in general and subject to ethnic cleansing in particular. Shi'a in Iraq after the explosion at the Holy Shrine sees that neither the government nor the coalition forces are able to stop the terrorists from committing their acts. As we have seen, this crime precipitated violence among some Shiite extremists who turned to killing Sunnis, despite the fact that Shiite religious leaders forbade revenge.

The formation of the Iraqi government, with all six major states participating, was predicated on both the election results and the national interest, which is the most basic motivation for Iraqi constituent participation. For instance, the Iraqi Accordance Front (IAF) which represents the three main Sunni political parties in parliament acquired 33.3% of the government's sovereign posts, despite the fact that their actual number of seats in the parliament should have been 16%. This was an equal number of posts to that of the UIA which won 47.5% of the parliamentary seats.

Thus, it is clear that despite the ongoing serious problems in Iraq, the Iraqi leaders understand that national unity and the rebuilding of Iraq are two key pillars which reinforce all other activities of this new government. Also, the notion that says the Sunnis in Iraq have been marginalized is unfounded in the sense that they are actively participating in this national unity government. This is not to deny the existence of dead-enders, including the Saddamists and terrorists who make up the insurgency.

However, the first priority now in Iraq is reconciliation. While it is true that national unity and the territorial integrity of Iraq are the two fundamental cornerstones of Iraqi politics, reconciliation is the immediate and most vital priority. This is understood and recognized by the Al-Maliki government. Reconciliation will bring together all political entities with active roles in the government.

The questions for today are: What are the Iraqis anticipating after the announcement of Prime Minister Nouri Al-Maliki's Reconciliation Plan? Do we expect that this government by its Reconciliation Plan can solve the problems of the Iraqis magically overnight, within a short period of time? Or will they have to be patient again? The facts that can be referred to and that are connected with the reconciliation initiative are:

First: Reconciliation is the only path forward for Iraq. This plan must focus on the Iraqis who have reservations about the current political process but, at the same time, avoid engaging with the terrorists and Baathists. As Maliki said, "the reconciliation will be neither with the terrorists nor the Saddamists."

Second: The Reconciliation Plan was endorsed by a wide range of Iraqi politicians, as well as the United States. Adnan al-Dulaimi, the leader of (IAF), said that the Reconciliation Plan was a "first step toward security and stability." President Jalal Talabani also said that Sunni insurgent groups had been in "negotiations with the Americans for a while now." Also, The United Iraqi Alliance's (UIA) leader, Abdul Aziz Al-Hakim announced his support for this plan at different points Zalmay Khalilzad, the U.S. ambassador to Iraq, said he supports the Reconciliation Plan and urged Iraqi leaders "to move expeditiously in implementing this project" in order "to begin to take responsibility for bringing sectarian violence to an end." Khalilzad named two groups that he considered to be "irreconcilables": "those who want the old regime back and those who are al-Qaeda terrorist supporters."

Third: Reconciliation is an obligation for all Iraqis; it is a collective mission of all Iraqi religious, political and tribal leaders who should participate in the process to move Iraq from crisis to cohesion. Consequently, all Iraqi groups with no exemptions should get involved in the Reconciliation Plan, simply because it's a responsibility for all.

2 – The PM Reconciliation Initiative

Prime Minister Nouri Al-Maliki, in his 24-point national Reconciliation Plan, invited insurgents to lay down their weapons and join the political process, promising an amnesty for opponents who have not been involved in acts of terrorism, have not committed crimes, or war crimes and the formation of committees to release the innocent. He aimed to diminish the violence and defuse the insurgency

The Reconciliation Plan also calls for strengthening Iraqi armed forces, and dismantling the militias and the other illegal armed groups with proper political, economical, and security solutions. The plan calls for pardoning detainees "who were not involved in war crimes and crimes against humanity," and for forming committees to secure the release of innocent prisoners as quickly as possible.

Al-Maliki said that "The launch of this national reconciliation and dialogue initiative should not be read as rewarding the killers and criminals or accepting their actions. There can be no agreement with them unless they are punished with justice." Al-Maliki's plan did not make a distinction between crimes against U.S. troops and crimes against Iraqis. The PM's plan contains a process for reviewing the De-bathification committee to make it work according to the constitution and judicial authority. The plan also urges the reluctant political groups to take a clear and strong position against the terrorists and Saddamists.

The plan recommended that the Iraqi government should open an active dialogue with the regional and Islamic countries, in particular the countries that are supporting or

overlooking the terrorist actions. Also, the plan included a pledge to compensate victims of terrorism and of the former government, and a commitment to building up the Iraqi armed forces in preparation for the withdrawal of foreign troops.

3 – Iraqi Faction Reservations and the International Role

Some Iraqi politicians have asserted that there are three main points that Al-Maliki's initiative disregarded: First, the time table for the departure of coalition troops, second, the lack of clear definition of terms like "insurgents," vs. "Saddamists," vs. "terrorists," vs. "resistance". And third, the initiative, as presented, provided few details about how the reconciliation process would unfold or who, specifically, would be pardoned, and what mechanisms could help in implementing the plan.

There is no doubt that offering all means to enable the elected government to be successful in its Reconciliation Plan will be to the benefit of Iraq, coalition troops, the region's stability, and the international community. It's worth mentioning that PM Al-Maliki had collaborated with all Iraqi leaders and the Arab League before unveiling his Reconciliation Plan, and he obtained their agreement and support for his initiative.

The Iraqi government will need regional support which should contribute seriously and effectively in developing the project of national reconciliation. Also, the regional states should stop viewing the newly elected government in Iraq as a threat to the regional systems. It is of the utmost importance to gain the support of the regional states to secure the borders and to dry up the financial resources that come into Iraq in support of terrorism which undermines security and stability of the country.

4 - What will it take to achieve national reconciliation?

Today, Iraqis have an elected government, after decades of tyranny and dictatorship. And, regardless of the huge challenges that it faces, it must succeed. Therefore, Iraqis need to set their priorities to help the government as it takes on huge challenges. By setting their priorities, Iraqis could easily control the chaotic situation. For instance, security isn't a priority for certain governorates in southern Iraq, and in Iraqi Kurdistan, reconstruction and investment might be the priority. On the contrary, security is a priority in Baghdad and the western governorates, and so for each governorate, according to the local circumstances and needs there. Also, it would be a big mistake for some Iraqi parties to exploit Iraqis' need for security and stability to impose their political agenda.

In spite of the challenges that the Iraqi government is facing in the short term and the heavy legacy that the Iraqis inherited from the former regime; in spite of the differences among Iraqis with respect to the new experience in Iraq of "one man, one vote", and in spite of the negative sectarian view of the regional countries who oppose the active participation of the Shiite in the government, Iraqis are achieving tangible progress on the political process, and security is showing relatively good progress as well.

Reconciliation is a process that will take time to show its results; also reconciliation is a precise balance of including new political forces that are presently outside the political process, and not causing problems with the current ones. Indicators that we can look at in this regard are the following: it does seem to be helping to prevent of a civil war among the Iraqis, the security getting better after the mutual security plan in Baghdad between the Iraqi forces and the coalition troops, and consequently there is a reduction in crimes in Aldourra neighborhood up to 80%, and in ALameniah neighborhood up to 70%. Also, the calls of dividing Iraq as a part of the solution to get rid of the current sectarian congestion have been

rejected and according to the recent independent polls and surveys that have all returned to the same conclusion: the absolute majority of Iraqis reject the idea of partition. One of the International Republican Institute (IRI) surveys mentioned to around 90% of the Iraqis against partitioning the country.

5 – The Factual Questions of the Reconciliation Plan

Al-Maliki's government is a national unity government that should enjoy the wide support of political parties as well as the different religious authorities. This will give Al-Maliki an enormous chance of winning, as long as he uses these relations with great impartiality. One of the indications that he is acting with impartiality his Reconciliation Plan. Also, he included a National Dialogue Ministry in his Cabinet for this purpose. Al-Maliki should make use of the Bush Administration's support for his government, which its officials, including president himself, have frequently indicated.

SCIRI believes that the key aspects of the Reconciliation Plan which include De-Baathification Reform, Amnesty Programs, Militia Demobilization, federalism, fair allocation of revenues from oil and gas fields and amending the Iraqi Constitution, need to be objectively studied by the Iraqi leadership to enable them to make a political compromise, subsequently to pass them through the Council of Representatives.

The serious questions facing the Reconciliation Initiative are:

First: The July 25, 2006 White House 'Fact Sheet' states the Reconciliation Project includes De-Baathification Reform, Amnesty Programs, Militia Demobilization, and Accountability for the ISF (Iraqi Security Forces).

* - De-Baathification Reform:

The Constitution mentions in Article (135 – A) that "The High Commission for De-Ba'athification shall continue its functions as an independent commission, in coordination with the judicial authority and the executive institutions within the framework of the laws regulating its functions. The Commission shall be attached to the "Council of Representatives." Also, the Reconciliation Plan in Article 9 says that "Reviewing the De-Baathification Committee according to the Constitution and submitting it to Judicial authority."

