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EXAMINING THE PRESIDENT'S FISCAL YEAR 2008 SUPPLEMENTAL REQUEST FOR THE WARS IN IRAQ AND AFGHANISTAN

HEARING

BEFORE THE

COMMITTEE ON APPROPRIATIONS
UNITED STATES SENATE

ONE HUNDRED TENTH CONGRESS

FIRST SESSION

SPECIAL HEARING

SEPTEMBER 26, 2007—WASHINGTON, DC

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EXAMINING THE PRESIDENT'S FISCAL YEAR 2008 SUPPLEMENTAL REQUEST FOR THE WARS IN IRAQ AND AFGHANISTAN

WEDNESDAY, SEPTEMBER 26, 2007

U.S. SENATE,
COMMITTEE ON APPROPRIATIONS,
Washington, DC.

The committee met at 2:05 p.m., in room SD–106, Dirksen Senate Office Building, Hon. Robert C. Byrd (chairman) presiding.

Present: Senators Byrd, Inouye, Leahy, Harkin, Mikulski, Kohl, Murray, Dorgan, Feinstein, Durbin, Reed, Nelson, Cochran, Stevens, Specter, Domenici, Bond, Shelby, Gregg, Bennett, Hutchison, Brownback, Allard, and Alexander.

OPENING STATEMENT OF SENATOR ROBERT C. BYRD

Chairman BYRD. Secretary Gates, General Pace, Deputy Secretary Negroponte, thank you for coming here today.

I would like to issue a special welcome to General Pace, who will soon retire as the Chairman of the Joint Chiefs of Staff after 40 years of service in the Marine Corps. Today marks his last appearance in uniform before the Appropriations Committee. General Pace has been a tireless advocate for those serving in harm's way. On behalf of all of the members of the Appropriations Committee, I thank you, General Pace, for your outstanding service in defense of our great Nation, and I wish you all the best in your future plans.

The Appropriations Committee meets this afternoon to hear testimony on the President's supplemental appropriations request for the wars in Iraq and Afghanistan. The Congress has now appropriated over $450 billion for the nefarious, infernal war in Iraq. The President has requested another $150 billion of emergency funding for the wars. It is my understanding that the President intends to seek another $45 to $50 billion, bringing the total emergency request for just 1 year—1 year—to nearly $200 billion.

I'm disappointed that, 4 days before the new fiscal year, we still have not received the President's revised request. I considered postponing this hearing until the President submits his request, but there are so many fundamental flaws in the President's Iraq policy and the execution of that policy, that I decided we should proceed with this public airing of the issues.

Today, President Bush has not requested one thin dime to fund the cost of his so-called "surge" policy next year. I believe the surge is a fatally failed policy. While our troops continue to operate with

professionalism and heroism, the mission that the President has given them is flawed—flawed at its core. We cannot create a democracy at the point of a gun. Sending more guns does not change that reality. And this committee will not—N-O-T—not rubberstamp every request that is submitted by the President.

If the Congress were to approve the President's revised budget request, total funding for the war in Iraq will exceed $600 billion—$600 billion; more than 3,800 American deaths—3,800—more than 27,000 Americans wounded. Staggering costs. But even those costs fail to include the many indirect costs of this terrible war that will ultimately be borne—by whom? Whom? Whom? The American people. Larger Veterans Administration costs, interest payments on the additional debt, higher oil prices, the long-term expense of rebuilding our battle-weary fighting forces, the losses and stresses on our military families, and the incalculable long-term damage inflicted on our image and our good reputation in the world, all of this for a war—a war—a war that General Petraeus, 2 weeks ago, could not say had made Americans safer.

Now we hear the President talking—yes, talking—about a 50-year commitment in Iraq. Do you hear that? Similar to our military involvement in Korea. Based on an analysis by the Congressional Budget Office, the Senate Budget Committee estimates that such a long-term presence could cost well in excess of $2 trillion—$2 trillion—yes, you heard me, $2 trillion. That's quite a burden that this President is leaving to our grandchildren—yours and mine—our grandchildren, whose future will have to be mortgaged to pay for it.

The question is—what we should have foremost in our minds is this question, the one that General Petraeus—yes, the one that General Petraeus was unable to answer—Is America more secure as a result of this massive, astronomical investment? I believe the answer is crystal clear, we are not. We are now 4½ years into this war, and 7 months into the President's surge strategy that sent an additional 30,000 troops into Iraq. Yes, the "Charge of the Light Brigade."

In January, the President said that this military escalation was a temporary strategy to give the politicians in Baghdad breathing room to forge a political consensus. That rationale vanished as it became clear that no progress on the political front is on the horizon. The new buzzword is "bottom up," and a vague hope that incremental progress in the provinces will somehow miraculously lead to national reconciliation.

The President and his supporters claim that we're now finally on the cusp of progress, and that we must continue to "stay the course." Ugh, have you heard that before? Call me a skeptic, but we have heard this tune before. Yes, haven't we? Yes. The White House's reasons for our military occupation in Iraq shift with the winds. But the message is always the same, "Stay the course," continue the calamity.

The American public was sold on this war—yes, it was—it was sold on this war, with metaphors about mushroom clouds—I heard all those—and fanciful visions—yes—of our troops being greeted as liberators—I heard that, and I saw that, yes. The fear tactics and half-truths continue as the President suggests that terrorists will

follow us here—did you—have you heard that before?—if we withdraw from Iraq. And the administration grasps at every straw to demonstrate progress on the ground.

As Mark Twain—Mark Twain once said, "There are three kinds of lies: lies, damned lies, and statistics." Are we really seeking progress toward a stable, secure Iraq? Are we? Is our continuing occupation encouraging the Iraqi people to step up and take responsibility for their own? Is it? Is it? Are Iraq's leaders doing the hard work necessary to build a political consensus? Ah, how about it? What do we mean when we say "support the troops"—whoa, what do we mean?—what do we mean?—our brave fighting men and women have been given a near-impossible task, which they have performed with dedication, with professionalism, with courage, and with honor. The Congress has provided everything that the generals have asked for, and more; at times, going beyond the President's budget to supply body armor and mine-resistant vehicles for our soldiers. The President has taken that support for our men and our women in uniform to imply support, and even validation of his policy. Now he talks about some sort of indefinite American occupation of Iraq. How appalling—how appalling—that this President, who started his administration by saying that he would never allow our troops to be under the control of another government, now holds our troops in Iraq hostage to an Iraqi government that cannot govern.

In the fifth year of this terrible, misguided conflict, this Senator—yeah, this man from the hill country—believes that it is time for a thorough evaluation of the Bush war in Iraq. If we're serious about supporting our troops, we owe them nothing less.

I look forward—I look forward to your testimony.

Senator Cochran.

STATEMENT OF SENATOR THAD COCHRAN

Senator COCHRAN. Mr. Chairman, I'm pleased to join you in welcoming Secretary of Defense Gates, Deputy Secretary of State Negroponte, the Chairman of the Joint Chiefs of Staff, General Pace, to this hearing. We appreciate your presence, your cooperation with our committee, and your leadership of those who serve our great Nation.

We know that this is a controversial subject. We don't shrink from the challenge of reviewing it in a careful and thoughtful manner, with respect for you and what you are doing to protect our Nation. I know that we all look back with horror and remember the events of World War I and World War II. We thank you for helping defend against terrorism, and keep from happening, world war III.

Chairman BYRD. Yes.

Senator COCHRAN. And it is my personal opinion that the work that you are doing now, and the leadership our country is providing, in many ways, is designed to achieve that goal, of preventing a future, wider and more calamitous event. Therefore, we want to carefully review the request the President is making for supplemental funding for the Departments of Defense and State and other activities related to the war on terror. We thank you for your hard work, and we welcome you to the hearing.

Chairman BYRD. We welcome today Secretary Robert Gates, who is accompanied by General Peter Pace and Comptroller Tina Jonas. We also welcome Deputy Secretary of State John Negroponte. Following their statements, I will recognize members, in order of seniority, for up to 7 minutes each.

Secretary Gates.

STATEMENT OF HON. ROBERT GATES, SECRETARY OF DEFENSE, DEPARTMENT OF DEFENSE

ACCOMPANIED BY:

GENERAL PETER PACE, UNITED STATES MARINE CORPS, CHAIRMAN, JOINT CHIEFS OF STAFF

TINA JONAS, COMPTROLLER

Secretary GATES. Mr. Chairman, members of the committee, first I'd like to thank the committee for all you have done to support our military over these many years, and I appreciate the opportunity to speak with you today about the fiscal year 2008 global war on terror request.

Mr. Chairman, thank you for your kind words about General Pace. I've come to trust him completely, and rely on his advice these past 10 months. And I thank you for joining me in wishing him well and thanking him for his four decades of service to our country.

I urge the Congress to approve the complete global war on terror request as quickly as possible and without excessive and counterproductive restrictions. That will help the Department manage——

Senator DURBIN. Mr. Chairman?

Secretary GATES [continuing]. Expenses——

Senator DURBIN. Mr. Chairman? Mr. Chairman? Mr. Chairman?

Chairman BYRD. Senator Durbin.

Senator DURBIN. I believe that our witnesses before this committee are entitled to be heard. I think those who have been invited to attend this hearing should not express approval or disapproval. Whether we agree or disagree with the testimony, it is their right to be heard by all members of the committee.

Senator LEAHY. Mr. Chairman, I associate myself with the comments of the Senator from Illinois.

Chairman BYRD. Let there be order.

Secretary GATES. While this hearing is focused on the war funding request, I would like to note, with concern, the committee's recent report language of the Defense appropriations bill concerning section 1206, global train and equip. This authority is a unique tool that provides commanders a means to fill the longstanding gaps in our ability to build the capacity and capabilities of partner nations. It has become a model of interagency cooperation between the State and Defense Departments, both in the field and here in Washington. Secretary Rice and I both fully support this authority. Its benefits will accrue to our successors in future administrations, and I urge the committee to reinstate our full request for $500 million in the base budget, and continue support in future years.

I would also like to voice my strong support today to the State Department's portion of the war on terror request. As you know, the challenges we face in Iraq, Afghanistan, and elsewhere, are fundamentally political, economic, and cultural in nature, and are not going to be overcome by military means alone. It will be very

difficult for our troops and their commanders to succeed without the key nonmilitary programs and initiatives included in the request for the State Department.

The initial fiscal year 2008 war on terror funding request for the Department of Defense was submitted in February for $141.7 billion. At that time, the Department stated that this initial request was an estimate based on a straight-line projection of ongoing war costs, and would need to be adjusted, given the evolving and dynamic realities on the ground in both Iraq and Afghanistan. Major elements of that initial request included $70.6 billion for operations, including incremental pay, supplies, transportation, maintenance, and logistical support to conduct military operations; $37.6 billion to repair and replace equipment that has been destroyed, damaged, or stressed by the ongoing conflicts; $15.2 billion for force protection, including new technologies and equipment to protect troops from improvised explosive devices (IEDs) and other threats; $4.7 billion to train and equip Afghan and Iraqi security forces; $1 billion for the Commanders Emergency Response Program, funds that can be dispensed quickly and applied directly by U.S. commanders for local needs. The Department submitted its first adjustment on July 31, 2007, for $5.3 billion to buy 1,520 mine-resistant, ambush-protected (MRAP) vehicles, bringing the total war on terror request to $147 billion.

The second adjustment, to be submitted by the President, seeks approximately $42 billion, bringing the total fiscal year 2008 DOD request to nearly $190 billion. The second adjustment includes $6 billion to support the Army and Marine Corps combat formations currently in Iraq through fiscal year 2008. This takes into account the President's announced intention to redeploy five Army Brigade Combat Teams by next summer; $14 billion for force protection, $11 billion of which will go toward fielding approximately 7,000 more MRAP vehicles on top of the 8,000 already funded or requested—this also includes funding to better defeat enemy snipers and to modify Army combat vehicles to improve survivability; $9 billion for reconstitution, to ensure that we provide our forces the critical equipment and technology they need for future combat operations; $6 billion for training and equipment that will accelerate the deployment readiness of Army units—this includes $1 billion to support the National Guard predeployment training; $1 billion to improve U.S. facilities in the region and consolidate our bases in Iraq; and $1 billion to train and equip Iraqi security forces.

Mr. Chairman, I know that Iraq and other difficult choices America faces in this war on terror will continue to be a source of friction within the Congress, between the Congress and the President, and in the wider public debate. Considering this, I would like to close with a word about something I believe we can all agree on: the honor, courage, and great sense of duty we have witnessed in our troops. Under some of the most trying conditions, they have done far more than what was asked of them, and far more than what was expected. Like all of you, I am both humbled and inspired by my trips to Walter Reed, Bethesda, other military hospitals, and to the front lines in Iraq and Afghanistan. And, like all of you, I always keep our troops, their safety and their mission, foremost in my mind every day.

Once again, I thank each of you and the rest of the Congress for the support you have given them and their families during this period of great consequence for America.

Thank you, Mr. Chairman.

Chairman BYRD. Thank you. Thank you, Secretary Gates.

[The statement follows:]

PREPARED STATEMENT OF ROBERT GATES

Mr. Chairman, members of the Committee: I thank the Committee for all you have done to support our military these many years, and I appreciate the opportunity to speak today about the fiscal year 2008 Global War on Terror Request.

With me today is General Pete Pace, in what will be his last appearance before the Congress as Chairman of the Joint Chiefs of Staff. I have come to trust him completely and relied on his advice these past 10 months. I hope you will join me in wishing him well and thanking him for his four decades of extraordinary service to our country.

I urge the Congress to approve the complete Global War on Terror Request as quickly as possible and without excessive and counterproductive restrictions. That will help the Department manage its expenses and people more effectively, and minimize costly reprogramming actions.

While this hearing is focused on the war funding request, I would like to note with concern the Committee's recent report language of the Defense Appropriations Bill concerning Section 1206 Global Train and Equip. This authority is a unique tool that provides commanders a means to fill longstanding gaps in our ability to build the capacity and capabilities of partner nations. It has become a model of interagency cooperation between the Defense and State Departments—both in the field and in Washington, D.C. Secretary Rice and I both fully support this authority. Its benefits will accrue to our successors in future administrations. I urge the Committee to reinstate our full request for $500 million in the base budget, and continue support in future years.

I would also like to voice my strong support today to the State Department's portion of the War on Terror request. As you know, the challenges we face in Iraq, Afghanistan and elsewhere are fundamentally political, economic and cultural in nature, and are not going to be overcome by military means alone. It will be very difficult for our troops and their commanders to succeed without the key non-military programs and initiatives included in the request for the State Department. The initial fiscal year 2008 War on Terror funding request for the Department of Defense was submitted in February for $141.7 billion. At the time, the Department stated that this initial request was an estimate based on a straight-line projection of ongoing war costs, and would need to be adjusted given the evolving and dynamic realities on the ground in Iraq and Afghanistan.

Major elements of the initial GWOT request included:

—$70.6 billion for operations, which includes incremental pay, supplies, transportation, maintenance, and logistical support to conduct military operations.

—$37.6 billion to repair and replace equipment that has been destroyed, damaged, or stressed by the ongoing conflicts.

—$15.2 billion for force protection, including new technologies and equipment to protect troops from Improvised Explosive Devices and other threats.

—$4.7 billion to train and equip Afghan and Iraqi security forces.

—$1 billion for the Commander's Emergency Response Program, funds that can be dispensed quickly and applied directly by U.S. commanders for local needs.

The Department submitted its first adjustment on July 31, 2007, for $5.3 billion to buy 1,520 Mine Resistant Ambush Protected (MRAP) vehicles—bringing the total War on Terror request to $147 billion.

The second adjustment, to be submitted by the President, seeks approximately $42 billion, bringing the total fiscal year 2008 DOD request to nearly $190 billion. The second adjustment includes:

—$6 billion to support the Army and Marine combat formations currently in Iraq through fiscal year 2008. This takes into account the President's announced intention to redeploy five Army Brigade Combat Teams by next summer.

—$14 billion for force protection, $11 billion of which will go toward fielding approximately 7,000 more MRAP vehicles on top of the 8,000 MRAPs already funded or requested. This also includes funding to better defeat enemy snipers and to modify Army combat vehicles to improve survivability.

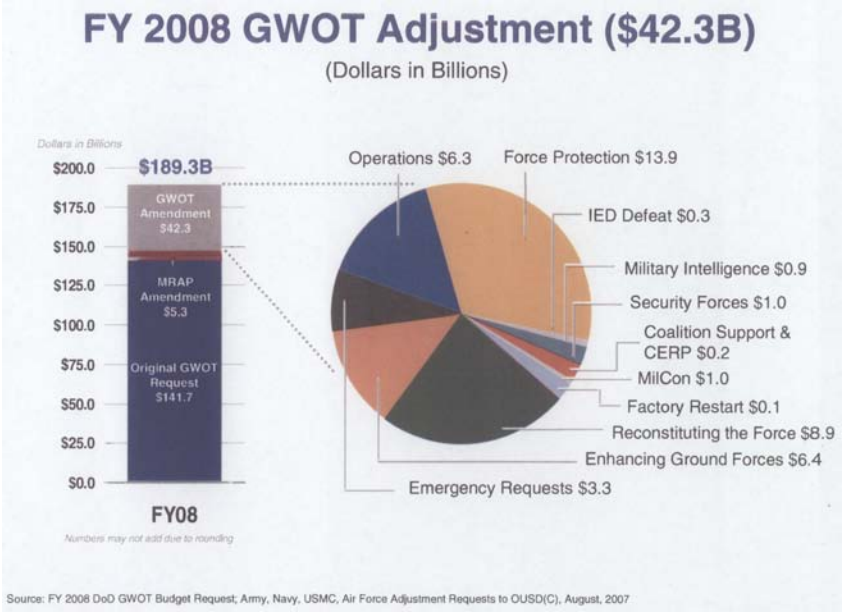
—$9 billion for reconstitution to ensure that we provide our forces the critical equipment and technology they need for future combat operations.

—$6 billion for training and equipment that will accelerate the deployment readiness of Army units. This includes $1 billion to support National Guard pre-deployment training.
—$1 billion to improve U.S. facilities in the region and consolidate our bases in Iraq.
—$1 billion to train and equip Iraqi Security Forces.

Mr. Chairman, I know that Iraq and other difficult choices America faces in the War on Terror will continue to be a source of friction within the Congress, between the Congress and the President, and in the wider public debate. Considering this, I would like to close with a word about something I know we can all agree on—the honor, courage, and great sense of duty we have witnessed in our troops since September 11th.

Under some of the most trying conditions, they have done far more than what was asked of them, and far more than what was expected. Like all of you, I am both humbled and inspired by my trips to Walter Reed and to the frontlines in Iraq and Afghanistan. And, like all of you, I always keep our troops—their safety and their mission—foremost in my mind every day.

Once again, I thank each of you and the rest of the Congress for the support you have given them and their families during this period of great consequence for America.



FISCAL YEAR 2008 GWOT REQUEST

[In billions of dollars]

Funding Vehicle	Amount
Original request	141.7
MRAP amendment	5.3
Fiscal year 2008 subtotal	147.0
Adjustment (pending)	42.3
Fiscal year 2008 total request	189.3

Source: Fiscal Year 2008 DOD GWOT Budget Request; Army, Navy, USMC, Air Force Adjustment Requests to OUSD(C), August 2007.

COST ADJUSTMENT TO FISCAL YEAR 2008 GWOT REQUEST

[In billions of dollars]

	Original Request and MRAP Amendment	Cost Adjustment	Total Fiscal Year 2008 Request
Operations	70.6	6.3	76.9
Force Protection	[1] 16.6	13.9	30.5
IED Defeat	4.0	0.3	4.3
Military Intelligence	2.7	0.9	3.7
Security Forces	4.7	1.0	5.7
Coalition Support and CERP	2.7	0.2	2.9
Military Construction	0.7	1.0	1.7
Factory Restart		0.1	0.1
Reconstitution the Force	37.6	8.9	46.5
Enhancing Ground Forces	1.6	6.4	8.0
Emergency Requests	5.9	3.3	9.2
Total	147.0	42.3	189.3

[1] Includes $5.3 billion in the MRAP Amendment.

Source: Fiscal Year 2008 DOD GWOT Budget Request; Army, Navy, USMC, Air Force Adjustment Requests to OUSD(C), August 2007.

Chairman BYRD. Let us have order.

Secretary Negroponte.

STATEMENT OF HON. JOHN D. NEGROPONTE, DEPUTY SECRETARY OF STATE, DEPARTMENT OF STATE

Mr. NEGROPONTE. Thank you, Mr. Chairman, Senator Cochran, members of the committee. Thank you for the opportunity to appear today in regard to the fiscal year 2008 supplemental request for State and foreign operations.

I am pleased to be here with Secretary Gates and General Pace. State and Defense work closely together on an extraordinarily wide range of issues affecting the Nation's security, and nowhere is this collaboration more intense and seamless than in Iraq and Afghanistan.

Chairman BYRD. Let us have order. Order. One more time, out you go. Don't do it.

Proceed, Mr. Secretary.

Mr. NEGROPONTE. Thank you.

We, therefore, are pleased to support the Defense Department's supplemental request, and we are grateful for Secretary Gates' support of ours.

PASSAGE OF FISCAL YEAR 2008 BILL AND FORMULATION OF THE FISCAL YEAR 2008 SUPPLEMENTAL

I would also like to thank the committee for passing our regular appropriations bill.

As you know, in February the President sent up a supplemental request of $3.3 billion for Iraq and Afghanistan, formulated in the December/January time period. Things can and do change in 10 months, and we plan to offer both refinements and additions to our original request.

IRAQ PROGRESS

Regarding Iraq, our aim is to solidify the gains realized from the surge and other improvements in the security situation. On the foreign assistance side, we seek additional funding to provide small

grants to programs to stabilize areas from which insurgents have been driven. Second, we seek funds for Iraqi infrastructure to consolidate gains in the delivery of basic services and to improve budget execution by the government of Iraq.

We have had successes in training the finance ministry, as evidenced by the Iraqi government's improved performance in getting money out into the localities where it is sorely needed. We need to continue ministerial capacity building, and training Iraqis to take over the management and operation of their own infrastructure. We also seek to continue much-needed programs in the area of the rule of law.

STATE DEPARTMENT OPERATING FUNDS

Mr. Chairman, an enduring solution in Iraq and elsewhere around the world requires strong diplomacy. To deliver that, we urgently require increased State operations funding to support the ongoing activities of our mission in Iraq. This includes all personnel, infrastructure, and security programs for U.S. Embassy personnel. There are additional requirements for armored vehicles and security and communications equipment. Funding is also requested for the regional Embassy offices and support units in Jordan and Kuwait, which reduce the number of personnel required to be stationed within Iraq. Funding is also necessary to cover the operation and maintenance of the new Embassy compound, as well as the construction of temporary housing, including overhead cover for security purposes.

The supplemental request also covers costs associated with the dramatic increase in provincial reconstruction teams, PRTs, from 10 in number to 25. The PRTs are at the core of our decentralized strategy in Iraq, and have contributed significantly to improvements in places such as al Anbar province and Baghdad.

AFGHANISTAN

Turning to Afghanistan, where I visited 2 weeks ago, there are many positive achievements on both the military and reconstruction side. Our counterinsurgency effort is working, but the job is far from complete. We now must focus on extending the national government's influence. The people of Afghanistan need visible evidence that their own government can deliver basic services and provide rule of law in all corners of the country.

There is a saying that, where the road ends, the insurgency begins. The Taliban has sought to reassert itself. We have taken the fight to the Taliban, but rooting out insurgents only clears the area temporarily. Without the roads that provide economic opportunities, insurgents reappear.

WEST BANK AND GAZA

I'd like to turn, now, briefly, to the issue of the West Bank and Gaza. In the months since we sent our February supplemental proposal to you, significant events have occurred in the West Bank and Gaza. Gaza is now run, de facto, by Hamas, and we have suspended all but urgent humanitarian assistance delivered through the UNWRA. At the same time, new opportunities have arisen to

work with President Abbas in the West Bank. We believe that funding for the Palestinian Authority to improve security performance and meet budget deficits will deliver clear benefits to the Palestinian people and advance a final two-state settlement of the Arab-Israeli conflict. U.S. funds would go into a specially designated account to be withdrawn only with United States Government approval and appropriate vetting of the recipients.

INTENT TO AMEND THE FISCAL YEAR 2008 SUPPLEMENTAL REQUEST

There are several other issues, Mr. Chairman, on which I am not prepared to speak today, but which are still under discussion within the administration before submitting our final numbers.

In conclusion, Mr. Chairman, our supplemental request and any amendments that we might put forth represent a serious response to the war on terror and to emergencies and opportunities which have arisen. We have consistently found that the political, economic, and diplomatic tools which these programs support are indispensable to the satisfactory long-term resolution of conflicts which threaten the security of the United States.

We are fully aware that you will require more discussion and justification regarding our additional fiscal year 2008 funding needs. We are committed to briefing you and your staff in detail on these programs as soon as possible.

Thank you very much, Mr. Chairman.

Chairman BYRD. Thank you.

[The statement follows:]

PREPARED STATEMENT OF JOHN D. NEGROPONTE

Mr. Chairman, Senator Cochran, members of the Committee: Thank you for the opportunity to appear today in regard to the fiscal year 2008 supplemental request for State and Foreign Operations. I am pleased to be here with Secretary Gates and General Pace. State and Defense work closely together on an extraordinarily wide range of issues affecting the nation's security. And nowhere is this collaboration more intense and seamless than in Iraq and Afghanistan. We therefore are pleased to support the Defense Department's supplemental request and we are grateful for Secretary Gates' support of ours. I would also like to thank the Committee for passing our regular appropriations bill.

As you know, in February, the President sent up a supplemental request of $3.301 billion for Iraq and Afghanistan, formulated in the December/January time period. Things can and do change in ten months, and we plan to offer both refinements and additions to our original request.

IRAQ

Regarding Iraq, our aim is to solidify the gains realized from the surge and other improvements in the security situation.

On the foreign assistance side, we seek additional funding to provide small grants for programs to stabilize areas from which insurgents have been driven.

Second, we seek funds for Iraqi infrastructure to consolidate gains in the delivery of basic services and to improve budget execution. We have had successes in training the Finance Ministry, evidenced by the Iraqi government's improved performance in getting money out into the localities where it is sorely needed. We need to continue ministerial capacity building and training Iraqis to take over the management and operation of their own infrastructure.

We also seek funds to continue much-needed programs in the area of rule of law.

Mr. Chairman, an enduring solution in Iraq—and elsewhere around the world—requires strong diplomacy. To deliver that, we urgently require increased State Operations funding to support the ongoing activities of our mission in Iraq. This includes all personnel, infrastructure, and security programs for U.S. Embassy personnel. There are additional requirements for armored vehicles and security and communications equipment. Funding is also requested for the Regional Embassy Of-

fices and support units in Jordan and Kuwait, which reduce the number of personnel required to be stationed within Iraq. Funding is necessary to cover the operation and maintenance of the New Embassy Compound as well as the construction of temporary housing, including overhead cover.

The supplemental request also covers costs associated with the dramatic increase in Provincial Reconstruction Teams (PRTs) from 10 to 25. The PRTs are at the core of our decentralized strategy in Iraq and have contributed significantly to improvements in Anbar and Baghdad.

AFGHANISTAN

Turning to Afghanistan, where I visited two weeks ago, there are many positive achievements on both the military and reconstruction side. Our counter-insurgency effort is working, but the job is far from complete.

We now must focus on extending the national government's influence. The people of Afghanistan need visible evidence that their own government can deliver basic services and provide rule of law in all corners of the country.

There is a saying that where the roads end, the insurgency begins. The Taliban has sought to re-assert itself. We have taken the fight to the Taliban, but rooting out insurgents only clears the area temporarily. Without the roads that provide economic opportunities, insurgents reappear.

WEST BANK/GAZA

In the months since we sent our February supplemental proposal to you, significant events have occurred in the West Bank and Gaza. Gaza is now run de facto by Hamas and we have suspended all but urgent humanitarian assistance delivered through UNWRA. At the same time, new opportunities have arisen to work with President Abbas in the West Bank. We believe that funding for the Palestinian Authority (PA) to improve security performance and meet budget deficits will deliver clear benefits to the Palestinian people and advance a final, two-state settlement of the Arab-Israeli conflict. U.S. funds would go into a specially designated account to be withdrawn only with U.S. government approval and appropriate vetting of the recipients.

Other issues are still under discussion within the Administration.

CONCLUSION

Mr. Chairman, our supplemental request and any amendments represent a serious response to the war on terror and to emergencies and opportunities which have arisen. We have consistently found that the political, economic and diplomatic tools which these programs support are indispensable to the satisfactory, long-term resolution of conflicts which threaten the security of the United States.

We are fully aware that you will require more discussion and justification regarding our additional fiscal year 2008 funding needs. We are committed to briefing you and your staff in detail on these programs as soon as possible.

I would be pleased to respond to your questions.

Chairman BYRD. Before we proceed to questions, I want to stress to our witnesses that, when the President does finally submit his revised request for the costs of these wars, it will be necessary to provide detailed justification for those requests. If necessary, we will need to meet again to review those requests. There should be no presumption that we will simply approve the requests of the President.

Senator Inouye.

Senator INOUYE. I thank you very much, Mr. Chairman.

For the record, on the matter of global train and equip, the subcommittee appropriated the full authorized level of $300 million. If the authorized level had been higher, we would have considered that.

Mr. Secretary, over the past 2 weeks many articles and documentaries have been shown to the public concerning an organization called Blackwater. How many contracted employees does DOD have performing security functions in Iraq and Afghanistan?

PRIVATE SECURITY CONTRACTORS

Secretary GATES. Mr. Chairman—Senator Inouye, the number that General Petraeus gave me in a conference call yesterday was about 7,300. That's of the 137,000 overall contract employees we have in Iraq. That 7,300 is not a comprehensive number, it does not include those security working for FMS and for some other entities. We can get you that full number, but 7,300 is the number that General Petraeus has awareness of.

Senator INOUYE. Do any of them work for Blackwater?

Secretary GATES. No, sir, not at this time.

Senator INOUYE. How many contracted employees are performing security-related tasks for private companies that are working for DOD in Iraq and Afghanistan? And is Blackwater a subcontractor to any one of these contracts?

Secretary GATES. I'm not aware that Blackwater is a subcontractor, and I'll have to get you those numbers for the record.

[The information follows:]

According to the July 2007 USCENTCOM Census data, the estimated total number of private security contractors in Iraq that are DOD-funded is 6,368. The USCENTCOM Census also reports that there are approximately 1,060 DOD-funded private security contractors in Afghanistan. The Department of Defense does not have any prime contracts with Blackwater with a place of performance in either Iraq or Afghanistan and is not aware that Blackwater is a subcontractor on any DOD-funded contracts in Iraq or Afghanistan.

Senator INOUYE. How much money do we spend for security purposes of this nature?

Secretary GATES. Ms. Jonas.

Ms. JONAS. Senator, I do have a figure that was given to us earlier, but he would have to get back to you on the total. The Secretary listed 7,300. The total that I have for companies that are working security is 6,368. We can certainly get——

Chairman BYRD. Would you identify yourself for the record, please.

Ms. JONAS. I'm sorry. Yes, Mr. Chairman. I am the Comptroller. My name is Tina Jonas.

Chairman BYRD. Thank you.

[The information follows:]

The Federal Procurement Data System—Next Generation (FPDS–NG) data base is the primary source for the information concerning contracts and contract costs. According to FPDS–NG, approximately $192,500,000 has been obligated for purely security guard services contracts under the DOD in Kuwait, Afghanistan, and Iraq from 2001 to 2007 (to date). This dollar figure accounts only for contracts identified in the FPDS–NG system as security guard services. It does not account for the cost of the performance of security services that are imbedded in contracts where the majority of the work is not guard services. For example, a contract for other professional services, construction, or transportation may have a security requirement, but would not be identified as a security contract.

OSD has requested that Joint Contracting Command Iraq Afghanistan provide more detailed data on the cost of security contracts in Iraq and Afghanistan and will provide it as soon as it is available.

Senator INOUYE. Mr. Secretary, who determines the rules of engagement for these security firms?

Secretary GATES. For the security firms that are employed by the Department of Defense, they are determined by the Department and by the commanders on the ground.

Senator INOUYE. Do they differ from military rules of engagement?

Secretary GATES. Yes, sir, they do. The rules that we have for our security contractors are called "rules for the use of force," to differentiate them from "rules of engagement." Rules for the use of force are focused on defensive operations. The principal difference between "rules of engagement" for our forces and "rules for the use of force" by these contractors is really focused on the fact that they are not allowed to carry out offensive operations.

Senator INOUYE. Is your Department presently investigating the events that led up to the barring of Blackwater from Iraq?

Secretary GATES. Yes, sir. We have a team in Iraq right now working on these problems.

Senator INOUYE. Is there any agency within DOD that exercises oversight over these activities?

Secretary GATES. Senator, I think one of the problems that I've identified over the past several weeks, I think that we have the proper procedures, the proper rules, and the proper legal authorities in order to prosecute contractors who violate the law. My concern is whether there has been sufficient accountability and oversight in the region over the activities of these security companies. And that's the main thing that our team is looking into out there, what is required to give the commanders the means and the resources that they need to be able to exercise adequate oversight.

Senator INOUYE. These security forces have been described as being mercenaries. Do you agree with that?

Secretary GATES. Well, they certainly are being paid, but I would note that a number of the people working, at least for the American security firms, are former members of the United States Armed Forces. I don't think that—I don't think they would consider themselves mercenaries.

Senator INOUYE. Do you think it would be proper for DOD to have a cadre of these security forces to replace that of the military?

Secretary GATES. Well, this is one of the problems that, frankly, is the overall contracting challenge in Iraq; and in Afghanistan, for that matter, as well. One of the consequences of the drawdown in the size of the American ground forces, in particular, over the past 15 years is the fact that we don't have the number of people that we require to perform logistics and transportation and cooking and laundry and the various kinds of mundane things that have to be done on a daily basis. That's why we have 137,000 contractors in Iraq, to carry out all these functions.

Perhaps some of them can be transferred to the military, if we proceed with the expansion of the Marine Corps and the Army. But I think our focus should remain on, How do we increase the combat capabilities of the American armed forces? And if some of these functions can be carried out better by private contractors, then that may be the way to go. But we clearly have to have proper oversight procedures and oversight activities in place to make sure they're doing what they're supposed to.

Chairman BYRD. There will be order in the hearing room.

Proceed, Mr. Secretary.

Senator INOUYE. Mr. Chairman, my time is up.

I thank you very much, Mr. Secretary.

Chairman BYRD. Senator Cochran.

Thank you, Senator Inouye.

Senator COCHRAN. Mr. Chairman, I yield to my friend, who's chairman—distinguished ranking on the Subcommittee of Defense, Senator Stevens.