As for the Baath Party, the constitution mentioned as well in Article (7-A) that: "Any entity or program that adopts, incites, facilitates, glorifies, promotes, or justifies racism or terrorism or gives accusations of being an infidel (takfir) or ethnic cleansing, especially the Saddamist Ba'ath in Iraq and its symbols, under any name whatsoever, shall be prohibited. Such entities may not be political pluralism in Iraq. This shall be regulated by law."

From that, most Iraqi leaders agreed that transferring De-Baathification from its political category to the Judicial and Executive authority is good progress to redefine De-Baathification and put it in its right path. Consequently, only the Baathists whom were reported committing crimes should be submitted to justice. This new understanding changes the whole contentious concept of De-Baathification and de-politicizes it.

Also, the number of Baathists who were wanted for justice have been reduced from 10,000 to 6,000. Concerning the old army members, they have been called as individuals to join the current forces and have been set in the pay roll of the Defense Ministry. As for the restoring of the old army, it became a disputable issue and there is no agreement among political leadership to restore it.

*** - Militia Demobilization:**

(Article 9 – B) says “The formation of military militias outside the framework of the armed forces is prohibited.”). Dissolve the militias which are considered a decisive matter, as PM Al-Maliki always saying, towards stabilization through the legal channels in accordance with Law 91, which was enacted through deep negotiations during the time of the government of Iyad Allawi between the Iraqi parties and the Coalition troops.

This law should be applied in accordance with its following articles to help find a reasonable solution for the militias, and as the Prime Minister recently stated, the “Militia is a crucial factor in instability”:

- Elderly and ill people shall be paid retirement according to the law.
- Open work opportunities in different civilian ministries for those willing to work.
- Provide job opportunities to those who'd like to work for the Ministry of Defense and the Interior.
- Give rights to the martyrs of the militia, in accordance to the law.

*** - Amnesty Programs:**

In his Reconciliation Initiative (Article -5), Prime Minister Al-Maliki issued “Amnesty to all the prisoners who have not committed any war or terrorist crimes, or crimes against humanity.” Around three thousand prisoners have been released based on this plan.

The importance of the Reconciliation Plan is that the victories that the Iraqi and Coalition troops have achieved lately against the terrorists were a result of the cooperation of western Iraq, so that the terrorists lost their bases and shelters there. Indeed, it has become clear, recently, following the killing of Zarqawi, that the Saddamists (Baathists) have been responsible for fueling violence a lot more than the terrorists (takfeerists).

*** - Accountability to the ISF (Iraqi Security Forces):**

Accountability is necessary for rebuilding a new Iraq, but it should be part of a system that includes all Iraqi institutions, otherwise accountability will target one party and exclude others. For instance, Aljadiriyah bunker is just one case from many others that needs to be brought to justice. However, it is clear that all other cases against human rights during the periods of the past three governments must be brought to justice as well.

Regarding the good communication among the Iraqi leaders, the best way to bridge the differences among the political leaders is to activate and develop a political decision kitchen, exactly the same as what happened during the constitutional process once all the contentious points transferred to the political leaders. Also, deadlines for political agreements always depend on the parties' will and interests and how many concessions the leaders are willing to offer. Setting a time table will be crucial for all contentious issues that need to be solved. Furthermore, the Bush Administration could play an important role in supporting the leaders.

Second: On June 14, 2006, President Bush advised the Iraqi Government “to use their energy assets as a way to unite the country ... that people ... who may not have oil resources in their provinces, ... would have a stake in how the resources are developed elsewhere in the country.”

The Iraqi Constitution creates some confusion on the Oil issues that need to be clarified by the Representatives Council. The constitution states in Article 111 that "Oil and gas are owned by all the people of Iraq in all the regions and governorates." At the same time in Article 112 it states: "The federal government, with the producing governorates and regional governments, shall undertake the management of oil and gas extracted from present fields, provided that it distributes its revenues in a fair manner in proportion to the population distribution in all parts of the country"

Also, the reviewing and amendments for certain articles in the constitution comes under the Article (142 – 1, 2, 3) which says: "First: The Council of Representatives shall form at the beginning of its work a committee from its members representing the principal components of the Iraqi society with the mission of presenting to the Council of Representatives, within a period not to exceed four months, a report that contains recommendations of the necessary amendments that could be made to the Constitution, and the committee shall be dissolved after a decision is made regarding its proposals."

The real interpretation of Article # 111 is that all oil, gas, and other natural resources for the current fields or the ones which will be discovered in the future are all owned by the people of Iraq in all the regions and governorates. Revenues from these resources will then be distributed among the Iraqis in a fair manner in proportion to the population distribution in all parts of the country.

Third: Ambassador Khalilzad on July 11, 2006 said the Iraqi Constitution "provided a fast-track amendment process."

The main contentious issues in the constitution include two main points, the Powers of the Regions and Federalism in general. The Powers of the Regions include the oil revenues and the rights of forming federations.

Article 119: says "One or more governorates shall have the right to organize into a region based on a request to be voted on in a referendum submitted in one of the following two methods: First: A request by one-third of the council members of each governorate intending to form a region. Second: A request by one-tenth of the voters in each of the governorates intending to form a region."

During the discussions of the constitution last summer, the Iraqi political leadership agreed to review the contentious articles in the constitution within four months. Initially, there is no major concern regarding any amendment if it would go through a legal process. To make this mission succeed, the political leadership should come to a mutual understanding before transferring the contentious articles to the Council of Representatives to make sure that the amendments will be passed. All proposals that are handed over to the Council of Representatives are debatable as long as they don't violate the Constitution.

Concerning the time that the amendment process will take, the Iraqi political leadership has to make a bargain regarding all contentious issues, and that alone will not take more than three months. But if these issues transfer directly to the Council of Representatives the amendments will not be as easy to pass.

Fourth: What is likely to happen if Iraq fails to achieve national reconciliation? And what action should the United States take then?

In accordance with the past three months of activity on the part of the new, permanent government, Iraq analysts and others argue that it needs to show competence

and activity to improve its performance in order to achieve its goals. Therefore, one of the most significant challenges for the government is to get the Reconciliation Plan completed and any failure in this sense could cause additional problems for the government. In as much as this government is formed out of 6 major slates of the winners in the December 2005 elections, so its support must be a collective mission as well.

Furthermore, the Iraqi-American strategic partnership makes it necessary for full cooperation to solve all previous mistakes that happened during the past three years. In the security area, that Iraqis should have full control of the security issue is of utmost importance, after enabling them to do the job properly, since the transferring of power to the Iraqi forces from the coalition troops in the secure governorates is still underway.

The relationship between the coalition forces and the Iraqi government represents the focal point in bringing the security project to success in Iraq, and in light of the successful existing experience between the Iraqi forces and coalition troops achieve their common goals and make good progress in the security plan of Baghdad. Iraqis recognize that our mutual mission of democratizing and stabilizing Iraq must be achieved together. In view of this, any talking about the withdrawal of these forces unilaterally would definitely lead to the failure of the Iraqi experience in addition to strengthening terrorism, which is the first enemy to the Reconciliation Plan.

The question of What is likely to happen if Iraq fails to achieve national reconciliation? And what action should the United States take then? It is definitely a hypothetical question, and the question would be, does the reconciliation's goal to bring only the insurgents to the political process, or the Reconciliation Plan about enabling the government by easing the pressure on it, and that what we believe in? Furthermore, any reflection of the current security congestion and the government slowness in order to look for a justification of the reconciliation failure would certainly influence negatively the whole progress in Iraq and the government's role as well.

6 – Factors that are helping Reconciliation Plan to Succeed

1 – The Reconciliation Plan needs a proper political and social environment to work in, from that Al-Maliki's government needs to be enabled to achieve its agenda and to make substantial progress in security, services, economic improvements, etc. Also, Al-Maliki frequently mentioned that some members of the cabinet do not meet the expected level of proficiency essential for their positions. One of the most important steps at this point is finding qualified members to replace the unqualified ones regardless of the political quota. PM Al-Maliki mentioned many times that he is about to replace members of his cabinet.

2 – In the Iraqi permanent constitution Iraq is a single federal and democratic state, however the political parties must accept the reality that federalism is the proper governing system for all Iraqi territories. Also, they must reach an agreement regarding real concessions that they have to offer to avoid any obstacles and to pave the way of the PM's Reconciliation Plan.

3 – Iraqi political leadership must reach a mutual understanding concerning the old regime's crimes against the Iraqis and humanity, and concerning a united effort to defeat current terrorist actions as well. Prime Minister Al-Maliki stated in his Reconciliation Plan that political leaders should use a reasonable political message through an honest and transparent national dialogue, to avoid any contradictions on the Reconciliation Plan and to get unanimity on the national constants.