Chairman BYRD. Senator Stevens.

Senator STEVENS. Thank you very much.

Thank you, Senator Cochran.

And, Mr. Chairman, I'm certain that I—I echo the words of the Senator from Illinois, Senate rules provide adequate protection—I'm sure that the chairman is fully familiar with the rules about disturbances during these meetings. Those disturbances hold us up, so we take longer for these hearings. And I would hope that, if necessary, we'll clear the room.

Chairman BYRD. It will be done.

Senator STEVENS. Thank you.

Let me say that—Mr. Chairman, that—I want to echo your comments concerning General Pace, an outstanding career of a marine officer. Having been a person who always dreamed of being a marine, I envy him. But, as a practical matter, he is the first marine to serve as the Chairman of the Joint Chiefs, and he's the first marine to serve as the Vice Chairman. And, under those circumstances, he has really distinguished the uniform he wears, and we certainly thank him for all his distinguished service for the United States.

So, we wish you well, very much, sir.

FOREIGN MILITARY SALES

Secretary Negroponte, I've been worried about the delays in getting foreign military sales—equipment to the government of Iraq. We had some meetings here earlier last week, and I was surprised to find that we have a task force now, under Deputy Secretary Gordon England, to try and work out the problems with the foreign military sales. And I was told that, of almost $2 billion in purchases by the government of Iraq, less than $200 million has been delivered. That seems to be one of the hangups, as far as the Iraqi forces being able to take over more of these responsibilities. What is the reason for the delay in foreign military sales?

Mr. NEGROPONTE. Thank you, Mr. Chairman. You mentioned the more than $2 billion of sales that are actually pending. In addition to that, a total of $6.8 billion in potential FMS—possible FMS sales—have been notified to the Congress. So, I think that we're very much moving in the direction of the Iraqis taking on——

Senator STEVENS. That's because they haven't been delivered. Only $200 million has been delivered.

Mr. NEGROPONTE. Yes, sir. And, to my understanding part of it has to do with processing, sir. And then, I'm not sure how some of these orders stack up against orders that are being placed for United States military forces, also.

Senator STEVENS. Well, I don't have much time——

Mr. NEGROPONTE. So, I don't know if there's a competition there, Mr. Chairman——

Senator STEVENS. I am told——

Mr. NEGROPONTE [continuing]. Senator.

Senator STEVENS [continuing]. There's so many different Federal agencies involved in clearing foreign military sales that it's almost impossible to get delivery of foreign military equipment. I would urge this task force to take into account the problems, and see if we can't get one-stop shopping. Why should they have to go to several different agencies to clear foreign military sales in a time of war?

Mr. NEGROPONTE. Right. Senator, we're certainly doing everything we can on that. I'm working with Secretary England, and we'll try to make it better. But we've certainly not experienced that difficulty with foreign military sales to a number of other countries, and we'll work hard to get to the bottom of this.

Senator STEVENS. Thank you. I would hope you really will.

The other thing is, we're now looking for a delay—we're looking at a delay in the timing of the supplemental. And it is a difficult thing to view, but, as I understand it, we had a bridge account, during previous years, to cover the transition between one fiscal year to another. Ms. Jonas, I understand it doesn't exist this year, right?

Ms. JONAS. That's correct, Senator Stevens.

Senator STEVENS. I don't know who to ask this question, you or the Secretary, but, what can we do to avoid the delay that seems to be inevitable now, in terms of getting the money for equipment and reset, and really carrying on the problems of this current—our engagements, particularly in Iraq—if there's a delay of weeks, in terms of getting the money for that purpose? "Do you have enough money to reprogram?" is what I'm saying to you.

Mr. JONAS. Mr. Chairman—or Senator Stevens, we've spoken with the Office of Management and Budget this morning. We believe that the request is imminent. Under the continuing resolution that we understand is under consideration, we believe that we can continue to operate, at least for the 1½ months period.

Senator STEVENS. That includes the additional money that would have been in the bridge before?

Ms. JONAS. Yes, sir.

Senator STEVENS. Okay. I thank you very much for that.

Let me ask the last question. Mr. Secretary, we have tried to come forward and have the money for the new MRAP vehicles. Can you tell us, what's the status of getting the MRAPs to the troops in the field?

MINE RESISTANT AMBUSH PROTECTED VEHICLES

Secretary GATES. Yes, sir. There are about 1,100 MRAPs in the field today, of both MRAPs and MRAP-type vehicles. We believe that the production rate on these vehicles will be up to about 1,200 a month by December. We have about 8,000 of these vehicles on order. The remaining 7,000 plus is taken care of in the adjustment that we've submitted to you all today. So, I think we will—we have a total requirement of about 15,000 of these vehicles for all of the services, the bulk of them going to the Army and to the Marine Corps. And we have the funding for the first 6,500, roughly, that was provided by the Congress in the fiscal year 2007 budget and supplemental. And we're seeking the rest of it.

An important part of the continuing resolution will be—in order to keep the production lines open and keep the orders flowing to these companies—will be to make sure that MRAP is dealt with, specifically, in the continuing resolution.

Senator STEVENS. Well, I share your hope.

General, I think you told us about one of those MRAPs that survived—what?—a 200 pound—what was it?—the improvised explosive devices?

General PACE. Sir, we've done it at Aberdeen, 300 pounds underneath the body itself, and they have survived.

Senator STEVENS. That—it's an amazing new vehicle. And, Mr. Secretary, I hope you'll let us know if there's anything we can do to accelerate the delivery of those vehicles to the war zone.

Secretary GATES. The Congress has been very supportive on this, Mr. Stevens.

Senator STEVENS. Thank you very much.

Thank you, Mr. Chairman.

Chairman BYRD. Thank you, Senator.

Secretary Gates, what did the President mean when he referred to a possible 50 year—50 year American presence in Iraq? It sounds like "mission accomplished" has turned into a commitment to have our grandchildren patrolling Baghdad into the middle of this century. Has the President discussed this with you? Has he?

Secretary GATES. Yes, sir, he has, and we have talked about what the ongoing requirement, or need, might be for U.S. forces in the future. I think that what the President is referring to is our pursuing a long-term strategic agreement with the Iraqis. The number of forces that would be included would be considered under that agreement. I would tell you that the number of troops would be a small fraction of those that are in the country today. And I think no one really knows what the duration of their presence there would be. It would depend, I suspect, both on the nature of the Iraqi government and on conditions in the region, what the Iranians are trying to do, and others in the region.

The purpose of that kind of a longer-term presence, should it be agreed, would be, first of all, to continue the fight against al Qaeda in Iraq; to help prevent foreign intervention in Iraq; and to continue to train and equip the Iraqi forces. So, it would be a very different kind of mission than our troops have today.

Chairman BYRD. Are you aware of operational plans for the long-term presence of U.S. troops?

Secretary GATES. I'm not—I may defer to General Pace on this—I am not aware of any plans, at this point, for a long-term presence. This has been largely a subject of discussion, but I don't think there's been any detailed planning.

General.

General PACE. Sir, there has been no detailed planning for that.

Chairman BYRD. Wouldn't you agree that there are significant differences between the situation in South Korea and Iraq?

Secretary GATES. Absolutely, Mr. Chairman. And I think that what people have had in mind when they refer to a parallel with the Koreans is simply an ongoing partnership between the United States and another country in which we have a relatively small presence in that country as part of security relationship.

Chairman BYRD. Don't you think Congress and future administrations must be integral to such a far-reaching decision?

Secretary GATES. I think the Congress has to be involved in that, yes, sir.

Chairman BYRD. Secretary Gates, the President has made much of the fanciful notion that the U.S. effort in Iraq is supported by a "coalition of the willing." In fact, over 93 percent of the troops in Iraq are U.S. troops. The 165,000 U.S. troops in Iraq are supported by only 12,279 troops from the "coalition of the willing." The untold story is that the principal support for U.S. personnel in Iraq is reportedly over 125,000 employees of private contractors, including over 30,000 employees of private security companies. Instead of a "coalition of the willing," what we really have is a "coalition of contractors." What message does it send to our allies and the people of Iraq that, instead of a significant presence of our major allies in support of the war effort, the United States sends contractors with no accountability, no rules for conduct, and total exemption from prosecution?

PRIVATE SECURITY CONTRACTORS

Secretary GATES. Mr. Chairman, with all due respect, the contractors are not immune from prosecution, they do have rules. The concern that we have is to ensure that we are enforcing the rules that we've asked them to abide by, and that's what we're looking at right now.

I would say your numbers are quite accurate, there are about 12,000 coalition troops in Iraq, representing 33 countries. And I would tell you that some of them make, in a modest way, a very important contribution. Clearly, the British have played a significant role in the southern part of the country, and—in the Basrah area and so on. Many of them, it represents, as much as anything, a political commitment to cooperate and support with the—to support the United States.

Chairman BYRD. Secretary Gates, the latest national intelligence estimate points out that the terrorists who attacked us on 9/11 have rebuilt and established a safe haven in Afghanistan and Pakistan. The terrorists who attacked us on 9/11 trained in Afghanistan, not Iraq. How, then, is our overwhelming commitment of blood and treasure to Iraq making us safer?

Secretary GATES. Well, sir, I think—whatever the circumstances were in 2003, I think there's little question, in terms of that national estimate or the generally accepted view, that al Qaeda is very active and aggressive in Iraq today. And I know very few people who believe that, were we to leave precipitously, that al Qaeda would not re-engage, continue, and re-escalate their violence in Iraq itself. And I think that most of the intelligence experts would believe that the next target would be the neighbors, perhaps Jordan and others, and eventually the creation of a space in which they could prepare, in Iraq, perhaps to attack European or even American targets.

Chairman BYRD. Secretary Gates and Deputy Secretary Negroponte, according to a report by the Congressional Research Service, it may cost the U.S. Government more to hire a private security contractor than an American G.I. Some of these contractors

are getting paid hundreds of thousands of dollars a year to do jobs that we used to ask our soldiers to do. What does that do for the morale of our regular-duty soldiers, who get paid a fraction of that? Is this wholesale outsourcing of our military serving our interests? Is it?

Secretary GATES. Mr. Chairman, I believe that the reason we have had to rely on these contractors is because, as I indicated earlier—the significant reduction in the size of our military forces over the past 15 years, and we, frankly, just don't—if we're to have the serious combat capability, we don't have the manpower to be able to perform a lot of these tasks. Again, for us, the security part of the contracting business is a very small percentage; perhaps 5 percent of the contractors that the Department of Defense has are involved in security.

I would go beyond that, though, and say that my personal concern about some of these security contracts is—that I worry that sometimes the salaries that they are able to pay, in fact, lure some of our soldiers out of the service to go to work for them. And one of the things that I've asked our lawyers to work for, one of the things that's pretty common in the corporate world and elsewhere, are noncompete clauses in contracts, and to see if there's some way we can put some limits on the ability of these contractors to lure highly trained soldiers out of our forces in to work for them.

Chairman BYRD. Senator Specter.

Secretary GATES. Mr. Chairman, with all due respect, General Pace had a brief opening comment. If it pleases the chairman to let General Pace offer those comments——

Chairman BYRD. Very well, yes. Go ahead, General Pace.

THANK YOU TO CONGRESS

General PACE. Mr. Chairman, thank you very much—Senator Cochran, members of the committee.

Mr. Secretary, thank you.

I will keep my remarks brief, sir, but I would be remiss if I did not take this one last opportunity to say thank you, in many ways; first, to you, sir, for your very kind opening words about my service to the country. It has been an incredible honor to serve in the military of the United States of America, and one which I will take to my grade—grave with great pride.

Second, to all the members of this committee and to the Congress as a whole. Despite the dialogue, Congress has always provided for provision of the troops in the field. And we know that, and we appreciate that. And your visits to the hospitals, and your visits to the troops in the field, send a very strong signal of a desire to understand what is really happening in support for the troops.

Chairman BYRD. Thank you.

General PACE. I am filled with pride in the incredible accomplishments of our young men and women. They freely give more than anyone could ever demand. And it's humbling to have the opportunity to serve beside them and to represent them. Many of them, as you know, sir, are members of the Guard and Reserve. And we owe their employers a debt of gratitude for letting their very prized employees serve their Nation.

And, most important, we owe our families a debt of gratitude. They sit at home and pray for our safe return. They don't know when we're in danger. They worry about us all the time. When we come home and we get awards and promotions, they pretend that they had nothing to do with it. They stand in the background. When we get tired, they dust us off and put us back in the fight. Our families serve this Nation as well as anybody who's ever worn the uniform, and I would like to go on record to say thank you to them.

Last, sir, for a kid from New Jersey whose dad was born in Italy to participate in this process has been a privilege. I cannot look you in the eye and tell you that I look forward to sitting here and answering all of your questions. I can look you in the eye, as a citizen of the United States, and tell you what a true privilege it is to be part of this democracy, to be part of this dialogue, and to try to contribute the truth, as I know it, to the ongoing discussion.

Thank you, sir.

Chairman BYRD. General Pace, thank you for your dedication to duty, your unstinting loyalty and dedication, and your commitment to valor and honor.

General PACE. Thank you, sir.

Chairman BYRD. Senator Specter.

Senator SPECTER. Thank you, Mr. Chairman.

General Pace, I add my voice of commendation for your extraordinary service really representing the valiant troops which we have fighting in Iraq and Afghanistan and around the world.

Secretary Gates, the war in Iraq to date has cost about $450 billion—in Afghanistan, $127 billion—for a total of $577 billion. And the projection is that it will be about $808 billion by the end of the next fiscal year.

We are looking at discretionary spending, nondefense, that this committee has for the balance of the Government, of $470 billion. The subcommittee where I rank has the funding on health and education. And we are now looking at a veto by the President on children's health. National Institutes of Health are flat-funded, no increases. The No Child Left Behind legislation, up for renewal, is underfunded. And what this committee has to do, and the Congress has to do, is to figure out where we put our resources. I would appreciate it if you could supply, to the committee, ballpark figures, estimates as to what the war in Iraq, Afghanistan, will cost on the most favorable assumptions, and what it will cost on the least favorable assumptions.

Obviously, you can't pin down a precise figure. And there's no shortcut to adequate defense. That's the fundamental responsibility of government. But I think it would be helpful if we had some idea as to where we are going on these expenditures.

[The information follows:]

The Department is not able to determine how much it will cost to reach our objectives in Iraq and Afghanistan because of the magnitude of the variables. One of the main variables is the resilience of the insurgency and, while we are focusing the finest military in the world on that issue, the enemy still controls their next moves. Without knowing what the future brings, we cannot estimate our response or the magnitude of our expenditures.

Our commitment to Iraq is the approach envisioned by General Petraeus. The Department must help the Government of Iraq (GOI) navigate through the insurgency

period and will transition responsibility to the GOI as it develops the institutions it needs to provide for its own security. The Iraqi Government is contributing more to its security and the Iraqi Security Forces (ISF) each year, and we expect this trend to continue. However, taking into consideration the insurgency and the capacity development of the ISF and GOI, a reduction of U.S. troops in Iraq will occur as conditions on the ground permit. The size and shape of our long-term presence in Iraq is unclear but, in combat brigade terms, it will likely be a fourth of our current presence.

The Government of Afghanistan is financially less secure than the GOI; it will require a greater proportion of financial assistance to meet its security costs. Consequently, we are working to ensure that the coalition forces are robust and sustain their commitment while we continue to work to secure additional regions in Afghanistan and continue to train the Afghanistan National Security Forces.

Senator SPECTER. I was pleased to note, your speech last Monday, that you made a reference to the arrogance of the United States in our dealing with others, when you spoke at William and Mary College, a week ago Monday. And I note your appearance, last Sunday on "FOX News", your statement that we are "trying to deal with the Iranian threat and the Iranian challenge through diplomatic and economic means," which is, by far, the preferable approach. And it seems to me that we need to intensify our diplomatic efforts.

Our bilateral talks with North Korea were successful. And I direct this question to you, Secretary Negroponte. Why not employ those techniques, approaching our adversaries? And a repeated criticism I hear around the world when I travel is that we—paraphrasing what Secretary Gates said about our arrogance—that we aren't sufficiently courteous, don't treat our adversaries with sufficient dignity. We don't have to agree with them, but we need to deal with them, laying it on the line as to what we expect and what we're prepared to do. The war talk about Iran is rampant, and I believe there is much to be said, that we cannot tolerate an Iran with a nuclear weapon, which makes it all the more important that we do our utmost and beyond on—as Secretary Gates points out—economic sanctions. And I compliment the State Department on what is being done there. But on the diplomacy, it seems to me you could do a lot more. Why not undertake bilateral talks with Iran and Syria?

BILATERAL TALKS WITH IRAN AND SYRIA

Mr. NEGROPONTE. Thank you, Senator.

First of all, I think you're right about Iran's behavior. It has been problematic—and, I think, increasingly so—in the region, with their support for extremist Shi'a in Iraq. We even have reports of them supplying weaponry to the Taliban in Iran. Of course, they've——

Senator SPECTER. We know they're awful. I've got 7 minutes. How about some bilateral negotiation?

Mr. NEGROPONTE. Well——

Chairman BYRD. Let's have order.

Mr. NEGROPONTE. With regard to talks with the Iranians, of course there have been talks at the level of Ambassadors in Baghdad. Mr. Crocker has met with his counterpart. We've chosen to limit those discussions with the Iranians, for the moment, to the subject of Iraq, because that's a very pressing area where we seek their cooperation in helping stabilize that——

Senator SPECTER. How about——

Mr. NEGROPONTE [continuing]. Country.

Senator SPECTER. How about diplomacy on their development of a nuclear weapon? That's the most——

Mr. NEGROPONTE. Well——

Senator SPECTER. That's the most important——

IRAN'S NUCLEAR ENRICHMENT PROGRAM

Mr. NEGROPONTE. There is no more active area of diplomacy than our diplomacy to try and prevent Iran from continuing with its enrichment program. We've had dialogue with our European partners, the EU–3. We've been involved—in the United Nations, we've passed two resolutions condemning Iran's——

Senator SPECTER. All of——

Mr. NEGROPONTE [continuing]. Nuclear enrichment program.

Senator SPECTER. All of that is great, but how about a dialogue with Iran?

Mr. NEGROPONTE. Well, if they want to——

Senator SPECTER. The most——

Mr. NEGROPONTE [continuing]. Come and——

Senator SPECTER. The most directly affected party.

Mr. NEGROPONTE. I think nothing would please us more if they were to say they want to abandon their nuclear enrichment program and are ready to talk to the international community about doing that. But we've chosen diplomacy. Diplomacy, sometimes, Senator, is a matter of the venue in which you conduct it. And, in this particular case, we've chosen to pursue it through the United Nations and through the Security Council.

Senator SPECTER. One other subject I want to broach—I still have most of a minute left—and that is, there will come a day when the United States will not be in Iraq. I've backed the administration, up to date, on its plans and its projections, but there will come a day. I had an opportunity to talk to the Secretary General of the United Nations earlier this week and posed a question—of last week, actually—a suggestion that it might be possible to get other countries to assist in Iraq under a United Nations banner. French newspaper commented, recently, that they think the United States got the world into this mess, but now it's a mess for the world, and the whole world has to deal with it.

Secretary Negroponte, do you think there would be any chance that we could, under the United Nations banner, where other nations are more willing to participate, as they have demonstrated on U.N. peacekeeping troops, that we could get some significant assistance from other countries in undertaking what has to be done, militarily, on a long-term basis, in Iraq?

MULTINATIONAL OR U.N. PEACEKEEPING FORCES IN IRAQ

Mr. NEGROPONTE. I don't know about militarily, Senator; certainly not at a time when there are still critical security problems. Perhaps down the road, when the situation has stabilized somewhat more, then perhaps other countries might be willing to pitch in.

But I do think, in the economic area, in the diplomatic area, in the political area, one of the objectives we've had is to get the

neighbors of Iraq more involved in trying to help Iraq, whether it's Saudi Arabia or Turkey or Jordan, and others. The Saudis, for example, have now agreed to establish an Embassy in Baghdad, and we're committed to helping them secure that facility. That kind of thing, I think, is a hopeful avenue to pursue, and I think we should do more of it. And we should do it working with the Secretary General of the United Nations.

Senator SPECTER. Thank you, Mr. Chairman.

Chairman BYRD. Thank you, Senator.

Senator Leahy.

Senator LEAHY. Thank you, Mr. Chairman.

General Pace, thank you for your comment, not only about the men and women who are fighting, but what you said about their families. It was spoken as a marine's marine, as the kind of leadership in the marines, I know, that encouraged my youngest son to enlist in the Marine Corps. I also might say, on a personal matter, when I visit my mother's family in Italy, they speak with pride of General "Pa-chay," and I—my Italian is at least good enough that I know that they're saying everything you would want them to say.

General PACE. Thank you, sir.

Senator LEAHY. And the—Secretary Negroponte, you know, your written testimony has very little detail in it, and I realize you have to clear that with the Office of Management and Budget (OMB), but the President's budget request in February for the fiscal year 2008 supplemental consisted of three pages and a table, and asking for $3.3 billion. My telephone bill has a lot more detail than that. It's—sometimes it's about the same amount. Your testimony adds nothing new. I'm wondering if we're going to get further requests or supporting information. Certainly, I would hope we'd have more than $35 million for Iraqi refugees. That would barely keep it going for a few weeks. You said the situation has changed in the West Bank and Gaza. I'd like to know what might come out of that.

So, I'm hoping that there will be further information that will come, but—basically, I wanted to ask you about the recent Blackwater incident and the accountability of private security contractors.

Here's a few quotes that have been in the press since the killing of Iraqi citizens by Blackwater on September 16:

Brigadier General Karl Horst said, "These guys run loose in the country and do stupid things. There's no authority over them."

One American military officer, referring to Blackwater employees riding in helicopters over Baghdad, said, "If I've got one ambition left here, it's to see one of these showboats fall out."

Another U.S. military official said, "This is a big mess. No one has their hands around it. Iraqis hate them. Troops don't particularly care for 'em. And they tend to have a know-it-all attitude, which means they'll rarely listen to anybody."

A senior U.S. commander, "Many of my peers think Blackwater is oftentimes out of control, acting like cowboys."

Army lieutenant colonel, "They're immature shooters, quick trigger-fingers."

Matthew Degn, a former senior American advisor, "The Iraqis despise them because they're untouchable."

Iraqi Interior Minister, "Blackwater has no respect for the Iraqi people. They consider Iraqis like animals, although actually I think they may have more respect for animals."

I'm not sure that this is part of winning the hearts and minds of the people there, but—doesn't seem to be working.

Does U.S. Government have the authority—we've hired Blackwater—do we have the authority to hold Blackwater legally responsible, including criminal prosecutions, if warranted, for conduct in this case?

OVERSIGHT OF PRIVATE CONTRACTORS

Mr. NEGROPONTE. If I could say, in reply, Senator, that we have got an investigation going on of the incident that took place.

Senator LEAHY. Okay. Well, let's assume that. But let's assume that the investigation, when it's completed, shows criminal conduct. Do—or does the United States have authority to prosecute? I mean, that should be an easy yes or no.

Mr. NEGROPONTE. My understanding is that that would be yes, because they are operating under a coalition provisional authority order, and that the jurisdiction would be United States jurisdiction.

Senator LEAHY. Okay. Does the Iraqi——

Mr. NEGROPONTE. I'm——

Senator LEAHY [continuing]. Iraqi government have authority to investigate and prosecute? This happened on their——

LEGAL AUTHORITY FOR EXTRATERRITORIAL INVESTIGATIONS AND U.S. PROSECUTION

Mr. NEGROPONTE. Well, they are—they happen to be——

Senator LEAHY. Do they have the authority to prosecute?

Mr. NEGROPONTE. I'm not certain of the answer to that question, Senator. I think it may have to do whether—with whether or not we would waive jurisdiction in the case.

Senator LEAHY. Well, this happened——

Mr. NEGROPONTE. But they are accountable. And I think the first step is to——

Senator LEAHY. Okay. Well, let me ask you this. This is not the first time they—Iraqis—have been killed by them—I assume, in some instances, in self-defense. But there's others where the Blackwater employees were quickly put on a plane and flown home so that nobody could ask them questions. Does the State—I mean, has anybody ever been held accountable? Has anybody in Blackwater ever been held accountable for anything?

Mr. NEGROPONTE. Yes, sir.

Senator LEAHY. Okay. Have any gone to jail for any conduct?

Mr. NEGROPONTE. I'm not aware that any have gone to jail.

Senator LEAHY. Have any been prosecuted by the United States?

Mr. NEGROPONTE. I am aware that there's at—of at least one case, where there's an investigation by the Department of Justice.

Senator LEAHY. Anybody been prosecuted?

Mr. NEGROPONTE. Not yet, to my knowledge.

Senator LEAHY. Okay.

Secretary GATES. Senator, I think I can give you an answer on your question about——

Senator LEAHY. Yes, sir.

Secretary GATES [continuing]. Whether they can be prosecuted by the Iraqis. The contracts operate under the—coalition provisional order 17, which says that non-Iraqi contractors are immune from Iraqi legal processes if their acts are pursuant to the terms and conditions of their contract.

Senator LEAHY. And that means what?

Secretary GATES. I think that means that they probably cannot be prosecuted by the Iraqis.

Senator LEAHY. What if they were—what if they've been hired by the Department of Defense?

Secretary GATES. They would be covered—we could prosecute them for felonies for—either under the Military Extraterritorial Jurisdiction Act that you all passed, or under the legislative authority that you've given us to prosecute them under the Uniform Code of Military Justice.

Senator LEAHY. Well, what about the—in the New York Times today, there's an article—and I'm sure, Secretary Negroponte, you've seen it—it says, "Blackwater Inquiry Blocked by State Department." Is that article false?

ADDRESSING ALLEGATIONS OF OBSTRUCTING INQUIRY

Mr. NEGROPONTE. We are not blocking an inquiry, Senator. In fact——

Senator LEAHY. So, the New York Times article is false?

Mr. NEGROPONTE. We—I don't remember the exact words of the article. But what I would like, if I may say, is——

Senator LEAHY. Well, would you look at the article and then tell me whether it is false or true?

Mr. NEGROPONTE. I will—yes, I will do that, sir.

[The information follows:]

Follow up occurred by phone between Senator Reed and Deputy Secretary Negroponte.

Senator LEAHY. Thank you.

STATUS OF BLACKWATER INVESTIGATION

Do you know when the investigation will be complete and a decision will be made whether there will be prosecution or no prosecution on the incident that we've been discussing?

Mr. NEGROPONTE. I know an investigation is ongoing. It's being done as expeditiously as possible. But we also want to be sure that we've got all the facts right. I do not know when, but it's something that's being pursued very actively at this very moment.

UNITED STATES-IRAQI JOINT COMMISSION

I might also add that we have created a joint commission with the government of Iraq to discuss this general issue. We've named a top-level State Department official, Ambassador Patrick Kennedy, to go out to Iraq to look at the overall issues of accountability, rules of procedure, and rules of engagement. This is getting the highest-possible-level attention. We're also looking at the possibility of asking some former high-ranking retired diplomats and/or military officers to assist us as we evaluate this situation.

Senator LEAHY. So, you're saying, if prosecution was warranted, than our courts have jurisdiction.

Mr. NEGROPONTE. That's my understanding, sir, yes.

Senator LEAHY. My time is up, Mr. Chairman. Thank you.

Chairman BYRD. Senator Domenici.

Senator DOMENICI. Thank you very much, Mr. Chairman.

First, let me quickly say to you, General Pace, I'm fully aware of your background. And you spoke of your ancestry, and, being a young Italian boy. I think we should also state, on the record, what a beautiful name P-A-C-E is in Italian, because it——

Chairman BYRD. There will be order.

Senator DOMENICI. I didn't intend that, Mr. Chairman. I just wanted to say, in Italian, when you grew up, P-A-C-E meant "peace," right?

P-A-C-E- MEANT PEACE

General PACE. Yes, sir. It means it today, too, sir.

Senator DOMENICI. Very good. Well, I want to compliment you on your career. And you join many career military officers who make us proud all the time, along with the military men and women that are out in the field fighting. I've never seen anything that should make Americans more proud. It's absolutely incredible to me what an outstanding job they do, and how they have no doubt about their mission, and they can state their mission better than most of us and most Americans. And, when they state it, it makes all of us very proud. Part of that's because they have leaders like you.

General PACE. Sir, thank you. I agree with your comments about the troops. Thank you, sir.

Senator DOMENICI. Mr. Secretary, let me say, nobody sitting in on the—on these hearings, or over the past few months—the past few hearings we've had, would ever guess that you were such a recent appointee as the Secretary of Defense. You have done an outstanding job. You, too, make us proud. I have some speculation that I won't put forth with reference to what might have happened, had you been a 3-year Secretary today instead of a few months Secretary. But I have a suspicion things might have been different. You've been an outstanding person for all of us, or at least for me, to communicate with.

Having said that, I have a serious question that I don't want you to answer here, because it is very specific to the energy and water appropriation program that we have, and to the national laboratories that are—the laboratories that take charge of, and make sure that, our nuclear weapons are declared safe and sound every year. I have it stated in writing, and, with the Chair's permission, I will give it to you and have you answer it for the committee at your earliest convenience so that we will not just take this single question and use today's session.

May we do that, Mr. Chairman?

Chairman BYRD. Please proceed, Senator.

Senator DOMENICI. Thank you very much.

PAKISTAN AS KEY ALLY IN FIGHTING THE WAR ON TERROR

Now, having done that, I want to move over to you, Mr. Secretary of State, and ask you the following question. How important

is Pakistan in our global war? And to what extent does the political instability there with President Musharraf, still in charge of the army—how much does that impact our efforts, particularly in the tribal regions? Would you do that as rapidly as you can, as——

Mr. NEGROPONTE. Well——

Senator DOMENICI [continuing]. Quickly as you can?

Mr. NEGROPONTE. Yeah. My answer to that, Senator, would be that, of course, Pakistan is very important, that al Qaeda operatives operate in that area, in the Afghanistan/Pakistan border area, and can—and, we believe, continue to plot harm and terrorist acts against the homeland and other locations around the world. And so, the cooperation of Pakistan is very important. It's work in progress, in the sense that they are having great difficulty in the tribal areas with a high level of extremist militancy. They have a development plan to try and develop that area and try to bring it closer and integrate it more closely with the rest of Pakistan. But I think more work's—remains to be done in that area.

PAKISTAN'S POLITICAL PROCESS

Regarding the political process, I would say that the country, at the moment, is in a period of transition. We can expect a presidential election in that country a couple of weeks from now, and legislative elections to follow, so it's a period that we're—which we're going to have to watch very carefully.

Senator DOMENICI. Thank you. Thank you very much.

Mr. Secretary of Defense, I was encouraged by General Petraeus' recent testimony about our soldiers' terrific efforts to bring security to Iraq and stop sectarian violence. I'm also encouraged by his recommendation to begin bringing troops home this year. You recall that. He so stated. I assume that you support that statement and have no reason to have any plans to the contrary. Is—would that be a safe statement?

Secretary GATES. I completely support his recommendations for beginning drawing down our forces. And I might add that, and I would defer to General Pace, but I believe that all of our senior military commanders support his recommendations.

PETRAEUS REPORT

General PACE. Senator, I would say that if you took the word "Petraeus Report" and took the name "Petraeus" off, you could put "Fallon," you could put "Pace," "Cartwright," "Mullen," "Casey," "Moseley," all—and "Conway"—all eight of the senior four-stars, the six Joint Chiefs, the regional commander, Admiral Fallon, and the combatant—and the commander on the ground, General Petraeus—unanimously made that recommendation to the President.

Senator DOMENICI. Oh, you say they did.

General PACE. Yes, sir.

Senator DOMENICI. I see.

General PACE. Individually and collectively.

Senator DOMENICI. Thank you very much. I thought you were merely saying "that could be the case," but you're saying "it is the case."

General PACE. It is the case. Yes, sir.

Senator DOMENICI. Thank you very much.
Chairman BYRD. Thank you, General Pace.
Senator DOMENICI. Is my time up, Mr. Chairman?
Chairman BYRD. Secretary——
Senator DOMENICI. Is my time up?
Chairman BYRD. You have 30 seconds.
Senator DOMENICI. I'll yield it back. Thank you, Mr. Chairman.
Chairman BYRD. Thank you.
Senator Harkin.
Senator HARKIN. Thank you, Mr. Chairman.

Secretary Gates, in testimony before Congress in March, you made it clear that it's your position that the detention center at Guantanamo Bay should be closed. You stated, and I quote, "I came to this position believing that Guantanamo should be closed. I know that people have expressed that as a wish. The President has expressed it as a wish." That's March 29, 2007.

In June, you reiterated this position, made clear, in your words, "The President says he wants to close Guantanamo." That's a quote. You continued, and I quote, "We want to close it as a detainee facility." That was on June 29.

And the President himself said, "I'd like to close Guantanamo." That is his press conference of June 19, 2006.

Well, given that we all agree that the detention facility at Guantanamo Bay should be closed, since your testimony to Congress in March I've eagerly awaited the administration's proposals and thoughts on how to shut down the facility. I believe 6 months is certainly a reasonable period of time to expect the administration to develop a plan and give something to Congress. But the administration has not come forth with a plan. In fact, my staff has been briefed that the Department of Defense has not undertaken any planning toward closing the detention facility at Guantanamo Bay.

We've also learned, after the fact, that, this spring, the Department of Defense—we learned, after the fact—that the Department of Defense diverted funds to build what it has referred to as, "an expeditionary legal complex," at Guantanamo Bay. The complex consists of a second courthouse and a mini city to accommodate press, witnesses, and everyone else involved in the adjudication of detainees.

Mr. Secretary, the building that's currently occurring is not consistent with the idea of closing the detention center. Given that the administration—you and the President—have stated you want it closed, why are you continuing to build facilities at Guantanamo Bay, when you should be taking steps toward closing it?

GUANTANAMO

Secretary GATES. Senator, first of all, I would say that I was unable to achieve agreement within the executive branch on how to proceed in this respect. We are continuing to try and do that. The principal issues include where in the United States the prisoners would be sent and what kind of legislation would be required in order to provide that some of those who are perhaps the most dangerous could be processed, administratively, in a way that protected—that gave better protection to their rights, but, at the same time, protected the rest of us against them. And my hope has been

that we could achieve agreement on this. And I would tell you that I have asked our people, not too long ago—a few weeks ago—to put together our own proposal inside the Department of Defense that we could then perhaps use as a basis for discussion with, first of all, the State Department, and, above all, the Justice Department and the NSC, and then, perhaps, if we can reach agreement, come here to the Hill and get legislation that would allow us to proceed.

So, my intent remains the same. Quite frankly, I've run into some obstacles, from a variety of lawyers, and I'm still trying to get past that.