4- The activation of the Political Committee of the National Security Council on condition that it represents all Iraqi political leaders to make it the Iraqi political decision kitchen. Also, the activation of the other Iraqi constitutional institutions including the current weak judiciary and anticorruption committee is badly needed.

5 – The regional countries have to play a positive role, and the government should open an active dialogue with them. There is no doubt that offering all means to make the government successful will be in the benefit of Iraq, the coalition troops, the region's stability, and the international community.

6 – The cooperation of the international community in supporting the Iraqi government in rebuilding Iraq by improving the economy, encouraging investments in the secure governorates for the first stage, and opening political and diplomatic channels for the new government.

7 - The Reconciliation and National Dialogue Committee needs to be empowered by different means including money. Also, the government needs to solve the security problem in different governorates such as Baghdad and Diyala. The government should continue its dialogue with the armed and unarmed groups in and outside Iraq. Also, it is very important that Iraqis in the education sector work to establish a long term reconciliation educational system all through Iraqi governorates.

7 – Conclusion

The key to the success of the Reconciliation Plan relies on the political will of the Iraqi leadership and the government, and the cooperation between the two. Iraqis recognize that the Reconciliation Plan is all about enabling the government by easing the pressure on it, bringing all Iraqis together to the political process to preserve the unity of Iraq, and paving the way for the government to stabilize the country and to serve them. The Iraqi population's diversity enhances the national unity; it also enables Iraq to develop closer and fundamental relations with neighboring countries with whom it shares historical, cultural, or religious characteristics.

Iraq can achieve a major guarantee of stability and progress only through embracing Democracy, the rule of law which guarantees the system of checks and balances, the independence of the judiciary, and respect for freedom and human rights. Along with the Iraqi stability, the region's stability will definitely be preserved as well.

The Iraqi Constitution allows for the creation of regions within the country. However, it has also established the mechanism which will ensure the continuity of the unity of Iraq. Indeed, article 111 in the Constitution stipulates clearly that the country's wealth is the property of all the population of Iraq and that the revenues must go to the Federal Government. This text constitutes a strong guarantee of the unity of Iraq and strengthens the bonds between the various regions and the Federal State.

Due to the different challenges in Iraq, the Iraqi government, with its Reconciliation Plan, has a long way to go until it can make any significant difference. This will put an extra burden on the Iraqi leadership and The Bush Administration influence and leverage over the course of sustaining Al-Maliki's government until it achieves its mission in the Reconciliation Plan or in the other urgent developments of the security and economic issues.

Mr. SHAYS. Mr. Talabany.

STATEMENT OF QUBAD TALABANY

Mr. TALABANY. Thank you, Mr. Chairman. I'm sorry to be the bad egg that might break the 5-minute rule, but I will try to do my best to stick within the—

Mr. SHAYS. You do exactly what you want to do. And I apologize to our first two speakers if we overemphasized the 5-minute rule because, frankly, I consider it so important that you say whatever you need to say. So I'll invite you, before I even ask questions, if there are any other points that you want to say. But Mr. Talabany, you have the floor.

Mr. TALABANY. Thank you, Mr. Chairman, for the opportunity to testify on the critical topic of national reconciliation in Iraq. I'd also like to take this opportunity to thank you and the ranking member for your leadership on this important subcommittee, and the work of the entire subcommittee on the subject of Iraq.

We are also grateful, Mr. Chairman, for the many visits you have led to Iraq, including the two individuals recently to Iraqi Kurdistan.

I'd also like to take this opportunity to thank the brave men and women of the U.S. Armed Forces who are serving or have served in Iraq, as well as the diplomats and civilians who labor tirelessly with Iraqi officials.

Iraq is a country traumatized by its horrific past and at times its faltering present. To overcome that trauma and to build a robust inclusive political process, Iraq requires national reconciliation. The Iraqi Government has put forth a National Reconciliation Plan that, if carried out, will help to begin to heal the pain of this country.

There are many aspects of this plan. These include reforming the deBaathification policy and amnesty program, and dealing with the problems caused by militias. However, before addressing these key issues, we must understand that national reconciliation means something very different to each of Iraq's major communities: Kurds, Shia and Sunni Arabs. Each regard the national reconciliation through the prism of their political goals because of their profound insecurities about the future.

Iraq was built as a state in which conflict was part of its architecture, a country that many of its inhabitants did not want. Outsiders must recognize that inside Iraq there is no common understanding of what it means to be Iraqi. The lack of a core common identity has been exacerbated by evolving political and security situations since 2003. Iraqi expectations were high, and many of these expectations were not met. Instead, the violent and illogical opposition of a minority within the Sunni Arab community, coupled with a weak Iraqi state, has led to the further polarization of the Iraqi society. Insecure about the future, Iraqis have emphasized their ethnic and sectarian identities. In Iraq, families are being torn apart by the Sunni-Shia divide. Kurds have mediated between these two sects. Ironically, the Kurds, once Iraq's internally displaced, have become hosts to tens of thousands of Arabs who are becoming displaced by the violence.

Ethnic and sectarian identities are inescapable and cannot be ignored, even though they did not fit with the vision that some had for the new Iraq. Instead, we must deal with what we have and treat the ethnic and sectarian divisions not as the end of Iraq, but, rather, if addressed properly, our last opportunity to save it. By embracing Iraqi's identities as they are and shaping the political order that accommodates and accepts them, we can achieve true national reconciliation.

Iraqi's past and present is defined by a fundamental clash of two visions. One seeks a unitary state. Many, but not all, of those who advocate this central autocracy are a minority motivated by supremacist ideology. The second vision, held by most of Iraq's two largest communities, the Shia Arabs and the Kurds, by and large advocate a decentralized government, a democratic federation. This vision was endorsed in a democratic referendum that ratified the constitution. Like all democratic constitutions, ours is not a perfect document. It is, nonetheless, the only democratically ratified constitution in the region, and, if implemented, could lay the foundations for a functioning democracy.

The constitution allows for Iraqis to organize themselves the way they want. Kurdistan today stands as a Federal region with its own governance and security. And I'm proud to state that today the Kurdistan region stands as a success story, in part because of the support and the protection of the United States and the United Kingdom over the past 15 years. If others in the country want to Federalize the rest of the country, providing such steps are taken democratically and with the support of the people who live in these regions, then we must stand on the side of the constitution.

The Iraqi Government's National Reconciliation Plan complements the democratic federalism of the constitution by seeking to provide justice for the victims and the perpetrators. To provide justice, the plan seeks to reform the deBaathification process in order to bring to justice those who committed crimes against humanity and crimes of genocide, while allowing those who want to participate in rebuilding this country and play a constructive role the opportunity. We should not punish everyone who joined the Ba'ath party. Nonetheless, national reconciliation requires that those with blood on their hands should never hold senior government posts or security posts, or be in the position to harm Iraqi citizens again. If we allow criminals of the former regime to hold senior posts in the new political order, we will be building a new country on rotten foundations.

Bringing elements of the insurgency into the political process will also be difficult. Again, the Kurds have led the way in this effort.

A major component of the National Reconciliation Plan involves a potential amnesty for certain elements of the insurgency. Amnesty should not be extended to foreign terrorists or home-grown extremists who are not willing to cease fighting. What it should do is allow the mass of the insurgency to know that it can lay down its arms and be part of the new Iraq that will not exact retribution.

National reconciliation also means tackling the militias. As CENTCOM Commander General Abizaid said at an Armed Services Committee hearing, there are militia that are benign or that are working closely in conjunction with the state to provide some

additional security, and they do not need to be disbanded right away.

Our goal should be to have security forces that are accountable to government institutions. We must not tolerate the existence of death squads and those who abuse the cover of an official uniform to commit sectarian crimes, as Ambassador Satterfield correctly stated.

Much has been said regarding the Kurdish security forces known as the Peshmerga. The Peshmerga are not a militia. It is a professional military force that possesses a transparent chain of command that is always accountable to a government elected by the people. These fighters have been called upon by civilian leadership to defend the security of the Kurdistan region. And it is in part due to their bravery and competency that the Kurdistan region today is Iraq's most stable and secure.

Since Operation Iraqi Freedom, many thousands of Peshmergas have joined the Iraqi security forces and have led the fight against the terrorists. What needs to complement the main planks of the national reconciliation is a national pact on oil and potential constitutional revisions. Oil is Iraq's greatest asset and its most abused resource. Many Iraqis, the Kurds in particular, feel that the oil has been a curse. It was only when Iraq was obliged by the Oil-for-Food Program in 1996 did Kurdistan benefit from the nation's oil.

Iraq's history has engrained in us and others in the country immense insecurities. Given these experiences, Kurds have little confidence that any government in Baghdad, including one that has many Kurdish ministers, will safeguard our share of the country's wealth.