Senator HARKIN. Well, Mr. Secretary, I appreciate that, except that, again, this diversion of money to build more permanent facilities there is not consistent with closing it. Second, we've looked into this, we have maximum-security facilities in the military and maximum-security facilities outside of the military, where there are beds and places available. So, I don't know what to think about all these statements about closing it, and then nothing ever happens. I think there's a great sentiment that that has given us a very black eye around the world. One of the things that just sticks out like a sore thumb is, Colin Powell once said it should have been closed "this afternoon." The State Department's taken a position on it that it should be closed, also. I can read those quotes, too, but I won't, from the State Department.

But we see nothing coming from the administration on this. I have to ask, Will we see anything? Will we see something from the administration on plans to close Guantanamo?

Secretary GATES. I hope you will, Senator.

Senator HARKIN. I sure hope so.

Secretary GATES. I'm doing my best.

Senator HARKIN. Well, I appreciate that. And any help we can give you, please let us know.

Secretary GATES. Thank you, sir.

Senator HARKIN. Last——

Chairman BYRD. I'm sorry.

Senator HARKIN. Oh, sorry. I just have one——

Chairman BYRD. Proceed.

Senator HARKIN. I don't want to end this on a discordant note. But, General Pace—I don't know you personally, we never had a personal relationship; I don't know you professionally, I have only followed your career, being a member of the Appropriations Committee, I assume you've had a distinguished career, or you wouldn't be where you are. But the statements you made in March regarding gays and lesbians in our society, those serving in the military, were very hurtful and, I think, very demoralizing to the thousands of gay men and lesbian women who now serve in our military and to those gays and lesbians who may want to serve their country. I've been watching Ken Burns' epic on "The War," on the Second World War, and it occurred to me again, How many gay men and—lost their lives in defending their country? And your statement that homosexual acts are immoral and that we shouldn't condone that in the military—it's very hurtful. Millions of Americans are gay men and lesbian women. And they are some of our most upstanding, law-abiding, moral citizens that we have. And so, like I said, I don't want to be discordant, but I'd hate to see a career like yours

end on a note like that. I hope you've had time to reflect on that. Your personal views are your personal views. But, once you put those stars on your shoulder, just like when you take an oath of office to be a Secretary or as a Senator, our personal lives cross over, and we have to be cognizant of our responsibility to society at large when we either become a Chairman of the Joint Chiefs of Staff or a United States Senator or a Secretary. Your comments were very hurtful and demoralizing comments. And if you have anything to add—to say to that, I would be open to listen.

DON'T ASK DON'T TELL

General PACE. Well, thank you very much, sir. I really appreciate the opportunity to clarify what I did say, to be very precise about what I said and what I believe, because what I said and what I believe was not what was reported very accurately. And, Mr. Chairman, if I could indulge you, sir, I need about 4 to 5 minutes—4 to 5 minutes—to answer this properly.

Chairman BYRD. That's fine. Please——

General PACE. Thank you, sir.

Chairman BYRD [continuing]. Proceed.

General PACE. First, Senator, I would tell you, categorically, that any nation that does not take advantage of the quality, skills, and contributions of any part of its population is doing a disservice to themselves, whether it be cutting out women, cutting out men, cutting out certain kinds of religion, cutting out heterosexuals, cutting out homosexuals, anything that prevents those who want to contribute to this society from contributing, is a mistake on the part of their nation.

What I said was that I support the "Don't ask, don't tell," because it allows those who are homosexual to serve this Nation if they so choose. It makes no judgment about their morality. It gives them the opportunity to serve.

I said that, as a nation, we should not enact laws that make it the law of the land that certain types of activity are acceptable. And I started out very purposefully in saying that heterosexuals who are having sex amongst married couples not of the same marriage, was immoral. So, I would repeat—because my upbringing is one that says that sex between other than man and woman inside the bonds of marriage is a sin—that does not—is there adultery? Is there adultery? Of course there is. Are there homosexual people out there having homosexual acts? Yes. Are there wonderful Americans, who happen to be homosexuals, serving in the military? Yes. And we need to be very precise, then, about what I said, wearing my stars and being very conscious of it, and that is, very simply, that we should respect those who want to serve their Nation, but not, through the law of the land, condone activity that, in my upbringing, is counter to God's law.

Chairman BYRD. Now, one more outbreak, and that'll be too many.

General PACE. There are those, obviously, who do not agree with that. All I'm saying is that, in my responsibility, with the authority I've been given and responsibilities I've been given, are to obey the law of the land and to object if something is either illegal or immoral. My upbringing tells me that sexual activity outside the

bonds of marriage between a man and a woman is immoral. That's what I was taught. That is what I—that's what I believe. It is——

Chairman BYRD. This hearing is recessed.

General Pace, do you wish to proceed?

General PACE. Mr. Chairman, if I might just make one last sentence, and I——

Chairman BYRD. Please do that.

General PACE [continuing]. And I will be done.

Chairman BYRD. Please do that. We've not treated you right.

General PACE. Sir, thank you. And, Senator Harkin, thank you, sir, for the opportunity, again.

I would be very willing and able and supportive of any description, whatever change to "Don't ask, don't tell" would continue to allow the homosexual community to contribute to their Nation without condoning what I believe to be activity, whether it be heterosexual or homosexual, that, in my upbringing, is not right.

Chairman BYRD. Mr. Secretary, you've done well.

Senator HARKIN. Well, I thank the General for his response, and I'm sorry about the uproar.

But one of your comments caught me. I'll read your words again in the record in this meeting. But I want to make it clear that we don't have laws in this country any longer against homosexuality and against gay relationships. We don't. We've gone beyond that. And so that when you are taking the oath of office to uphold the laws of the land, there is no such law like that. And it is a matter of leadership, and, I think, one in which we have to be careful, sometimes, what we say. We all say things, sometimes, we regret. We—maybe we've said it, we shouldn't have said it that way, that kind of thing. We're all human beings in that regard. But this is something I've heard a lot about.

Chairman BYRD. Let's close the doors. Close the doors.

Senator HARKIN. Thank you, Mr. Chairman.

This is something I've heard a lot about. And I'm not the only one. And especially with so many gays, who do serve honorably in our military, this can have a very demoralizing effect, when their boss says that what they're doing is immoral. You can have your personal opinions, General, but, as I said, once you put those stars on, and you start saying those things, they don't become your personal opinions any longer, they become policy. And that's why I say that.

Chairman BYRD. Close those doors.

Senator HARKIN. Can't they get them out of the building?

And I wanted to approach it from that standpoint. I will ask your successor his or her views on this issue as well.

UNIFORM CODE

General PACE. Sir, the—sir, the Uniform Code of Military Justice makes it illegal for members of the same sex or members of the opposite sex who are not married to have sex with each other. It is the law. And I am upholding it.

Senator HARKIN. Well, then maybe we should change that.

Thank you, General.

General PACE. Yes, sir.

Chairman BYRD. Thank you, General Pace.

Senator Cochran.

Senator COCHRAN. Mr. Chairman, thank you.

STATE DEPARTMENT REQUEST BUILDS CAPACITY FOR NATION BUILDING

Secretary Negroponte, it occurs to me that one of the provisions in this request relates to funding for the Department of State. And I'm curious to know whether there is in place a plan that has the promise of working that will bring the Iraqi government to the point where they'll be able to assume more and more of the responsibility for nation building, to deal with disagreements within Iraq and Afghanistan that will enable those countries to, one of these days, protect their own security interests against neighbors who may be hostile without the United States having to be so heavily involved.

Mr. NEGROPONTE. I welcome that point, Senator. There certainly is, I think, in a number of different ways. First of all, efforts to increase the capacity of both the security forces, the armed forces, and the police forces of these—of both of these countries, both Iraq and Afghanistan—I think that's a very, very important part of being eventually able to reduce the role of our own forces. Another effort has to do with encouraging them to—and having programs to help them improve governance and their governmental institutions, not only at the center, but in the provincial areas, whether it has to do with helping them with budget execution so that they can spend their money more effectively in the countryside, or building roads so that the government can have a greater reach into the countryside, which is absolutely vital. So, those are a couple of the ways that I can think of where we're trying to encourage these countries to be able to take on a greater and greater responsibility for their security and the management of their own affairs. And I'm optimistic that—I'm hopeful, if not optimistic—this can be achieved.

Senator COCHRAN. Secretary Gates, I wonder, also, along the same line, are we getting more cooperation, or less, from neighboring nation-states who have an important stake in the outcome of this? I know Jordan was involved in helping to train police and other peacekeeping groups who would be redeployed into Iraq. Are there ongoing efforts that offer encouragement and that will continue to produce good results and contribute to an opportunity to have a more stable Iraq?

Secretary GATES. I would welcome comments by either Ambassador Negroponte or General Pace, but my impression is that the principal contribution that Jordan is making now is taking care of a large number of Iraqi refugees. As the Ambassador indicated, the Saudis are going to open an Embassy in Iraq. The neighboring countries have made some serious contributions, in terms of debt relief and in terms of economic support. I would say that their contribution in the security arena has been fairly minimal, but what is beginning to take place is some growth in both economic and financial assistance. But——

Mr. NEGROPONTE. I would echo what the Secretary said with regard to security-type assistance. I think it's been less than it could be, and I think we want to try and encourage more. But, I'd say,

in the area of economic and reconstruction assistance, certainly the pledges from the rest of the international community have been substantial. They've been about equal, in total, to our pledges. Countries such as Japan, for example, the United Kingdom, and others, have given substantially to Iraq. So, that's been a promising area. And we would hope to continue and encourage more of that.

IRAQI REFUGEES

General PACE. I would add, also, Senator, one more thing for Jordan, and that is that they have a police academy there that has thousands of Iraqis in residence, at any given time, going through their police training, and then going back into Iraq to perform their duties.

Senator COCHRAN. Is there any indication of widening the contributions, or enlarging the contributions, from other nation-states as we end up seeming to be asked to do more? Are other members of the international community responding in the way that we are?

Mr. NEGROPONTE. Well, as I said, I think that they've about matched us, in the terms of pledges. And we're constantly looking at ways to encourage other countries to continue to give, and to give more. And the other point I'd like to make, Senator, is, we're very focused on, now, not so much large infrastructure projects, but trying to help enable the Iraqis to make the best use of the resources and infrastructure they have. And if security can be gradually restored, this is a country that, of course, will have a large economic potential of its own. Just their oil production, in and of itself, is substantial. And, of course, if the right kind of security conditions prevail, it could be substantially increased.

Senator COCHRAN. Thank you for your continued efforts.

Thank you, Mr. Chairman.

Chairman BYRD. Thank you, Senator.

Senator Mikulski.

Senator MIKULSKI. Thank you very much, Mr. Chairman.

What a sad day at this committee. I really must go on the record with how disturbed I am about the conduct that occurred here.

We have men and women in harm's way. I have 88 Marylanders that have died. Hundreds have been wounded. And I had hoped that this hearing would have been conducted in the spirit of the dignity—the dignity and the intellectual rigor and the patriotic commitment that it requires. And so, what's happened here, I think—I'm a strong free-speech advocate, but to have such tension, such chaos, such disrespect, I think this has not been the best day that has occurred here.

General Pace, I want to say to you, because I did want to comment on your retirement, I do need to express my appreciation for your service. You've given 40 years to this country. And, as I look at it, you have been at the Academy about—the Naval Academy—I would venture to say you were a plebe at the same time that President Kennedy was assassinated.

General PACE. That's correct.

Senator MIKULSKI. Am I correct?

General PACE. Exactly.

Senator MIKULSKI. So, on that very dark day in November, you were in your first semester of your first year, becoming a military

officer. And so, during those 40 years—you've seen us at our darkest days, and you've seen us at our best days, and you've participated in the history of that. So, I just want to say, for those 40 years, thank you for what you've done.

General PACE. Thank you.

Senator MIKULSKI. I also want to thank your wife, Lynne, your son, Peter, and your daughter, Tiffany Marie, because you could not have made those sacrifices without the support of your family, and, as we know, every wife—or every spouse makes that sacrifice, and as do your children. I'm sure there were Christmases and Thanksgivings and soccer games when they would have liked to have seen you, and yet you had another call of duty. So, I wanted to just go on record as someone who really appreciates our military, understands the life of a plebe and the Naval Academy, to thank you for that.

General PACE. Thank you, Senator.

Senator MIKULSKI. So, I just wanted to say that.

Secretary Gates, I want to raise an issue that—in which I feel we've operated in the most collegial way, which is trying to get to the bottom of some of the problems we're facing in military medicine. Your response to the newspaper accounts at Walter Reed were, indeed, vigorous. You've given us robust new leadership, with General Pollock, who I will be meeting with. And I'd like to, for purposes of my questions, to follow up on, now, Where are we? Because, as—on the implementation of the recommendations of the two commissions that have reported on how to improve our military medicine situation—we had the independent review group and we have the Shalala-Dole Commission. So, my question to you is, Where are we, in terms of the money that is needed, in terms of meeting our duties to those who have been wounded? And what policy changes have been made, particularly in the disability areas and the case management? And, again, I want to thank you for giving us General Pollock, but I also want to thank you for giving us such a strong and human response to that.

HEALTHCARE FOR WOUNDED WARRIORS

Secretary GATES. Thank you, Senator.

Secretary England and I have resolved that the military medicine problem is one that we can get fixed while we remain in office. Secretary Gordon—Secretary England meets weekly with a senior team from both Department of Veterans Affairs and from the Department of Defense. The two Deputy Secretaries meet every week to review where we are on the implementation of the recommendations.

All of the implementation of all of the recommendations made by Dole-Shalala that do not require legislation are underway. And we are pursuing those. Similarly, with the recommendations of the West-Marsh Commission. All together, there are about 300 recommendations that have been made for improvements in the system.

One of the most controversial and the most—well, one of the most complicated—is the whole arena of determining disability. And, as I understand, from the latest information—and we'd be happy to provide you all with an update on the specifics of some

of these, in terms of where we are, because we've been working with staffs here on the Hill, in terms of the legislation that's pending and some of the things we think we need—but, as I understand it, one of the changes that is being made is that the only evaluation that will be made, in the future, by the Department of Defense is whether or not a wounded soldier is fit to continue serving. All decisions relating to postmilitary—if they are not able to continue serving, then decisions with respect to disability will be made by the Department of Veterans Affairs. So, they only have to go through one evaluation, they don't have to go through one in DOD and another one in the Department of Veterans Affairs.

In terms of—and there are a number of other——

Senator MIKULSKI. Would you hold, on that?

Secretary GATES. Sure.

Senator MIKULSKI. Because I've gotten confused. If the DOD part is to determine your fitness to return to duty, or what level of duty that they could return to—of course, that's appreciated—but when we get to the VA, then, that would be their level of disability, in terms of functioning in civilian society?

Secretary GATES. Yes, ma'am. And the——

Senator MIKULSKI. And you're saying that's going to be a one-stop shop?

Secretary GATES. Yes, ma'am. And the—obviously, the level of disability would determine the level of the pay. And I—and Ms. Jonas may be more up on the specifics of this.

But let me just make—just touch on the money, for a second. The Congress allocated $900 million to us in the fiscal year 2007 supplemental, about one-half for traumatic brain injury and about one-half for post-traumatic stress. We have that money. There is another half a billion dollars, $500 million, in this adjustment request for improved medical care. So, I think we have addressed the financial needs. The Congress has already taken care of some of them. And there probably will be others coming out of the solutions to the various recommendations that we have. But, in terms of what we've been able to identify now, and begin to implement, I think we have the resources that we require, if you include the request for fiscal year 2007.

But, let me ask Ms. Jonas to address some of——

Senator MIKULSKI. Well, Ms. Jonas, though, before you do—and perhaps, then, you could submit it in writing—my time is almost up. But, you know, in World War II—and, of course, we're all watching the Ken Burns series. Last night, we watched Anzio and the Battle for Monte Cassino, which some people are very familiar with here. But there's this whole issue of support to those that have such terrible injuries, particularly like brain injuries. And you see that the support is provided by either a spouse or a mother, particularly with—or a husband—they've had to give up jobs. There is no income for that. So, even though there might be a disability type of benefit for those who bear such ghoulish wounds of war, there's nothing there. And, remember, in World War II, they'd say, "If the Army wanted you to have a wife, it would have issued you one." But now, we've actually issued a caregiver, an unpaid caregiver, for those that are bearing these permanent wounds, because when they come home, as you—well, you've observed those,

firsthand, and we appreciate that—is that something that's being looked at? I will be raising that issue with General Pollock.

Secretary GATES. Yes, ma'am.

Senator MIKULSKI. Because I think there's—you know, we might be in a long war, but we're going to be in a very long recovery and rehab, where sustainability for these very sick men and women.

Secretary GATES. Taking better care of the families and providing some kind of assistance to them, for the very reasons you describe, is one of the recommendations that has been made, and is one of the recommendations that we're pursuing. It's one that several of the families have raised directly with me at Walter Reed and at Bethesda. I completely agree with your view of the importance of the role they're playing, and there's something we ought to be able to do for them. And we will respond—we will give you a status report on the implementation of these recommendations, for the record.

Senator MIKULSKI. Thank you.

Ms. Jonas, if I could have that other information—my time is up. Thank you.