What is needed for a sound oil policy is balance. We need to end the complete centralization of the country's resources, while recognizing that Baghdad can play a useful role in ensuring fairness and imposing checks and balances. Iraq's regions, including Kurdistan, must play a key role in the development of the nation's oil and gas sectors, as called for in the constitution.

A preliminary agreement on oil has been reached recently, but more work needs to be done to overcome the insecurities, especially of the people that live in the non-oil-producing regions.

The final element of the current Iraqi Government policy is to allow for constitutional revisions. There are, of course, those who say that there is no need to revise the constitution, as it reflects the will of the vast majority of Iraqis. Such a view has its logic, but it is the wrong approach. It is in the spirit of consensus and cooperation that Iraqi officials have agreed on a 4-month period to allow for those who were not part of the constitutional drafting process to recommend textual amendments. Discussions are ongoing on this issue, but have yet to yield results.

Throughout this endeavor, we will require American support. The American people have, as always, been generous. The United States must continue to play an important role in our development politically, economically, and militarily. We all look to the day when American Armed Forces can return home with their heads held high, but unfortunately today is not that day. It is critical for

U.S. forces to continue working side by side with Iraqi forces to fight those who want to do us both harm.

We are not naive about the political climate in an election year in the United States. We understand the growing impatience of the American people. No war is easy to a people. And yet I ask you, as elected representatives of your great people, to urge patience.

We are trying to lay the groundwork for a democratic society. We face many challenges; most we hope to win. Victory, however, requires that we stand together. Thank you.

[The prepared statement of Mr. Talabany follows:]

Testimony
Of
Qubad Talabany
Representative of the Kurdistan Regional Government of Iraq
to the United States
Before the
House Committee on Government Reform
Subcommittee on National Security, Emerging Threats and
International Relations
September 13, 2006

Thank you, Mr. Chairman, for the opportunity to testify on the critical topic of national reconciliation in Iraq. I'd also like to take this opportunity to thank you and the Ranking Member for your leadership on this important subcommittee, and the work of the entire subcommittee on the subject of Iraq. We are also grateful, Mr. Chairman, for the many visits you have led to Iraq, and your two most recent visits to Iraqi Kurdistan as well. We hope that others will follow in your footsteps, realizing that an accurate analysis of Iraq requires visits to every region of the country.

I would also like to take this opportunity to thank the brave men and women of the U.S. Armed Forces who are serving or who have served in Iraq as well as the diplomats and civilians who labor tirelessly with Iraqi officials to ensure that the fruit of our partnership is a prosperous and peaceful Iraq.

Iraq is a traumatized country; traumatized by its horrific past and at times its faltering present. To overcome that trauma and to build a robust, inclusive political process, Iraq requires a national reconciliation process.

To understand what national reconciliation involves in Iraq, we must first recognize that national reconciliation means something very different to each of Iraq's major communities: the Kurds, Shi'a and Sunni Arabs. Each tends to regard national reconciliation through the prism of their political goals because of their profound insecurities about the future.

Many are wondering what it actually means to be Iraqi, or if there is something actually called Iraq. The manner in which Iraq was built as a state ensured that conflict was part of its architecture. Iraq was a country that many of its inhabitants did not want; a country they were stuck with; a country that became a place of great suffering for them, and a

country that for others became a source of enrichment and privilege. If there is to be national reconciliation, the fundamental problem that there is no common understanding of what it means to be an Iraqi must be accepted.

That lack of a core, common identity has been exacerbated by the conduct of reconstruction since the liberation of Iraq in 2003. Expectations were high and many of these expectations have not been met. Instead, the violent and illogical opposition of a minority within the Sunni Arab community, combined with a weak Iraqi state has led to further polarization. Instead of coming together as Iraqis, insecure about the future, the inhabitants of Iraq have instead emphasized their ethnic and sectarian identities. In Arab Iraq, families are being torn apart by the Sunni-Shi'a divide. Kurds, who have a functioning society and government, have mediated between these two sects. Ironically, the Kurds, once Iraq's internally displaced, have become the cordial hosts of tens of thousands of Arabs internally displaced by Sunni-Shi'a violence.

The ethnic and sectarian identities that Iraqis suffered and died for are inescapable. They should not be the only identities that Iraqis have, but they should not be ignored because they do not fit the visions that some had for the new Iraq.

Too often, the ideal has been exhorted over the practical. Instead, we must deal with what we have and treat ethnic and sectarian identities not as the end of Iraq, but rather as our last opportunity to save it. By embracing Iraqis' identities as they are and shaping a political order that accommodates and accepts them, we can achieve true national reconciliation.

Iraq's past and present is defined by a fundamental clash of two visions. One seeks a unitary state, an approach that is not viable in a country as diverse as Iraq, which was imposed with violence in the past. Many, but not all, of those who advocate this central autocracy are a violent minority within the Sunni Arab community. They believe that they have a right to rule. They are motivated by a supremacist ideology. Those who seek to impose this vision do so with all the violent means at their disposal and will, if allowed, increase the violence.

The second vision, held by Iraq's two largest communities, the Shi'a Arabs and the Kurds, by and large, advocate a decentralized government, a democratic federation. This vision was endorsed in a democratic referendum that ratified the August 2005 constitution. Like all democratic constitutions, the new Iraqi constitution is not a perfect document. It is a product of hard argued compromise. It is nonetheless the only democratically ratified constitution in the region and, if implemented could lay the foundations for a functioning democracy.

By allowing Iraqis the right to determine their own futures, the constitution will foster success stories similar to that of Iraqi Kurdistan. The constitution allows for Iraqis to organize themselves the way they want. Kurdistan today stands as a federal region, with its own governance and security – I am proud to state that today the Kurdistan region stands as a success story, in part because of the support and protection of the US over the

past 15 years. If others in the country want to federalize the rest of Iraq, providing such steps are taken democratically and with the support of the people who live in those regions, then we must stand on the side of the constitution, and not obstruct democracy.

The Iraqi government's national reconciliation plan complements the democratic federalism of the constitution. It does so by seeking to provide justice for the victims and the perpetrators, inclusion for those who are uneasy with the new Iraq and security for all.

To provide justice, the plan seeks to reform the de-Ba'athification process. The Kurdish political leadership believes that the de-Ba'athification should be carried out wisely and carefully in order to bring to full justice those who served in the regime of Saddam Hussein and committed crimes against humanity and genocide, while allowing those who genuinely want to participate in rebuilding this country and who want to play a constructive role the opportunity to show their sincerity in actions rather than words. The tragedy of the political crimes is that their scale is so great that not every perpetrator can realistically be brought to justice and not every victim can see their suffering vindicated in court.

Nonetheless, national reconciliation requires that those with blood on their hands should never hold senior government posts, be in the security services or be in position to harm Iraqi citizens again. If we allow criminals of the former regime to hold senior posts in the new political order, we will be building a new country on rotten foundations. National reconciliation also requires that not all of those who joined the Ba'th Party be punished for carrying that criminal organization's membership card. Many joined the Ba'th Party for petty, careerist reasons. We may question the morality of such a choice, but pragmatism demands that we not punish it and stigmatize it for life. The Kurdish leadership has taken the lead in this regard and has talked to members of the former regime who have shown an interest in being part of the new Iraq. It is not easy for Kurds to sit at the same table as Iraqi generals who once regarded the valleys and villages of Kurdistan as a war zone, but we have done so.

Bringing elements of the insurgency into the political process will also be difficult. Again the Kurds have led the way. A major component of the national reconciliation plan involves a potential amnesty for certain elements of the insurgency. As U.S. Ambassador to Iraq Zalmay Khalilzad correctly stated before the Senate Foreign Relations Committee, "amnesties are inherently an element of agreements to end conflict. It is a part of the package of the things that need to be done."

The amnesty offer should not be extended to foreign terrorists or home grown extremists who are not willing to cease fighting against the Iraqi government and Coalition forces. What it should do is allow the mass of the insurgency to know that it can lay down their arms and be part of a new Iraq that will not exact retribution, but that will instead rehabilitate them into society and give them a future. The Kurds are certainly ready to take this step and our leadership has made it plain that we will talk to those who genuinely represent the insurgency. What is required now is a sign from the insurgents that they will forsake their supremacist ideology in favor of political compromise.

National reconciliation also means tackling the militias. As CENTCOM commander General John Abizaid said at a recent Senate Armed Services Committee hearing, “there are militias that are benign or that are working closely in conjunction with the state to provide some additional security, and they do not need to be disbanded right away. Those that are sponsoring death squads need to be dealt with immediately.” Our goal should be security forces accountable to government institutions. In the interim, given the security problems that we face, especially in Baghdad, Iraq has to accept the existence of some benign militias as a temporary measure.

What will not be accepted is the existence of death squads and those who abuse the cover of an official uniform to commit sectarian crimes. The Iraqi government needs to be consistent on this matter, for without it Iraqis will not feel confidence in their institutions.

Much has been said regarding the Kurdish security forces, known as *Peshmerga*. The *Peshmerga* are not a militia. It is an organized, professional military force that possesses a transparent chain of command that is always accountable to the government that is elected by the people. These fighters, committed to Iraq’s freedom, have been called upon by a civilian leadership to defend the security of the Kurdistan region, and it is in part due to their bravery, professionalism and competency that the Kurdistan region is today Iraq’s most stable and secure. The *Peshmerga* took the second largest number of casualties during the first phase of Operation Iraqi Freedom (OIF) and were the only indigenous armed force to fight with Americans in the liberation of Iraq. Since OIF, many thousands of *Peshmerga* have left the Kurdistan region to join the new Iraqi forces and to assist the Coalition in its fight against terrorists and insurgents, and they have done so with valor. Former *Peshmerga* are widely regarded as the best troops available to the new Iraq and they symbolize the Kurds’ commitment to Iraq’s success.

The main planks of the national reconciliation plan, outlined above, need to be buttressed by a national pact on oil and potential constitutional revisions. Oil is Iraq’s greatest asset and its most abused resource. Many Iraqis, the Kurds in particular, feel that the oil has been a curse. From Iraq’s inception until 1996, when the United Nations started administering the UN Oil-for-Food program, Kurds were systematically robbed of their fair share of Iraq’s resources. Instead, all that they inherited from successive Iraqi regimes was a swathe of destruction, and neglect. Although the UN Oil-for-Food program set an important precedent by recognizing that Kurdistan was entitled to a specific allocation of national oil revenues, the program was, as we observed at the time, poorly managed and implemented and was, in many ways, a scandal. Given these experiences, Kurds feel little confidence that any Iraqi government in Baghdad, even one including many Kurdish ministers, will safeguard their share of national resources.

As with national reconciliation, what is needed for a sound oil policy is balance. We need to end the complete centralization of the country’s resources while recognizing that Baghdad can play a useful role in ensuring fairness and checks and balances. Iraq’s regions, including Kurdistan, must play a key role in the development of the nation’s oil and gas sectors, as called for in the constitution. Regions should not be left at the mercy

of Baghdad to receive their fair share of Iraq's wealth; history is instructive. A preliminary agreement on oil has been reached recently. Allocation and distribution of Iraq's wealth must be structured in a way that ensures that all of Iraq's citizens, including those that live in non-oil producing regions, benefit from the country's vast wealth. More work needs to be done, but if we take the view that the government in Baghdad and the regions each has a positive role to play, then we will square the circle on how to fairly distribute Iraq's oil wealth.

The final element of the current Iraqi government policy is to allow for constitutional revisions. There are, of course, those who say that there is no need to revise the constitution, that it reflects the settled will of the vast majority of Iraqis and that those who seek revisions had ample opportunity to participate in the constitutional process but chose violence instead. Such a view has its adherents and its logic, but it is the wrong approach. We must give dialogue a chance.

It is in that spirit of consensus and cooperation, that Iraqi officials have agreed on a four month period to allow those who were not part of the constitutional drafting process to recommend textual amendments. We have been expecting those who asked for this provision to take advantage of it. Instead, we have all been surprised by their lack of interest in the issue. This may be a sign that those politicians who criticized the constitution no longer believe that constitutional changes will address the concerns of certain communities in the country. Instead, what they are signaling to us is that effective and improved governance, and not constitutional details, is what is required to have an impact on Iraqis lives and to change citizens' allegiances away from acquiescing to insurgent groups and militias to the state.

Nonetheless, we remain open to constitutional revisions. There must be a spirit of compromise and understanding, with respect to the rights of others, and a belief that to accept less than you feel you are entitled to, less than what the decades of suffering of your people demands, is more practical. This has been the approach of the Kurdish leadership. Indeed, it is for this reason, I believe, that Kurds have become, ironically, the unifying force in Iraq.

In this endeavor, we will require wise leadership and American support. The American people have, as always, been generous. The process in Iraq has been slow and difficult and we have all made mistakes. We must learn from these mistakes. Wise and creative leadership, in both Iraq and the United States is crucial. The U.S. must continue to play an important role in our development, politically, economically and militarily.

We all look to the day when America's brave armed forces can return home with their heads held high, knowing it both helped rescue a country from the abyss and protected its own homeland and its allies from a tyrannical threat. That day, unfortunately, is not today: It is critical for US forces to continue working side-by-side with Iraqi forces in a fight with those that want to do us both harm. We are not naïve about the political climate in an election year in the U.S. We understand the growing impatience of the

American people. No war is easy to a people. And yet, I ask you, as elected representatives of your great people, to urge patience.

We are laying the groundwork and the fundamentals of a democratic society. We face many challenges, most we hope to win. Victory, however, requires that we stand together.

Thank you.

Mr. SHAYS. I thank all three of you for your very, very thoughtful comments. And I regret that, for whatever reason, some of my Democratic colleagues who feel we shouldn't be in Iraq aren't here to hear your words and to question you and to hear your response to their questions. But I have more than enough questions to ask.

I view your participation in this congressional hearing as historic, and I believe that what you say will have impact well beyond this committee. So I thank you more than you can imagine for your presence.

I'd like to start by saying to you a few things so you kind of know where I'm coming from and you can react to it. When I ask an Iraqi if they're a Shia, they say, sir, I'm a Shia, but I'm married to a Sunni. I'll ask a Sunni, are you a Sunni? And they will say I'm a Sunni, but my daughter is married to a Shia. And then I ask a Kurd, are you a Kurd? And they said yes, but sir, we're Sunnis. And you're lecturing me about what—how we kind of view you.

My first visit to Iraq was in October 2003—excuse me, in April 2003. And I went in with a nongovernment organization before the fighting had stopped, and I met a man named Mohammed Abdul MUSAAD. And he told me that he got married in his fifties because he had been in an Iranian prison for many years and missed the first exchange of prisoners because Iraq didn't have as many Iranians as Iraqis had Iraqis. And I found myself saying, you've had a tough life. And he looked at me in some amazement and said, sir, no different than any other Iraqi. And it was a huge kind of message to me that I can't compare my life with their life. And he was so excited about the prospect of the newness of a democracy where he would have an opportunity to participate in its government. And I think he had tremendous overexpectations as well.

I think that what I've seen from the Iraqi people is they saw the United States as such a big and powerful Nation that we can just do this and everything would be good. At one point I asked him if there are things that we did that concerned him. He said when you throw candy on the ground and our kids pick them up like they're chickens, he said our kids aren't chickens. And I thought, well, you know, back home soldiers in parades, we throw the candy on the ground, the kids run and pick it up; but again, this told me, wow. He said to me, when you extend your hand out to a Muslim woman and she does this, your soldiers are offended—or some—and he said she is honoring you by saying thank you. But Muslim women don't shake hands with strangers.

And then at one point he grabbed my shoulders—which I don't know if it's a very Iraqi thing to do or not—he looked me in the face and said, you don't know us and I don't know you.

I couldn't wait to get back home to say to our State Department and Defense, bring back Iraqi Americans to Iraq, bring back Arabic speakers, because otherwise we're going to make some huge mistakes.

Now, what I want to first do, I don't want to dwell on the mistakes I just want to be honest about them. I want to be honest about—I think you, Mr. Speaker, were—and we call once a Speaker always a Speaker in this Chamber—you pointed out the mistakes. I'd like you tell me what you think the mistakes were. I'd like you, Mr. AlMusawi, to say what you think, Mr. Talabany as well.

I want to know where there is agreement and disagreement. And I will say this: You help this committee by having an honest dialog about your disagreements and not trying to be good soldiers among all of you to try to cover over those.

So I will go with you first, Mr. Speaker. What were the mistakes, in your judgment? You alluded to some of them. I just want you to kind of list them, and what do you think were the most significant mistakes?

Mr. AL HASANI. I wish Democrats were here, you know, to tell them what changed in Iraq. I think there was a change in U.S. policy in Iraq in the last 6 months or 8 months. And because of the violence that we are experiencing in Iraq, all three groups right now probably believe it is essential for the American forces to stay in Iraq.

Today, if I speak in the terms of Sunnis, they are more comfortable to see U.S. forces patrolling their areas more than seeing Iraqi security forces patrolling the areas. I think Shia would have fears if the American troops leave, it could lead to some kind of civil war in Iraq. Kurds, I think they are very happy. I can't speak in the name of all three groups. I think I represent Iraqis.

Mr. SHAYS. I know you say that and I know you believe it and I know that for you it is true. But for the purposes of discussion now, it would be helpful for you to tell us what you think many Sunnis feel, what the Shias feel, and what those who are Kurds feel. It would help us in understanding the issues. So I'm going to ask you to take off what you personally believe and tell us what you hear from a community that is primarily Sunni.