[The information follows:]

The Department has made great strides towards implementing the recommendations from the Dole/Shalala and West Commissions. Below are a few of the accomplishments towards improving both medical and mental health care of our wounded warriors:

—Programming over $900 million to support psychological health (PH) and traumatic brain injury (TBI) prevention, treatment, and research to ensure that Services achieve and maintain excellence across the continuum of care;
—Integrated behavioral health professionals into primary care settings on a small scale using best practice guidance, for early identification of TBI and PH issues;
—Building PH governance structures and trusted advisors to our commanders and senior leaders at all levels including embedding PH professionals into line units;
—Partnered with the Department of Veterans Affairs (VA) to develop clinical practice guidelines for Post Traumatic Stress Disorder (PTSD), Major Depressive Disorder, Acute Psychosis and Substance Use Disorders;
—Using best practice guidelines to provide mental health care;
—Collaborating with VA to provide training in evidence-based treatment for PTSD;
—Trained more than 800 clinicians in identification and treatment of TBI under the VA/DOD partnership;
—Added TBI questions to the Post Deployment Health Assessment (PDHA) and Post Deployment Health Reassessment (PDHR) to ensure the Service members are appropriately screened for TBI;
—Sharing PDHA and PDHR information between DOD and VA clinicians to facilitate the continuity of care for the veteran or Service member;
—Developed a comprehensive staffing plan for psychological health services based on a risk-adjusted, population-based model using existing scientific information;
—Partnered with the Department of Health and Human Services to provide uniformed Public Health Service officers in military treatment facilities to rapidly increase available mental health providers for DOD;
—Expanded our Mental Health Self Assessment Program to include mental health education and suicide prevention training for children, parents and teachers in the DOD schools;
—Expanding the Emmy-nominated Sesame Street Workshop to help young children understand and manage stress associated with having a deployed parent;
—The Joint DOD/VA Senior Oversight Committee approved the Concept of Operations for the National Intrepid Center of Excellence (NICoE) for PH and TBI mandated to be established no later than November 2007;
—Completed the Report to Congress on the DOD Task Force on Mental Health in September 2007;
—Held the Operational Health Joint Planning Group Conference in September, 2007;

—Completed the initial validity study data collection phase for PDHA and PDHR evaluations, and initiated the second phase evaluation study;
—VA established policy for mental health access standards to allow 24-hour triage and 14-day appointment access for Operation Iraqi Freedom/Operation Enduring Freedom (OIF/OEF) veterans to address mental health concerns;
—Refined and simplified the TRICARE Reserve Select premium system to include a single rather than a multi-tiered system that involves a low-cost premium across all Reserve component groups in accordance with the fiscal year 2007 National Defense Authorization Act;
—Issued a TRICARE Communication Release to recruiters to ensure that all staff have knowledge of key resources for current or former Service members who need assistance, and to ensure that materials are available for distribution as needed;
—VA approved the concept to make mental health records available for members of the National Guard and Reserve;
—PTSD has been included in the Millennium Cohort Study;
—Pre-deployment contact information forms have been revised to allow an increased number of people permission to access different levels of information;
—Funded Army Family Readiness Group Coordinators; and
—Scheduled an October 2007 DOD and VA stakeholders conference to review women's mental health issues and resources.

With respect to the disability and case management areas, the Department has made the following policy changes:

—DOD/VA jointly created a federal interagency working group to address the need for reform of continuum of care management from recovery to rehabilitation and to community reintegration;
—DOD/VA jointly mapped process of care currently provided across the continuum including with state and local and veteran service organizations and non-governmental and private sector partners (e.g., Governor's, The Adjutant Generals, Christopher Reeve Foundation, Disabled Veterans of America, Yellow Ribbon Foundation);
—DOD/VA is jointly writing standards for generic clinical and non-clinical practice in working with wounded, ill and injured and their families;
—DOD/VA jointly developing common training program for DOD Personnel Evaluation Board Liaison Officers (PEBLOS) and VA Military Service Consultants (MSC) to create standardization of practices across Disability Evaluation System and creating common information tools for wounded, ill and injured, their families and non-PEBLO and MSC personnel;
—DOD collaborated with the Department of Education's National Institute for Disability Rehabilitation Research to address future research needs to inform care providers on services for wounded, ill and injured and their families;
—VA initiated the OIF/OEF Case Management Program under the Veterans Health Administration/Veterans Benefit Administration;
—VA created the Transition Patient Advocate Program;
—DOD/VA jointly reporting to the Joint Executive Committee (JEC) on activities undertaken and planned for ongoing coordination of policies and services for wounded, ill, and injured case management; and
—DOD/VA jointly reviewing oversight options for continuing reform of case/care management through compatible and shared accountability tools, evaluations, training, communications, conferences, reports, etc.

Finally, the Department's amended fiscal year 2008 Global War on Terror request includes $891 million to improve our support of the wounded, ill and injured. This includes—

—$504 million to support the Army Medical Action Plan (AMAP), which will provide additional military and civilian medical support personnel and begin the renovation of existing facilities and construction of new facilities to house and care for Wounded, Ill and Injured Soldiers, and
—$387 million to accelerate the closing of Walter Reed Army Medical Center, and the opening of the Walter Reed National Military Medical Center (WRNMMC) and the new Fort Belvoir Army Community Hospital.

Chairman BYRD. Senator Brownback.

Senator BROWNBACK. Thank you, Mr. Chairman.

I want to thank all of you for being here today.

And, General Pace, thank you for your service to the country. Appreciate that. Years that you served and great work that you've done. And I know you'll be on to many other things that you're

going to be involved with, but thank you for—thank you for your service and job well done. I appreciate it.

General PACE. Thank you, sir.

Senator BROWNBACK. Secretary Negroponte, I want to ask you about a bill we just passed, a resolution on federalism in Iraq that just passed the United States Senate, 75, I think, to 23, that the vote went through. And with our experience in Iraq, your position now at the State Department, I just—I'd like to talk through some of this with you. I know State Department has had some—had concerns about the Sense of the Senate resolution that we just passed. But it seems to me that this just makes a lot of sense, to push this forward. And, as I understand the Bush administration's objection to it, it's really centered around, "We don't want to push the Iraqis to do something that they're not sure they want to do"—is basically what I get the major thrust out of this to be. And yet, it's my contention, in looking at this, is—I don't think they are politically capable of doing this, given the base of their support in either the Shi'a area or the Sunni area, leaving the Kurdish area aside, because they've been running their own region—I think the three Kurdish provinces, they've been—I was up there in January. I know you know a number of the Kurdish leaders. Investment's taking place, growth is taking place, stability—it's really moving like we'd hope the rest of the country would move.

It seems to me that now is the moment for the political surge. Military surge has been moving forward. I think it's had some significant accomplishments. It doesn't seem to me we've had much in the way of political accomplishments taking place. And I think we need to step in—you, Secretary Rice, bring in former Secretary Baker—to really push a Sunni-Shi'a accommodation taking place. And we could start on this in Anbar, in harvesting the moment that the military is giving, and allowing the same sort of regional authority, or pushing that, for the Sunnis, that the Kurds have in the north, so you don't have to do—federalize the whole country, but you do—you do that in the Sunni area, to capture the moment that we have there.

And it seems to me—and I want to finish with this, and I want to give you plenty of time to answer—that we've got, in Baghdad, this segregation taking place. This is a military map. I'm sure you're familiar with it. And you are, from on the ground. But the Tigris River—this is the Shi'a purifying area, if I could use that in a terrible way. This is the Sunni segregating area. It is not a perfect map, and it's not happening that way everywhere. But you are seeing these communities go Sunni, go Shi'a. We saw that in the former Yugoslavia. We saw that—we've seen that taking place in other places around the world.

Why not a political surge right now, and particularly capturing the moment of Anbar and the Sunni area, so that they could—we could try to grab the moment and decentralize a great deal of that authority in the country?

FEDERALISM IN IRAQ

Mr. NEGROPONTE. Thank you, Senator, for your question.

First of all, on the resolution that you passed, I think our concern—you rightly characterized it—was that we felt that we ought

to be clear that ultimately it's the Iraqis themselves who decide; they have to decide this. We don't deny that there's provision in their constitution for forming regional areas, and that, if that's the route that they choose, they should do it. And I believe you made a slight modification in your—in the text of your resolution, to take into account the fact that ultimately they have to decide.

Senator BROWNBACK. We did.

Mr. NEGROPONTE. Second, as far as regional and empowering the provincial activities and people in the various localities are concerned, certainly part of our assistance strategy and part of our presence strategy in Iraq goes in that direction. The very fact that we now have 25 PRTs spread out throughout the country is one way of demonstrating that. I agree with you that the situation in al Anbar presents opportunities. I think that the Iraqis themselves, though, ultimately are going to have to work their way through this. Clearly——

Senator BROWNBACK. Aren't you going to have to push 'em to——

Mr. NEGROPONTE. I think——

Senator BROWNBACK [continuing]. Do that?

Mr. NEGROPONTE. I—certainly, our—I thank our encouragement can be a positive factor. And certainly one of the main things that our Ambassador does out there is to do what he can, within his power and within the powers of his persuasion, to foment a spirit of reconciliation and to foment these different groups working more closely together in a political way. But I see, Senator—this is a very fundamental issue for the Iraqis, what the balance and distribution of power and authorities is going to be between the center and the provinces. I believe it's a longer-term issue, in a certain sense. It's one that the Iraqis are going to have to work out amongst themselves. And it's going to take a certain amount of time, just like it takes other countries time to sort out their constitutional systems. But there are things that can be encouraged along the way. For example, the possibility of local elections, provincial elections. And there is pending, before their legislature now, I believe, the question of arranging for local elections, which would give an opportunity to some of these groups, like the Sunni groups that boycotted the 2005 elections, to participate more actively in the political process this time.

So, yes, there are things to do. The Iraqis, I think, are the ones who basically have to do it, but we can play an encouraging role, I think, with not too high a profile, if I might add.

Senator BROWNBACK. Put that other map up.

Before my time expires, I think we've got to play a more aggressive role on it, because it seems to me that their own political base, the Shi'a, aren't going to allow them to move too far toward some of the Sunni leadership in some cases, and the Sunni the same way. It's going to take us really hammering it.

And I just wanted to show you a map of—this is a 1914 map in the region. You're probably very familiar with this, being a good student of history. Former Mesopotamia. It's a southern Shi'a region. It's the center that's a Sunni region. Northern Kurdish region that's in this area, with Baghdad as a Federal city. I think there's some natural tendency, and some history with this. And seems like instead of fighting the situation, we ought to, kind of, flow and

push it more this way into this—a politically stabilized environment, because the current setup, I just don't think, long term, can work. And the Maliki government's having difficulty holding things together, it's having difficulty with its ministers. And I think this decentralized approach has some reflections in history to it, and has some reflections of the situation on the ground. And I'd hope we could then pull our troops back more from the front of the line, and policing, if you had more regions like what the Kurdish region is right now.

Chairman BYRD. Senator Kohl.

Senator BROWNBACK. Mr. Chairman, thank you.

Senator KOHL. Mr. Chairman.

Secretary Gates, you were part of the Iraq Study Group which unanimously recommended reducing our troops in Iraq to force the Iraqis themselves to take a larger role, and also engaging in a diplomatic offensive with Iraq's neighbors. That study group supported moving the situation in Iraq from one that was dependent on the United States military to a Middle East-wide diplomatic effort. Now, that Iraq Study Group, as I said, was unanimously signed. And I know you moved out to your present job just before that report became official, but I assume—and correct me—you would have signed that report. What has happened, in your mind, to the Iraq Study Group's conclusions?"

IRAQ STUDY GROUP

Secretary GATES. Well, it's kind of interesting, the Iraq Study Group's conclusions might have been different if I had stayed, or at least somewhat.

I would say that, first of all, most of the recommendations of the study group either have been implemented or are being implemented, in one way or another. The interesting feature—or one of the interesting recommendations of the study group was that it spoke of the potential desirability of a relatively short-term surge to try and bring the security situation in Baghdad under control. And the report acknowledges that that surge might require 100,000 to 200,000 additional troops. And they then rejected that idea, not because they thought that kind of a surge was a bad idea, but they didn't know where the troops would come from. And I would say that two of the members of the study group were those who recommended, when we were in Baghdad 1 year ago about this time, that, in fact, we recommend a surge.

So, I think that the part that—the part of the recommendations that I think has not fully been implemented, at this point, is their view of what the mission of the U.S. forces should be. I think what the President has announced, though, is the beginning of a transition to a mission, I think, similar to what they had in mind, that is focused on going after al Qaeda, protecting the borders against foreign intervention, and supporting and training the Iraqi forces.

The other piece of it that I think, probably, people would argue has not been implemented to the extent that Baker-Hamilton recommended was the outreach to the Syrians and the Iraqis that was described in an earlier exchange between Ambassador Negroponte and one of the members of the committee. I would say, here, that we continue to have diplomatic relations with the Syrians. We have

begun having conversations in Iraq with the Iranians. There clearly is a lot of effort.

Another piece of Baker-Hamilton was aggressive pursuit of Middle East peace process. I think that's what Secretary Rice has been involved in, just in her trip to the region a few days ago.

So, I think that a large—large elements of the report are being implemented, or have been implemented, with the exceptions that I mentioned.

Senator KOHL. I think that what many people came away from, with respect to the study group's report, was that there should be a major diplomatic effort to include all the nations surrounding Iraq in a common mission to stabilize and to see that the country begins to pull out of its chaos. And I don't think that's happened, to any extent worth noting thus far, isn't that true?

Secretary GATES. Well, I think—I would defer to Ambassador Negroponte on this, but my impression is that the neighbors conferences, that have included, as I recall, both the Syrians and the Iranians, have been directed toward that end. And my impression is that those conferences have produced some positive results.

Mr. NEGROPONTE. And that is an area of diplomatic effort that we want to continue, Senator.

Senator KOHL. Secretary Gates, again, there's a perception that we're involved in an open-ended commitment—military commitment in Iraq. General Petraeus said that we would continue what we are doing now into next spring, and, if things don't improve, then we may have to continue to do what we're doing, militarily.

Now, to many people, that represents a sort of a blank check. Aren't we saying, or couldn't we be interpreted as saying, that we will be there indefinitely, putting our troops in the crossfire of a sectarian civil war until, at some point, the Iraqis decide to put their guns down? And, if it's—if that is something like the road that we're walking down, it appears that we've lost control of the situation and we're just being pulled along by what is going on with respect to the sectarian differences in Iraq, with no end in sight.

WITHDRAWAL FROM IRAQ

Secretary GATES. Well, Senator, I think that first of all, we've already not replaced the marine expeditionary unit that was in Anbar. We will begin pulling down a brigade about every 45 days, or thereabouts, as General Petraeus's planned, through July. He stated, when he testified up here, that it was his expectation that the drawdowns would continue after July, although the pace might be determined by what was going on—would be determined, to a considerable extent, by what was going on, on the ground. I think he would not have made these recommendations, and recommendations would not have been supported by the senior military leadership, if it were not their expectation that events would continue to move in the direction that they've been moving in the last 3 months or so, in a positive direction.

The truth of the matter is, some of the positive things that are happening in Iraq are things we didn't anticipate. The turn in Anbar by the sheiks, who saw where al Qaeda basically overplayed their hand and killed too many Sunnis, and the sheiks also saw

them competing for power and economic control, and came together against al Qaeda—that has created some of the opportunities there. The same thing may be happening in the Shi'a area, because the Jaish al-Mahdi has overplayed their hand by killing two governors, and so on.

So, I think that—I mean, the path that we're on is a path toward drawing down the number of U.S. forces and the beginning of a transition in mission to a very different kind of role for the United States. I think the real issue that most of us have, the debate, is about the pace of those drawdowns.

Senator KOHL. Thank you, Mr. Chairman.

Chairman BYRD. Thank you. Senator Murray.

Senator MURRAY. Thank you very much, Mr. Chairman.

And thank you to all of you for coming here today.

And I especially want to take a moment, General Pace, to thank you for your service to our country. I have always appreciated your frankness when you testified before Congress, and I just wanted to tell you again how impressed I was when you came out to my State and talked to students at Vancouver, Washington, a much tougher audience than even here today. And I appreciated how well you handled those questions. And I wanted to tell you that. And I also wanted to thank you for all your work with me and others to make sure that those men and women who do serve our country are taken care of when they come home. And I wanted to take this opportunity today, as you retire, to thank you for that.

General PACE. Thank you, Senator.

Senator MURRAY. And, Secretary Gates, you, as well, for your honesty and frankness in working with us. I appreciate it.

Secretary Gates, let me begin with you. When—in—when you appeared before us in May, you told me that you had made it clear to members of the Iraqi Parliament that, "We are buying them time for political reconciliation," and that, "Every day we buy them, we buy with American blood." I want to thank you for raising awareness of the urgency for national political reconciliation.

Now, as you know, a number of reports over the past month have actually shed light on the best estimates for Iraq's future. The NIE estimate of August said that the Iraqi government will become more precarious over the next 6 to 12 months. The report on the Iraqi security forces that was compiled by the independent team of retired military officials, led by General James Jones, said, "Iraqi security forces will be unable to fulfill their essential security responses independently over the next 12 to 18 months." And, of course, the GAO reported that the Iraqi government has met only 3 of their 18 political benchmarks.

So, knowing all that, and with these nonpolitical assessments, I wanted to ask you, How much time are you truly willing to give the Iraqi government itself, as we are paying for it with our own soldiers and our own dollars here at home?

IRAQ ASSESSMENTS

Secretary GATES. Senator, I think the message has been sent to the Iraqi government that our military presence is going to, has begun to, shrink in Iraq. And the expectation of the commander in the field is that it will continue to shrink.

I would say—I was briefed twice by General Jones on his report before he came up here. I think that the panel did a great job. I think it's important to note that they were actually quite positive about the development of the Iraqi army, and particularly the training and recruiting, and the capability, the combat capabilities of them, and their willingness to fight once they're in the field. His biggest concerns about their being able to operate independently were focused more on their logistics shortcomings and communications and things like that, which are areas where we would presumably continue to help them, even if we had a——

Senator MURRAY. As far as the——

Secretary GATES [continuing]. Smaller footprint.