Mr. AL HASANI. I think that the biggest mistakes that the United States did in Iraq was, as I said, you know, dividing Iraqis into Shia and Sunni and Kurds. That mistake led that each group started to look into their agendas, rather than looking into comprehensive Iraqi agenda.

Mr. SHAYS. What would be another mistake?

Mr. AL HASANI. Let me add another thing now about this mistake. This mistake also gave the religious parties in Iraq more power than they should have, because people started to vote for the parties because they are either Sunni religious party or Shia religious parties. Set aside the Kurds, because the Kurds are a different story when it comes to the Shia and Sunni issue. They are Sunni, but right now, you know, in this equation that we have, they are not considered neither Shia or Sunni. There are some Shia elements within the Kurds too.

The second important mistake, I think, was dissolving the Iraqi security forces. That was the worst thing that can happen to any country. I think we should have probably taken out some of the major generals in the Iraqi Army, the big generals, and some other people who committed crimes against the Iraqi people. But the rest of the Iraqi Army should have stayed there. Once we dissolved the security forces and didn't even find ways to pay these people so they can find some dignified life for themselves, we left these people to be, you know, victims; and the terrorists groups started to take these people and make them part of their insurgency. Today, the insurgency in Iraq mostly are ex-Iraqi officers. And unless we deal with the insurgency with the understanding that, because of

the dissolving of the Iraqi Army, that's what happened, we cannot solve a security problem in Iraq.

And the way we proceeded in bringing back some of the Iraqi security officers, it was done in a biased way. I think even today we have problems to bring some of the "Sunni officers" back to the security forces. I remember that—at least I heard it just recently by General Nash—when he talked about the components of the Sunni in the Iraqi Army, said there are probably less than 10 percent. Where the population of the Sunnis, it is very difficult to determine who is the majority in Iraq, whether they are the Shia or the Sunni. There is no census in Iraq that tells anyone that this—

Mr. SHAYS. I will tell you what we think. We think that the Sunni population is closer to 20 percent. We think the Kurdish population is closer to 20 percent. And we tend to think of the Shia population as closer to 60 percent. That's what we believe.

Mr. AL HASANI. Well, there is no basis for that. And I—I really don't like, you know, even dividing the Iraqis, as I said.

Mr. SHAYS. I know that.

Mr. AL HASANI. But once you start, you know, putting numbers and you don't have census, because this issue is very delicate issue. It has to do with the election. When you divide, you know, the people in this way, you give majority to certain people. Then people start claiming that they are a majority. Are deepening the division among the Iraqi population when we talk in that sense.

Mr. SHAYS. You have given me two very serious mistakes you think were made.

Mr. ALMUSAWI, what do you think were the mistakes?

Mr. ALMUSAWI. One of the most crucial issues that we can consider as a mistake is the security issue.

Mr. SHAYS. Is the what issue?

Mr. ALMUSAWI. The security issue. From the beginning, I think there is a lack of how to install or how to create security institutions. I believe there is kind of lack of trust between the Americans and some Iraqi security parties. From the beginning, we—we called for the security forces must be leaned on the Iraqis. The Iraqis should take the initiative and should run the security files.

This mistrust, I would like to call it, between the Coalition troops and some Iraqi—Iraqi parties and the concerns from some militias and what they called that they have some relations or links with their original countries. Actually, this one caused a lot of losers for all Iraqi security forces.

Militias should—as soon as Alawi government, the militias that from 91—and in 91 there is certain articles of—and if we applied this law on all militias I think there is no big deal about how to deal with the militias. Many of the militias, they are recruited. Most of them, they were in the Iraqi forces. Most of them educated people. So we can make use of those militias. This is one.

Second, there is many security plans prepared by the Iraqi political parties. And just last year, there is a serious comprehensive security plan prepared by SCIRI, and this security plan contains many measures to help the security in Iraq. One of these measures to get the Iraqis themselves participating in their security cases. And crucial to the people's committees.

Mr. SHAYS. What I need to understand, though, is tell me the mistakes that were made. Did the United States make any mistakes? One of the mistakes was dividing Sunnis, Shias, and Kurds. The other was dissolving the Iraqi security forces. I believe both of those were mistakes, particularly the second. I'm not clear with where you think the mistakes were made. Did the United States make any mistakes before we transferred power in June 2004?

Mr. ALMUSAWI. I am talking about this time.

Mr. SHAYS. I am talking about the early on, the first year or so. Is there a point where you think we made some—some big mistakes in that first year?

Mr. ALMUSAWI. After the dissolving of the security forces—

Mr. SHAYS. Do you think that was a mistake?

Mr. ALMUSAWI. Absolutely. I believe so.

Mr. SHAYS. OK. That is helpful, thank you. Mr. Talabany.

Mr. TALABANY. Thank you, Mr. Chairman. Mistakes have been made. And I think mistakes have been made on both sides, both on the Coalition side and also on the Iraqi side. To go through a few, I think first the allowing of the looting to go on hurt us and America's credibility considerably in the country.

Mr. SHAYS. Tell me—I don't want to bias it—tell me how Iraqis viewed the looting. What did they interpret from the looting?

Mr. TALABANY. Well, it fed into the conspiracy theories. There were many conspiracy theories floating around the country. The fact that the oil ministry was one of the few ministries that the Coalition protected fed into many thinking that the Americans are coming in only for the oil. We know that is not the case, but once this spreads throughout the tea houses of the country, it spreads like wildfire.

Mr. SHAYS. Having spent \$300 billion, we hardly got a benefit out of oil. I mean, in other words, you could never repay what the United States has already spent. But I understand your point. Your point is the looting made people feel that we were only protecting what we were interested in and the rest of the country be damned.

Mr. TALABANY. Is a perception.

Mr. SHAYS. I understand. I understand.

Mr. TALABANY. Another major mistake was the political vacuum that was left open. And I think here what many people actually don't know is that when General Garner was heading up the office of ORHA, the Office of Reconstruction and Humanitarian Assistance, there was discussions with the then U.S. envoy, Ambassador Khalilzad, to have an interim government, form an interim government—we are talking April and May 2003—to have an interim government that would step in and run the country. The Iraqis failed to form this government. And they failed because of the divisions that have existed in the country along ethnic and sectarian lines and will continue to exist in this country.

We could not reach an agreement on who, how, and where this government would take shape. This created the CPA and, ultimately, a year lost with American rule in the country. So.

Mr. SHAYS. Did it give the view that there was an occupational government?

Mr. TALABANY. It wasn't just a perception issue, Mr. Chairman. The United States and the United Kingdom officially and legally changed their status from liberators to occupiers by going to the U.N. and forcibly becoming an occupier in the country.

Mr. SHAYS. Hold your thoughts. I would like to ask the two other witnesses, do you think that was a mistake? Do you think we could have transferred power sooner, and do you think it was a mistake to call it occupiers?

Mr. AL HASANI. I think it would have been very difficult to do it. Although it would have been also wise to do it, to try to find ways to form an Iraqi government earlier as possible. But I think there were some really difficulties to do that at that time too.

So you needed some transitional period, you know, to form an Iraqi Government, but I think it should have been done much earlier than we did it later on.

Mr. SHAYS. Thank you.

Mr. ALMUSAWI. I think we had an opportunity in March, early March 2003, in Salahadin to form a transitional government. But unfortunately, there is a kind of contentions between the parties at that time, the American officials and Salahadin. I think this was a missed opportunity, unfortunately.

Mr. SHAYS. One of the challenges would have been, whatever government it was, it would have been set up by the United States so it would have looked potentially like a puppet government. That would have been one of the challenges that you would have had.

Should we have reached out—while we are on it, I will come back to you Mr. Talabany. Should we have looked at Iraq more from a tribal standpoint than a religious standpoint? Would we have gotten better results, may I ask you, Mr. Speaker, if we viewed it more from a tribal standpoint?

Mr. AL HASANI. Well, I think even tribal standpoints are not good points to look at the Iraqis. I think the way we should have handled the Iraqi situation, I disagree with probably my fellow Iraqis that from the beginning we should have not talked about Sunni and Shia and Kurd issue. This has been done in the opposition before even the troops went to Iraq, there was talks about, you know, Shia and Kurdish alliance, and Sunnis they were out somewhere else. It is their fault they didn't participate from the beginning in the opposition the way they should have been, but that's, you know, something that they paid a high price for. But that was planned even long before we went to Iraq. So when you went to Iraq there was only that formula that people were looking at it.

But I think the United States had the responsibility, you know, to impose probably another form here. Citizenship in Iraq should be built on citizenship rather than being built on sectarian differences—oh, you know, tribal differences.

Mr. SHAYS. I am going to just tell you—obviously I have no credibility since I'm not an Iraqi—but I am more sympathetic to the message that Mr. Talabany said, that basically there are differences. And they're not as big in my judgment as people in this country want to make them out to be, but they are probably—I view them bigger probably than you do in terms of I do think the Middle East tends to view Sunni, Shias, and Kurds differently.

Let me just ask you to comment on Mr. Talabany's comment about the whole issue of this last point, if you could, and then I'm going to go back to Mr. Talabany.

Mr. AL HASANI. I differ with Mr. Talabany. I differed with him even when we were on the governing council.

Mr. TALABANY. That is democracy.

Mr. AL HASANI. This is the new Iraq. We can at this time differ in Iraq, but I would hope that the difference wouldn't unleash the point that we are killing each other. But I differ with Mr. Talabany that these differences existed a long time ago. And it isn't the 1,400 years that we're talking about. This is political differences right now we are talking about.

And what happened in Iraq, I left Iraq in 1979. Came to the United States, OK? When I returned back, I didn't know which of my friends were Shia or Sunni. I didn't. It was easy to know which one is Kurd because the language differences, but it was very difficult to know who is Shia and Sunni. But when I came back, you know, I found out that, you know, that we—that the Iraqis themselves played a major role in dividing the Iraqi site for political reason, for political gains. And that's the mistake that we're paying the prices for right now. And unless we go back to be Iraqis, it will be very difficult to resolve the Iraqi problem.

Mr. SHAYS. Let me just have you finish your points. Mr. Van Hollen is here, and I want to make sure he can join in this discussion which I think is very interesting. Mr. Talabany, what were some other potential mistakes?

Mr. TALABANY. Thank you, Mr. Chairman. I think—I don't disagree with the notion that it was wrong to disband the security force. I agree with my esteemed colleague, Speaker Al Hasani, that we didn't do enough to bring people back, because the reality was there was no Iraqi forces after the United States had rolled in. The military had itself disbanded. The order by the CPA was just basically a rubber stamp on the facts on the ground that had happened.

The mistake, in my opinion, wasn't the disbanding of the army; the mistake actually was not bringing people back into a new security force quick enough. I think the way, when we did start to rebuild the Iraqi security force, the way we just accepted everybody into the security force was another mistake. There was very little vetting going into who was actually being recruited. And much of the insurgency that first started happened from within the security services by people who had received senior posts in the security services. Ninety percent of the police stations in Mosul that were set up with the help of the U.S. military were overrun by the insurgents because of the insurgents from within those police stations.

One other, I think, mistake—and this again is a combined mistake on the Iraqi side—is the economic development strategy. We haven't focused enough on developing the country's economy, improving people's lives. We focused too much on the political and security developments, but we need that third track to bring stability to the country; because it is ultimately feeding citizens, giving them electricity, providing them the basic services and getting them a job that is going to calm the situation and bring people on

the side of the government and stop them from acquiescing to the activities of the insurgents and the terrorists.

Mr. SHAYS. Let me, before turning to Mr. Van Hollen, say that in my early times in Iraq I literally went outside the umbrella of the military, and DOD actually discouraged me from coming to Iraq, which I found outrageous. And I would go with nongovernmental organizations, and I will leave their names anonymous because I don't want to endanger them. But what they did, they were given a small amount of economic dollars, but these nongovernment organization were throughout Iraq. They hired Iraqis to be their office managers and to work in the offices, and then these nongovernment organizations hired Iraqis to do the work. And instead of bringing, in some some cases, a backhoe, they brought in a hundred shovels. In some cases it may have been a contractor who had a backhoe. And I'm told that hardly any of the projects done by the nongovernmental organizations, which were done by Iraqis, have been destroyed; that they have all thrived.

Mr. TALABANY. If I can just comment and on that, Mr. Chairman, I agree with you 100 percent. And I think one of the successes in Iraq has been what is called the CERP program, the Commodities Emergency Response Program, where it has again been U.S. military commanders working directly with Iraqis, not through giant contractors who are hiring very expensive private security companies that are siphoning all the funds out of the country. In order for these projects to be successful, the Iraqis must take ownership of these projects.

Mr. SHAYS. Would you agree that we would have been better off hiring the Iraqis to do the construction work instead of hiring Europeans and Americans and others from outside Iraq to do a lot of this work?

Mr. AL HASANI. Sure. But we also probably needed to monitor even the Iraqis. We have, you know, a large number of corrupted people in Iraq, too. So we should not blame only the people from the United States, the contractors from the United States being corrupted. But we have, you know, large corruption in Iraq itself. And a lot of the billions of dollars that the people are talking about went to the pockets of the Iraqis, not, you know, Americans. Probably American money went to the pockets of some of the American contractors, but Iraqi money went definitely into the pockets of some big Iraqi corrupted people.

Mr. SHAYS. Thank you. Mr. Van Hollen.

Mr. VAN HOLLEN. I thank you, Mr. Chairman, and thank all of you gentlemen for being here today to testify. Sorry I had to go out for a minute, but I had an opportunity to look at your testimony. And we have talked a lot this morning about the importance of national reconciliation within Iraq in order to move forward.

And my question to each of you would be in order to achieve national reconciliation, will there have to be changes made to the Constitution? And if that has to happen in order to achieve national reconciliation, what would the timeline be and what are the key changes that you believe have to happen?

Mr. AL HASANI. Absolutely. I think what this reconciliation is about is about the fundamentals of building the new State of Iraq.

As I mentioned, the fundamentals were flawed before when we went over there. I think the way we built the state was wrong.

We need to change that. And amending the Constitution is one of the important issues to reach reconciliation.

Right now, I am very worried about this thing, because at the time when we were writing the Constitution, people agreed from different groups that they worked together to amend the Constitution. The signals that I am seeing right now worries me. I see that some of the parties who agreed to amend the Constitution, they are backing out. That is not good for the country. This Constitution has not been agreed upon by all major component Iraqi components.

And it isn't, you know, an issue that you say majority of Iraqis voted for this Constitution. We have a problem in Iraq that we need to realize that problem. Iraq is right now divided into three different societies. It wasn't our mistake—well, it was our mistake in the first place because some of our political actors informed Americans that the Iraqis are, you know, Shia and Sunni and Kurd.

But anyway, this is what we have right now. And you cannot pass a Constitution and say the majority of Iraqi people agreed upon it, Kurds and Shia agreed upon it, and you leave the Sunnis. You cannot marginalize Sunnis. It is very dangerous to marginalize the Sunnis. Iraq will not be stabilized if any of its components are marginalized. Kurds were marginalized for 80 years and they were an element of destabilization of every Iraqi government, and they had the right to do that because their rights were taken away from them. And the same thing applies to Shia or the Sunni in Iraq. That's why I think it is very important there are certain important issues within the current Constitution needs to be amended and we need to reach some agreement between different political parties in that regard.

Mr. ALMUSAWI. I differ with my friend Hayim Al Hasani, because I believe that from the beginning we said that amendment is essential for the reconciliation of the land. And from that we believe that we shouldn't talk about the majority element. We have to understand that we believe that the most important issue to rebuild our Iraq, to agree with the equation of one man, one vote. This is the issue: We shouldn't talk—Al Hasani has said we are not Shia and not the Sunnis. So if we do not agree about this, we will not reach agreement between the Sunnis, the Shia and the Kurds. This is the issue.

Unfortunately, we have to talk about this directly. The reconciliation means don't abuse the majority; that democracy, talking about the majority, should rule the country with respect to the minorities. This is the truth. We shouldn't focus on the Shia and the Sunnis. We respect their cause, talking about the amendments, and SCIRI also agreed on all amendments that should go through the legal processes.

This is the issue. The reconciliation is a vital issue today in Iraq. But we have also it is a mutual mission for all Iraqis. All Iraqis should accept each other. All Iraqis shouldn't be making the kind of accusations regarding each other. The Iraqi leadership, political leadership, should agree on making consensus regarding each other. And from this point, I would mention that the political cur-

rent of the initial Security Council must be activated to take initiative, to make consensus and compromises regarding the contentious issues in the Constitution. All Iraqis believe that there is—there is an article in the Constitution talking about the amendments so there is no big problem. There is no big deal about making amendment in the Constitution.

We believe we have all Iraqis, and all Iraqi political parties—there is no exceptions—must backing al-Malaki and his reconciliation of Iraq.

Mr. VAN HOLLEN. Before we go to Mr. Talabany, let me make sure I understand your response there. The Constitution has a provision in it for amendment, just like the U.S. Constitution has a provision for amendment.

Mr. ALMUSAWI. Yes.

Mr. VAN HOLLEN. I guess my question is, in order to achieve national reconciliation do you believe it has to be amended? And if so, what amendments would be required? Or do you believe it doesn't have to be amended?

Mr. ALMUSAWI. That's right. Also the Constitution—talking about forming a reviewing committee for the Constitution. And this committee should be formed in any time this has belonged to the Council of Representatives. So after forming this committee, they should take care of all contentious articles in the Constitution. Then they should report to the Council of Representatives. This is the process of the amendment in the Constitution.

Mr. VAN HOLLEN. Mr. Talabany.