Senator MURRAY [continuing]. Military. But what all the reports had in common was a concern about when and how and if Iraq was going to be able to stand up on its own, politically. And the question is, How long should our country be willing to stay there—indefinitely, years, decades—until they can have the political will to stand up on their own?

Secretary GATES. Well, there clearly is, I think, no will in this country to stay there for—certainly—for decades—while they're still trying to get their act together.

My view is that the situation in Iraq is—I think we make a mistake in looking at Iraq as a single entity, in terms of how we think we're doing, because the reality is that there are some provinces where there are no coalition forces right now, and we have already gone to an over-the-horizon role with the Iraqis, and have, really, virtually no troops in those areas. There are some areas where the Iraqis are fighting hard, and we are beside them, and that's that middle area of partnering, that General Petraeus talked about, where we are beginning to draw back, and the Iraqis are beginning to take more of a lead. And then there are the areas around Baghdad, where we're carrying most of the load and most of the fighting. So, the events are developing in different parts of Iraq at a different stage, and it is, I think, General Petraeus' belief—and Ambassador Crocker's—that, as they see these different areas turn over—the provinces turned over to Iraqi control, which is likely to happen in Basrah in the south later this fall, that those are the areas where they will first begin withdrawing U.S. troops. So, the idea is that things are getting better, or changing, province by province, and that's what will allow the continued drawdown.

Senator MURRAY. And I'm sure you understand our dilemma, that we are being asked to come up with an additional some $200 billion for next year's budget, off budget, and the expected $42.3 billion amendment is twice what we are being asked to cut our domestic spending and—as we try to make sure that we have roads and bridges and highways and education and research and economic development here in this country. It's disconcerting to many of us. I know you understand that.

But, in my remaining 1 minute, I did want to ask you about a subject I know you care about as much as I do. After the Walter Reed scandal, we saw the need to better—have better care management for our troops to get them through their initial injury, through their recovery. And I understand that the Army has developed a new organizational structure, called the Warrior Transition

Unit, to look at these case management problems. And I really want to commend the Army for taking on that initiative. But, as you also may know, the Government Accountability Office (GAO) released a report today on overall efforts to improve healthcare and disability evaluations for service members, and they found that over one-half of the Army's Warrior Transition Units have severe staffing shortages. Can you share with us why, so long after case management has been identified as a problem—we all saw what happened at Walter Reed—why are we still facing staffing in those critical positions?

Secretary GATES. I don't know the answer. I have not seen the GAO report. But I will certainly look into it and get you an answer.

[The information follows:]

In our opinion, the GAO testimony does not convey the breadth and depth of the superb efforts accomplished on behalf of Warriors in Transition and their Families. The Warrior Transition Unit (or WTU) is a fundamental transformation of how the Army cares for its wounded, injured, and ill Soldiers. The WTU is a patient centered organization. Though WTUs were not 100 percent manned at the time of the GAO review, the Army is conducting a systematic approach to building this transformational capability in a way that does not overwhelm Army capabilities before it gets a chance to succeed.

To underscore this point, at the time of the GAO's investigation, the majority of the Army's 35 Warrior Transition Units' critical "triad" positions of Primary Care Manager, Nurse Case Manager, and Squad Leader were manned (assigned plus attached personnel) above the Army Medical Action Plan's (AMAP) September 4, 2007 Initial Operational Capability goal of 50 percent fill. Currently, Primary Care Managers are staffed at or above this level at 33 of the 35 locations, Nurse Case Managers meet or exceed this level at 32 of the 35 locations, and Squad Leaders are staffed at or above this level at 26 of the 35 WTUs. Additionally, WTU Platoon Sergeants are staffed at or above the 50 percent threshold at 31 of 35 WTUs, and Medical Evaluation Board physicians were on target at all 35 locations. Based on these fill rates, I am confident that the Army will attain Full Operational Capability not later than January 1, 2008.

STAFFING SHORTAGES FOR ARMY WARRIOR TRANSITION UNITS

Senator MURRAY. Do you have the funding you need for that?

Secretary GATES. As far as I know, ma'am.

Senator MURRAY. Well, I would like an answer back for this——

Secretary GATES. Sure.

Senator MURRAY [continuing]. This committee, because it is disheartening to hear, 8 months into this, that staffing shortages are critically hurting our ability to make sure that our soldiers do get the care and support as they try to get through these complex——

Secretary GATES. Let me just ask Ms. Jonas if she has anything on that.

Ms. JONAS. Senator, one thing that we do have in the request that is forthcoming to you in this amendment would be the—as the Secretary mentioned, the $500 million to improve care. In addition, the Army has asked for about $800 million for families—in support of families. So, that would be an important effort for us, sir.

Secretary GATES. So, we'll get back to you on the wounded warrior units.

[The information follows:]

I believe the Army has done a remarkable job of filling positions where they did not exist before. Warrior Transition Units did not exist prior to June 15, 2007 (with the exception of Walter Reed, whose Warrior Transition Brigade was established on April 26, 2007). The Army Medical Action Plan's implementing tool, Department of the Army Execution Order 118–07 (Healing Warriors), set out the following mile-

stones: Establish Warrior Transition Units not later than June 15 (this was accomplished); reach Initial Operational Capability by September 4, 2007 (also accomplished); with the goal of achieving 100 percent manning (Full Operational Capability) by January 1, 2008. The Medical Senior Review Council receives monthly updates on the status of execution of the AMAP and this oversight will continue to see that Full Operational Capability is realized.

Warrior Transition Units, Soldier Family Assistance Centers and the many initiatives that are part of the Army Medical Action Plan represent new requirements that need to be resourced to ensure that our brave men and women receive the care and support they so richly deserve.

As Ms. Jonas mentioned, the Army submitted fiscal year 2008 Supplemental requirements for the Army Medical Action Plan to the OSD Comptroller which were validated and submitted to OMB as part of the Department's fiscal year 2008 Supplemental request. The funding would provide the necessary resources to support the hiring of Nurse Case Managers and other staff required to support the Warrior Transition Units and Soldier Family Assistance Centers at all thirty-five locations across the Army.

We look forward to the support of Congress to enable the Army to stay on track with this effort. We will continue to work with Congress and Army leadership to ensure this plan is fully resourced now and in the future to support this most important mission on behalf of our Warriors in Transition and their Families.

Senator MURRAY. Thank you very much, Mr. Secretary.

Chairman BYRD. Thank you, Senator.

Senator Dorgan.

Senator DORGAN. Mr. Chairman, thank you.

General Pace, thank you, and best wishes to you as you return to civilian life.

General PACE. Thank you, sir.

Senator DORGAN. I am not going to inquire about a range of issues that have been asked, about the progress in Iraq and military issues and so on, but I want to just mention two things.

One, I held a hearing, last Friday. Young man named Donald Vance testified. And you will not know of the case, but I'm going to send you a letter and ask that you look into it. Navy veteran. Went back to Iraq to work for a civilian contracting company in Iraq. Reported to the Federal Bureau of Investigation (FBI) and to military authorities of evidence he had accumulated of illegal gun sales, an accumulation of large stocks of weapons. And for that he was incarcerated for 97 days, part of that time without an ability to see an attorney, no notice to his family. He's an American citizen, Navy veteran. Allowed—during the 97 days, harshly interrogated, sensory deprivation, loud music all the time, lights always on, in the cell by himself. He was released after 97 days, with no charges. They admitted he had done nothing wrong. And he was taken to the Baghdad airport and given a $20 bill and dropped off. And that is a frightening story, very frightening story. An American citizen can be treated like that by Americans? It needs a full investigation. I've asked the Inspector General to investigate, and I hope, upon receipt of my letter, Secretary Gates you, too, will investigate it.

Secretary GATES. Absolutely.

Senator DORGAN. Let me ask a—you know, you are coming today to ask for two sums of money, I believe—$145 billion that was requested in the President's budget, designated an emergency, and then a sum above that—how much above that?

Secretary GATES. $42 billion, sir.

Senator DORGAN. So, about $189 billion, roughly—$187 billion. And this is—you know, indeed, is becoming habit-forming. We meet

once, twice a year, we are seeing a request for emergency funding. And I was—it's habit-forming, because we send soldiers to war, and we tell the American people to go shopping, and we just—this is going to be three-quarters of $1 trillion we put right on top of the indebtedness. And there's no discussion anymore about, should somebody pay for any of this, even a penny of it?

So, I looked, this morning, at, What is the definition of "emergency funding?" We designate—the request here is to designate this as an emergency. There are four requirements; two of them it clearly meets, two it does not meet at all. "Sudden, quickly coming into being, and not building up over time." That clearly can't be the case here, because the $145 billion was requested 10 months, so there's nothing sudden about that. "Subject of"—paragraph 2—"unforeseen, unpredictable, unanticipated." Clearly that can't be the case. So, you know—and, in fact, the very law that exists with respect to this sets a point of order against anything that doesn't meet these four criteria. And clearly this doesn't meet two of them.

Shouldn't there be some requirement, in your judgment, as you come and ask for large sums of money on behalf of the President, that the President requests, and we agree, to find a way to pay for part of this? Should the American people be asked to pay for a portion of this, even as our soldiers fight in a war that we require them to fight?

Secretary GATES. I think that that's a judgment for the Congress to make, Senator.

Senator DORGAN. What about a judgment for the President?

Secretary GATES. And for the President.

Senator DORGAN. The President has recommended that this be an emergency, as he has every single year, and it doesn't meet the requirements of an emergency. It is not sudden, not quickly coming into being, not building up over time, not unforeseen, not unpredictable, and not unanticipated. And I—the reason I make this point is, we're going to be here next year with exactly the same thing. And a portion of this $145 billion was requested in the President's budget request 10 or 11 months ago to this Congress. I will, this year, as we begin considering this, offer at least a few proposals to begin closing some tax loopholes to perhaps pay for a little of this. I suspect that it'll—they'll talk about blue slips and they'll be all kinds of reasons why not to do this. But it seems to me that if we are engaged in a war, our Nation should go to war. And the Nation really has not gone to war with the soldiers, not even to the point of wanting to pay for a penny of this—three-quarters of $1 trillion added to the debt.

Now, I understand that is a policy coming from the President's budget. It may not be a question that you can directly answer. But I want to raise it, because this is habit-forming, and, frankly, it's a bad habit, for us to talk about nearly $200 billion, and, "By the way, let's just declare it an emergency. That's not a problem, we'll just add it on top of the debt." I don't think that's good for this country. And I don't think the soldiers will appreciate fighting a war and coming back and being asked to pay for that which should have been paid for all along.

Secretary Gates, you—you know, this is, in fact, an entirely new panel, because we've had the predecessors of the Joint Chiefs be-

fore, and Secretary and folks from the State Department. This just goes on year after year, and we have new faces. And I, frankly, appreciate your willingness to serve, all of you. These are tough times, difficult times. And the one thing I think all of us would want you to know, the American people to know, is, we want this country to succeed. No one wants us to fail, anywhere. We want us to succeed. And yet, the national intelligence estimate tells us this, the most significant threat to this country, and to our homeland, is al Qaeda; and it says al Qaeda and its leadership are reconstituting training bases, it says, in Pakistan, and, it says, they are in, "secure," or "safe haven," areas of northern Pakistan. I don't understand why, then, the major fight this country has against its most significant threat—that is, the leadership of al Qaeda—is going door to door in Baghdad in the middle of sectarian violence or a civil war. Do you not think that the most significant threat, as the national intelligence estimate suggests, is the leadership of al Qaeda?

AL QAEDA

Secretary GATES. Yes, sir, I do. And what is interesting is, again, as I indicated earlier, regardless of what the situation might have been in 2003, the fact is that Iraq has become a central front for al Qaeda, as has been acknowledged by both bin Laden and Zawahiri. So, I mean, we face them there in a fairly significant way, in addition to them being in those frontier areas of Pakistan.

Senator DORGAN. So, the—your position is that the central front of the fight against terrorism is, in fact, in Iraq, at this point?

Secretary GATES. No, I was saying that what the al Qaeda leadership has said is that Iraq is the central front in taking on the United States, at this point.

Senator DORGAN. Well, we don't believe much in what al Qaeda says. I mean, the fact is, the leadership of al Qaeda is talking to us all the time, sending out videotapes and radiotapes—audiotapes. We believe very little of that. And it seems to me that our most significant mission, at some point, is to segue to the central fight against terrorism, and it doesn't seem to me that's in Baghdad; it seems to me that that is where our national intelligence estimate says it is. That is, the leadership of al Qaeda in a safe haven—and there ought not be one acre on this Earth that should be safe for the leadership of al Qaeda—reconstituting training camps and reconstituting the leadership of al Qaeda. They say that is the greatest threat to our homeland.

So, again, let me say—look, I want our country to succeed, but I feel very strongly that we've got to eliminate the leadership of the greatest threat to our country, and that is not what we're now doing, in my judgment.

I—let me thank all of you for being here today. I know it's a long day for you. But these are, as you know, important issues for our country.

Thank you very much.

Chairman BYRD. Thank you, Senator.

Senator Feinstein.

Senator FEINSTEIN. Thank you very much, Mr. Chairman.

Gentlemen, and particularly General Pace, I want to add my thanks for your service to the country. You know, we've watched you, as Vice Chairman, as Chairman, certainly during the more difficult days of this country, and it's been hard times for you, and hard times for a lot of people. But I want you to know that I wish you very well, and I hope the retirement will be, really, a good one. So, thank you for your service.

General PACE. Thank you, Senator.

Senator FEINSTEIN. Thank you.

Secretary Gates, Senator Murray said that you've been a real straight-shooter with us, and that's true. I just want you to know that I have a lot of concern about this supplemental. If you go back and look at annual war funding, it's been a constant progression upward—2002, $34—$81 million, $91 million, $107 million, $121 million, $173 million, and $189.3—excuse me—billion now—at a time when most of us, I think, believe we should be ratcheting down our involvement in the country.

Now, there are two theories out there. I've heard people say, throughout the Nation, "Well, they're going to get us so deep in that, if there's a new administration, we can't get out." That's one theory. Another theory is that the war clouds are building with respect to Iran. And, of course, the supplemental would offer an opportunity to put equipment and troops and bases and that kind of thing in there for that. In addition, you've got a Congress that's split right down the middle. And it's a terrible split, because it's a visceral split.

And this kind of funding appears to me, really, to mean that things aren't soon going to be over, that increasingly there is a commitment for a much more permanent stance, regardless of what is being said. And you, yourself, have said, "There will be a long-term presence in Iraq."

I am really very concerned, and I voted for every supplemental because I, like everyone else here, we want to fund our men and women, we want to see that they have the MRAPs and the vests and whatever is necessary. But I think a long-term commitment is really something that is very questionable for many of us.

Today, right now—and you've been, always, up front with us—how do you see this long-term presence? How does this supplemental fit in? What does it have to do with the rest of the Middle East?

LONG-TERM COMMITMENT TO IRAQ

Secretary GATES. Well, I think that the—I mean, my view is that we have laid out an approach—General Petraeus has laid out an approach that will—assuming conditions continue to permit, as he seems to believe they will—that would permit a significant reduction—not just in the surge of—not in—not just bringing home the number of troops that were involved in the surge, but, beyond July, would continue us on a path toward a smaller presence.

My own view is, when I speak of a long-term presence, I think of a very modest U.S. presence, with no permanent bases, where we can continue to go after al Qaeda, where we can continue to go after Iranians who are interfering inside Iraq, and where we can

continue to help the Iraqi forces, in terms of training and equipping.

I think that that force—my own view, we haven't—as General Pace indicated earlier, we really haven't done any detailed planning about what this would look like, but, in my head, we're looking at a force that is, in terms of combat brigades, a fourth or so of what we have now. So——

Senator FEINSTEIN. By when, Mr. Secretary?

Secretary GATES. Well, this is—I mean, this is basically the conversation that I had with Senator Kohl, and that is, you know, we're at a point where the pacing of all of this is really what is at issue. And, quite frankly, my biggest worry is that, if we handle the end—regardless of how you think we got into this thing, if we handle this aspect of it, if we handle this next phase badly, then all bets are off, in terms of what our commitments or what our requirements may be in the long term in the region, and in terms of our—the view of other countries of our willingness to take on these kinds of issues, these kinds of problems. And so, I think it's very important that we handle this drawdown in a way that allows us to end up in a stronger position in Iraq, in terms of a more stable country, one that is an ally in the war on terror, and one that is a blockade to Iranian influence in the region, not a bridge.

And so, I don't know what that timeline looks like. I just know what I think it ought to look like for a longer period of time. And I don't know whether we're talking 1½ or 2 years. I mean, one of the things about talking about the conditions on the ground is that there is the opportunity to accelerate, as well as to slow, the pace of the withdrawals, all dependent on what's going on, on the ground.

Senator FEINSTEIN. Let me ask you this question. Will any of this money, in any way, shape, or form, be used with respect to Iran?

Secretary GATES. I would have to get back to you on that. I think—the quick answer that I would give you is no. But, in terms of whether we are going to use some this money to carry out operations against the Quds force in Iraq, or Iranian interference inside Iraq, I don't know a specific answer to that. But I will tell you that I—and I will give you an answer for the record—that I don't see any of this money being used——

[The information follows:]

The Department of Defense has no funds in the Global War on Terror request to be used with respect to Iran.

Senator FEINSTEIN. What does——

Secretary GATES [continuing]. In terms of preparing a military action in Iran.