Mr. TALABANY. Congressman, I think as Ambassador Satterfield said, it all has to be part of a package. And in reaching national reconciliation, certainly making amendments to the Constitution is a component of it. Now, I think you will probably get different ideas about what changes need to be made, because these changes will ultimately reflect the insecurities and concerns of the various communities in the country. But one thing we have learned all along from our days in the opposition through the days in the interim governments and now this current government is that all-or-nothing policies fail. Nobody can have an all-or-nothing policy on any subject. And it is only through principles of consensus and compromise can we actually make progress and start to heal the pain of this country.

There is a timeline that has been set for any proposed amendments to the Constitution, which was a timeline of 4 months. Now there is some confusion as to when the 4 months actually begins; is it from the first day of the forming of the government, or was it before that? But I think if we haven't reached that deadline, we're almost there. And there has been very little dialog between Iraqi Parliamentarians and the Iraqi government officials and those who were seeking to make amendments to the Constitution on this particular issue. It has only just in the last week or so come to the fore and is starting to be debated. And the debate is going slowly.

Mr. VAN HOLLEN. Well, that is why I asked the question, because looking from here, it does appear that the process has been going very slowly. And there appears to be a disagreement as to exactly what was agreed to, not just on the timeline, but whether or not

there was an agreement to change certain provisions with respect to the Constitution and what changes those would be.

And I got caught up, I guess, in this current discussion with respect to the proposals that have been put forth by the SCIRI party, Mr. Hakim, about creating an autonomous region in the south. It has drawn a response from the Speaker in Parliament, saying that is not going to happen, that is a nonstarter. If you could all comment on what is going on right now with respect to the proposal to move ahead with the legislation now on creating the more autonomous region and what the implications would be.

Mr. ALMUSAWI. I would first say that there is no marginalization to the Sunnis. The Sunnis are right now heavily participating in the government and in the Parliament. This is first.

Second, the Hakim call, it is a call like their cause regarding the federalism. How to form the federalism. The contentious issue right now in the Council of Representatives is not about federalism itself, it is about how and when to form these federations. So one of the calls—one of the calls of for how to form the federations is this is a call of Hakim. He believes that provinces in the south could help stability in Iraq and could help improving the situation in the south. There is many other different calls. Some of the Iraqis thinking that one government should become a federation. The second call talking about each three government areas should form a federation, some have said one or more. And the Constitution, the article talking about one or more government areas could form a federation. So from that it is get this call, it is within the Constitution, this first.

Second it is the call also a debatable call. This is belong to the Council of Representatives. If they pass it, that's fine. This they don't, this is another call.

I have here a poll—I have here a poll from Nasarina news agency talking about a poll in the south and in Iraq in general, and they get a sample from 874 Iraqis. They asked them about the federalism. Do you believe in federalism? The people who refused the idea, 29.29 percent. The Iraqis who accept the idea for one government to be one federation is 12.01 percentage. The Iraqis who believe—

Mr. VAN HOLLEN. I'm sorry; I don't mean to interrupt you, but the bells are ringing, which means that the votes are going to be soon. And I understand, I think, what you are saying. Let me just ask this, because, you know, clearly I understand the thrust of the testimony is that all of you support a one united Iraq, and it would be better not to have the distinctions between, in some cases, the different groups in the way we approach it. On the other hand, it is very clear from your testimony—

Mr. SHAYS. If I could interrupt the gentleman. Mr. Talabany, from his perspective, said that the reality is we are different and we have to respect some of those differences. But in essence, Mr. Talabany, you are not suggesting breaking up Iraq. So you are right on that basic premise.

Mr. TALABANY. Not at all.

Mr. VAN HOLLEN. I was going to get to that. The last part of the question is for Mr. Talabany. But clearly in the testimony you have

very important issues in the negotiations to protect minorities within a majority Shia population.

I guess my question is for you, Mr. Talabany. We have a mutual friend of you and me and your father, Peter Galbraith, Ambassador Galbraith, who has just written a book. And the title of the book is *The End of Iraq*. Mr. Galbraith has had a long association with Iraq, and, as you know, what he says is the reality on the ground today is that the different communities are moving in their own separate directions. You have internal migrations going on within Baghdad on a massive basis. And he is not saying that he wants to split up Iraq as part of what he wants to do. He is more saying it is a reflection of what has happened on the ground.

And we heard earlier in the testimony about Mr. Barzani's decision on the flag, and we know that back in January in the referendum in the Kurdish area, people at least on a straw vote basis said they wanted an independent Kurdistan. So what, I guess, is your view of Ambassador Galbraith's analysis, situation in Iraq today?

Mr. TALABANY. I think Ambassador Galbraith highlights the divisions that exist in the country today. And why or how those divisions came about into being, can debate that. But when you have a lacking of a political order, when the state cannot protect the citizens but being Shia protects him, when a state cannot protect a Sunni but being a Sunni protects him, it brings forth the identities that people have. And it is not about what we hoped Iraq would look like or whether we have a nostalgic view of what Iraq looked like before Saddam's regime. It is a reality on the ground that is clear in this violence going on today. There are Shiites killing Sunnis and Sunnis killing Shiites and this violence is there for all to see.

What we are saying is that this can be addressed by coming up with a political order that takes into consideration the realities on the ground, the facts on the ground, and by not ignoring them and hoping that Iraq was a certain way.

I think as far as—if I can address the flag issue, it is a major issue as far as national reconciliation is concerned. The flag of the country should represent the country. The "Old Glory" has representation of every State in the flag. The Kurdish people do not feel that the current Iraqi flag represents the people of Kurdistan as Iraqis. It was a flag that was used by a regime that tried to kill us, that tried to exterminate us, that committed genocide against us. And what we are trying to do is build a new country. Kurds have proven themselves more than anyone else, Kurds have proven themselves more than anybody else to be Iraqi. They have sent their brightest and best to Baghdad in the cause of unity in Iraq.

Mr. SHAYS. I am sure there is no bias here. Just sent my dad there.

Mr. TALABANY. In all of the discussions where we tried to reach a compromise—and I don't want to play our own trumpets here, but it has been the Kurds who have made the concessions on all sides.

Mr. VAN HOLLEN. I thank all of you. Unfortunately, we have a vote. This is a discussion we could pursue. I thank the chairman.

Mr. SHAYS. I am just going to say this. We are going to invite—in fact, plead that you come back on Friday. I think we warned you

that might be the case. At 2 o'clock, this committee reverts—at 2 o'clock, this committee reverts to another committee. This room converts to another committee of—we don't have this room all day. But what would make it, I think, advantageous for you to in fact come back and speak, I am going to ask you to comment before we leave now, but what would be advantageous is the topic will be as well—the topic on Friday is Consequences of Leaving: now, prematurely, or after power is transferred and so on.

So it is a nice segue. We would like to have you come back on Friday to talk about what we haven't yet talked about the reconciliation, all the things, specifically federalism, you know, the allocation of oil resources, and have you be very clear as to where the differences lie on all of these issues and which are going to be the most difficult.

So what I will ask, after our Speaker speaks, is to ask you to come back. Is that possible for each you to do? On Friday? We would ask to you come back at 10 o'clock. And then before the panel—the next panel will speak—it is only one panel, they will speak after you. And we will then go on to their topic, but you could then speak on their topic as well. Would you like to close?

Mr. AL HASANI. I just wanted to comment on some of the issues that the Congressman raised. When I sit here at the beginning, I say I am Iraqi. Then sometimes I talk about Sunni. It is like when a white American Congressman sits here and defends a Mexican American or African Americans. It isn't like, you know, you are taking sides with this group or that group. This is how, you know, I proceed with this issue.

Mr. SHAYS. Exactly.

Mr. AL HASANI. The other issue is that it is amazing that we agree what the problem is. Problem is, can we form a government that is going to be loyal to the Iraqi people, can protect the Iraqi people, whether they are Sunni or Kurd or Shia? And instead of working on that project, we keep saying that, well, that's not achievable, so probably we have to find, you know, different ways for every one of us to go.

So the issue is that probably we all agree on major things. And I think the same thing is true back home. But what needs is, you know, some people to help us to get together and work these differences. I think that party is the United States. The United States is right now the glue that glues the Iraqis together. And that's why I warn if the troops leave Iraq, we will be—

Mr. SHAYS. But we will have that dialog. And I thank you for—I think we told you this might happen. What we're doing is we are recessing. We are going to impanel you first. You are already sworn in. We don't need to swear you in again. And we would like to talk about these very issues that you are talking about. And then we will get to the full hearing afterwards.

I view the three of you as essential to the dialog that we're having. This is an important panel. And we don't want to cut it short. So thank you so very much. So we will stand recessed. We stand recessed until 10 o'clock on Friday morning. Thank you all very very much.

[Whereupon, at 1:42 p.m., the subcommittee recessed, to reconvene at 10 o'clock a.m., Friday, September 15, 2006.]