Senator FEINSTEIN. What does "outside Iraq" mean, specifically? You said "outside of Iraq"—whether any of this money is going to be used outside of Iraq. What exactly do you mean?

Secretary GATES. I think I meant—well, what I meant to say—I may have misstated—is, I don't think any of this money is going to be used outside of Iraq.

Chairman BYRD. Senator Durbin.

Senator FEINSTEIN. Thank you.

Thank you.

Secretary GATES. I'm sorry, I—General Pace just corrected me—except for Afghanistan. There is money in here for Afghanistan.

Senator DURBIN. Thank you very much, Mr. Chairman.

General Pace, let me join in thanking you for your great service to our country. When you were a plebe at Annapolis, I was across the river here at Georgetown, getting started in college. And you've certainly served our country well. So, thank you——

General PACE. Thank you very much.

Senator DURBIN [continuing]. For everything.

Secretary Gates and Secretary Negroponte, it's very clear, from the questions here, Blackwater is no longer an enigmatic operation. It is front and center. The Iraqis have expelled them, officially, and now we're starting to ask questions that probably should have been asked years ago. Who are they? What authority do they have? How many of them are they? How much do we pay' em? How many incidents have we been through? Has anyone prosecuted them for their wrongdoing? Who's in charge? Who monitors incidents involving the use of firearms? Who monitors whether or not they are shooting civilians? Who investigates those shootings? Who monitors their movements within the country of Iraq? Do you know the answers to those questions?

Secretary GATES. Senator, I'll—I'll turn it over to Ambassador Negroponte, but let me just tell you that that sounds very much like the list of questions that I've been asking over the past few weeks.

Senator DURBIN. May I suggest that—we're in the fifth year of this war, and I think they have been there from the earliest part of it. And I respect you very much, and voted for your confirmation, and I respect your service. It would seem that that would have been a question asked long before this incident.

Mr. Ambassador.

Mr. NEGROPONTE. Yeah. I think I have some of the answers to those questions. But let me say two things.

First of all, Senator, I have a statement on Blackwater that I had prepared in conjunction with this—in preparation for this hearing.

I'd like to introduce that for the record, if I may, Mr. Chairman.

Chairman BYRD. Without objection, it is so ordered.

[The information follows:]

Thank you, Chairman, for that question. Something went tragically wrong on September 16 and we are taking steps to address the matter.

First, Ambassador Crocker's team is taking a hard look at what transpired and is conducting a thorough internal investigation to get at the facts to the greatest extent possible.

Second, following direct contacts between Secretary Rice and Prime Minister Maliki, our Embassy in Baghdad and the Prime Minister's office have established a joint Government of Iraq and United States Government Commission of Inquiry to examine issues of security and safety related to USG-affiliated Personal Security Detail operations, including the effect of CPA Order 17 (revised) on such operations, and to make policy recommendations.

And third, the Secretary has directed Patrick Kennedy, an extremely capable and senior Department management officer, to carry out a full and complete review of security practices for our diplomats in Iraq. His review will address the question of how we are providing this security to our employees, taking into account rules of engagement and standards of conduct for the persons providing the security. Our diplomatic security bureau is dispatching additional personnel to Baghdad to increase the number of Regional Security Officers moving with Blackwater teams.

The security firms we use to support our Iraq Mission operations must meet strict Diplomatic Security-mandated standards that address required experience, strict

vetting of personnel, and specified pre-deployment training. We also provide close in-country supervision and require that personnel follow the mission's policies on use of force. In many cases the individuals hired by these security firms are veterans who served honorably in America's armed forces.

Security personnel must follow stringent procedures aimed at avoiding the use of force, for which they are extensively trained and on which they are briefed before each mission. From January 1 to September 18, 2007, Blackwater conducted 1,873 missions in which protective security details or PSDs escorted American diplomats or visitors to locations outside the International, or Green, Zone in Baghdad. In only 56 of those missions have PSD members had cause to use their weapons, and each such incident is reviewed by management officials to ensure that procedures were followed.

I personally was grateful for the presence of my Blackwater security detail, largely comprised of ex-Special Forces and other military, when I served as Ambassador to Iraq. Their alert and controlled posture kept me safe—to get my job done.

I have a great deal of respect for their work. Without the dedicated service of our PSDs and their willingness to expose themselves to the risks that they do, the civilians of the Department of State would not be able to carry out our critical responsibilities in places like Iraq and Afghanistan. Yet I think there is broad agreement that we need to be there to help win the peace.

With the multiple inquiries that are underway, we expect to be in a better position to judge the adequacy of our efforts and what changes may be needed in the very near future.

Mr. NEGROPONTE. Just to answer a few of your questions. You asked me—speaking now with respect to the members of Blackwater who provide security for the American mission—American Embassy personnel, people who are under the authority of Ambassador Crocker——

Senator DURBIN. Which I understand to be under different rules than those working for the Department of Defense. Is that correct?

RULES FOR PRIVATE SECURITY CONTRACTORS

Mr. NEGROPONTE. I don't know about the Department of Defense rules, but that could well be correct. I doubt they would be very divergent.

But, in any case, there's 1,270 of them, overall—contractors—who provide security for our people in Iraq; and, of those 1,270, 842 are from Blackwater.

I might just mention a few things. We were talking, earlier, about their qualifications. Every one of these people—it requires at least 1-year experience in protective security assignments—that's to say, the kind of assignments you would get in the Diplomatic Security Service, the Secret Service, the special forces, or the FBI—or 1-year experience in law enforcement. So, these are not people who are not properly prepared for their assignments. They have 164 hours of instruction.

Senator DURBIN. Mr. Ambassador, I'm sorry to interrupt you, but I only have a few minutes.

Mr. NEGROPONTE. No, I understand, but I just wanted to——

Senator DURBIN. I'd like to read your statement for the record.

Mr. NEGROPONTE. Okay.

Senator DURBIN. And—so I understand it—and I will concede, having met many of them, having been protected by many of them when I visited Iraq, they are, in fact, experienced in security. There's no question in my mind. I want to know the rules they play by, and who they answer to, and whether they are above the law—certainly they are in Iraq, at this point—and whether they're above our law, at some point.

In December 2007, if I'm not—2006—an intoxicated member of Blackwater shot and killed a body guard of the Vice President of Iraq. He was removed from service, sent back to the United States. No action has been taken against him, as I understand it. Maybe you could correct me on that if I'm wrong.

Mr. NEGROPONTE. But it is the case to which I was referring earlier which is under investigation——

Senator DURBIN. Well, I——

Mr. NEGROPONTE [continuing]. By the Justice Department.

Senator DURBIN. I would hope so.

I mean, I've asked Senator Inouye for a separate hearing on Blackwater and the security contractors. It is time for us to lift the lid and look inside. I think there are some terrible things that have occurred, next to so many—very many honorable and courageous things that have occurred in the conduct of these security contractors.

Mr. Secretary, it is my opinion—and I just—don't suggest it's anyone else's in the world—that it is the intention of this administration to leave office with this war in Iraq just about the way we see it today. It is the President's intention, on January 20, 2009, to leave and to hand this over to whomever his successor should be. I take a look at what he will leave behind: what I consider to be the worst foreign policy mistake in our history, a nation which we have aspirations for, that are far beyond reality, in terms of self-governance and self-defense, but also a military that has been severely weakened by this war and our decisions to go to war.

As Secretary of Defense, this has to be personal to you, because that is what will be the case when you leave office. People will judge, Where is the—what is the status of America's military today? Are they still well skilled, well trained, and courageous? Of course. But do they have the highest divorce rates that they've had in years among enlisted men, twice what they were in 2001? The highest divorce rates among the officers, three times what they were in 2001? Do we have the highest suicide rates among our military that we've had since records have been kept, since 1981? Do we have a situation where these military are returning, many of them after multiple deployments, facing post-traumatic stress disorder and the need for counseling? Are we offering cash incentives unheard of in the history of the United States to recruit young men and women into service—$10,000 cash for those who will show up in a matter of months, and twice that amount if they'll show up in a matter of weeks? Are we in the situation where—we have to be very honest—we've used security contractors because we can't recruit them fast enough for this war? We know what the status is of equipment for the National Guard and regular Army, it's been severely depleted by this war, despite the billions of dollars that we have given this President. As you will project, a year from now, can you say that our military will be as strong or stronger than it is, when this President leaves office?

Secretary GATES. I think that the measures that have been put in place to reconstitute and reset the force, to expand the size of the Army and the Marine Corps—the Army is planning to try to accelerate its growth beyond the 5-year program, and—shorter than the 5-year program—to try and alleviate some of these con-

cerns. Clearly, bringing the combat brigades out of Iraq is going to begin to provide some relief to these troops. So, all I can tell you, Senator Durbin, is that we are in the middle of a terrible war, and it is my hope that we have plans in motion, both in terms of the force and in terms of where we're headed in Iraq, that we will be in a better place a year from now than we are now, in terms of our force.

Senator DURBIN. I would hope that it would go beyond hope. I sincerely believe it should be part of our plan. And I will tell you, as I mentioned to you once before, as I visited a patrol base south of Baghdad in the first week of August, and had an officer come to me and say what Jim Webb has been saying on the floor over and over again, "15-month deployments are too long." These are young men and women with families. Separating them for this period of time, and giving them but 12 months between deployments is—it cannot be good for morale, and it certainly isn't good for the psychological health of the men and women who serve. And I know the President has no recourse, as long as he wants to maintain this level of combat commitment. And I think it is a mistake. I think we are weakening the greatest warriors in the world, and I think that has to be part of our calculation about our future.

Thank you very much.

Chairman BYRD. Thank you. Senator Reed.

Senator REED. Thank you, Mr. Chairman.

Secretary Gates, in your written statement, with respect to the second adjustment, you indicate that $6 billion is requested to support Army and Marine Corps formations currently in Iraq through fiscal year 2008, taking into account the President's announced intention to redeploy five Army brigade combat teams by next summer. My quick calculation suggests that's roughly 15,000 troops, about 3,000 persons per brigade. That leaves an additional 15,000 troops that were sent during the surge. And my understanding is—and unless you want to extend deployment to beyond 15 months, those 15,000 additional troops are going to have to come out sometime in 2008. So, just for the record, are you assuming that that additional 15,000 troops are in or out?

WITHDRAWAL FROM IRAQ

Secretary GATES. Senator, we are calculating that the five combat—brigade combat teams that would be coming out would total about 21,500 troops. You then have about 4,000—about 8,000 enablers who were sent in with the surge brigades. Because those surge brigades and where they are having the combat is not where we're going to be drawing down. I think General Petraeus testified up here that some number of those 8,000 enablers—the rotary wing support and so on—would be remaining in the fight. So, I think he was purposely vague, in terms of how many of the combat support troops would come out, but the—we are anticipating 21,500 of the—these—of the combat brigades would come out.

Senator REED. So—two points—roughly speaking, if you count combat support and service support, you're close to 30,000 troops, which was the surge element.

Secretary GATES. Yes, sir.

Senator REED. And, second, you continue to respect the limit of 15-months maximum tour.

Secretary GATES. Yes, sir.

Senator REED. And that's not going to change.

Secretary GATES. No, sir.

Senator REED. And none of your budget calculations suggest that will change at all.

Secretary GATES. No, sir.

Senator REED. Okay.

Moving to another part of your testimony, where you—you talked about section 1206 and 1207 funding—and I think Senator Inouye covered this also—you're authorized $300 million in 1206, and you've received, I believe, $300 million. 1207, is the $200 million authorization, and that also is appropriated $200 million. And you're asking now for an additional $200 million in 1206. As I understand these funds, they're not entirely fungible, but they represent similar efforts. 1206 is DOD stability train and equip. 1207 is money that you give to the State Department to do very similar things. Can't you use both these accounts, rather than getting an additional $200 million?

Secretary GATES. I don't know the answer to that.

Ms. Jonas, can you——

Ms. JONAS. Sir, we can certainly take a look at that option. We can talk with the policy folks to do that. But the request of the combatant commanders, particularly for the 1206, was a little bit broader, so it really is coming from them.

Senator REED. Secretary Negroponte, is this the case, that there is money that DOD has that's not getting to State, that you spend? I mean, are we talking about some money that is held up someplace that's—that they—you don't get the money, so you don't spend it, so the Army—the military commanders coming back and give us that $200 million in another account?

Mr. NEGROPONTE. I'm afraid I don't know the answer to—I'll have to supply that——

Senator REED. I would appreciate——

Mr. NEGROPONTE [continuing]. Senator. Yes.

Senator REED [continuing]. A follow-up on this. We——

Mr. NEGROPONTE. Yes.

[The information follows:]

PM Acting A/S Mull also briefed on 1206 and Senator Reed received Amb Herbst's briefing with DOD before SASC. The below paper was prepared. I don't know if any of this was delivered in the call or addressed in briefings.

SECTIONS 1206 AND 1207 UPDATE

[In thousands of dollars]

Account	Fiscal Year—		
	2006 Authorized	2006 Actual	2007 Authorized
Section 1206 [1]	200,000	120,000	300,000
Section 1207 [1]	100,000	10,000	100,000

[1] Sections 1206 and 1207 are authorized in the National Defense Authorization Act and are not State funds.

Facts and Highlights

Authorized in the National Defense Authorization Act, Sections 1206 and 1207 are proving to be solid examples of strong State-Defense cooperation in meeting emerging needs and addressing urgent threats worldwide.

Section 1206.—In fiscal year 2006, Section 1206 programs supported the critical development of partners' military capabilities to address counterterrorism threats, from Lebanon to Africa and from the Western Hemisphere to Southeast Asia. In fiscal year 2007, we are working with Defense to evaluate Embassy and Combatant Command proposals, and aim to consult with Congress shortly.

Section 1207.—In fiscal year 2006, the State Department used $10 million in Section 1207 funds to support emerging requirements in Lebanon. In fiscal year 2007, $20 million has been approved by Defense to address stabilization issues in Haiti. We are working with the interagency to develop and evaluate other proposals for the remaining fiscal year 2007 funds.

(IF ASKED) Strongly agree that Ambassadors should be fully involved in program development and implementation. We have addressed concerns raised about a lack of embassy participation in Section 1206 programs through a series of cables and regular video-conferences with embassies.

Background

Sections 1206 and 1207 of the fiscal year 2006 and 2007 National Defense Authorization authorize the use of Defense funding to conduct traditional State Department activities. Section 1206 authorizes train and equip programs, with the joint concurrence of the Secretaries of State and Defense, to build the capacity of foreign military forces in order for that country to conduct counterterrorist operations or participate in or support military and stability operations in which the U.S. Armed Forces are a participant. Of the $200 million authorized in fiscal year 2006, $120 million was approved (Thailand's program is on hold due to coup restrictions); in fiscal year 2007, $300 million is authorized, 75 proposals totaling $780 million have been received, and evaluation is pending. At the request of Senator Lugar in Fall 2006, GAO completed an informal review of the Section 1206 program, concluding that while coordination between COCOMs and Embassies appears to have improved in fiscal year 2007, significant gaps still exist.

Section 1207 authorized the transfer of up to $100 million in both fiscal year 2006 and 2007 from the Defense Department to State, to facilitate stabilization and reconstruction activities. In fiscal year 2006, $10 million of the authority was used in Lebanon in the aftermath of the conflict between Hezbollah and Israel. On January 9, Secretary Gates approved a proposal to fund an integrated program in Haiti to counter the instability, unrest and violence stemming from gang control concentrated in the capital's biggest hot spot (Cite Soleil). The Hill has expressed some frustration that only $10 million of the possible $100 million authority was used in fiscal year 2006. We have assured them that planning for fiscal year 2007 initiatives is well-underway, and the Department has put in place a process and guidelines for reviewing and submitting future 1207 proposals for fiscal year 2007.

Senator REED. Mr. Secretary—or Secretary Gates, I was listening to your testimony, and, frankly, you inspire, I think, great confidence in your judgment and your dedication, amongst all of us—but as I listened to you, you're talking about an emerging policy which begins a drawdown—the five brigades we've just talked about—that transition missions to counterterrorism, border protection, and training, that will result—one hopes, at least your hopes expressed today—in a further reduction of forces, a continuous reduction. It sounds very much like the policy that Senator Levin and I and others have been trying to advance in the Congress. Why won't the President accept that policy, if it seems to be—to conform to what you believe?

Secretary GATES. I think part of the issue has been, principally, the binding nature of the timeline, as I understand it.

Senator REED. Well, then if we were to propose an approach that had no—not a binding endpoint—as I understand, the—I think I understand our proposal—but the first proposal was to begin a reduction this year, which is now a fait accompli, based on General Petraeus's report. And a second element is to begin a transition, which you've talked about. It's probably in the works already. The third point is completing that transition, which—is that the point of dispute that you sense between the President——

Secretary GATES. I think so. I have not had a specific conversation with the President about this, but I think that the principal concern has been the binding nature of the end date and the timetable.

Senator REED. Well, I would—I think it would behoove all of us to have that conversation, that—that is a policy that, in my view, has a much, I think, larger probability of, not only success, but being supported by the American public. As you all—as you've pointed out, and it resonates in all the comments, the long-term sustainability of this—whatever proposal—unless we change it—by the American public, is doubtful. I mean, the numbers are there. They haven't changed. General Petraeus' report hasn't changed any minds of the public. And I think it's about time we start talking about a policy that will—that we're talking about, but the President should talk about, rather than this "return on success" sloganeering. But I'll stop right there.

I just—General Pace, there was an article in Newsweek on September 10 that says that a report prepared by a Pentagon working group that differs substantially from General Petraeus' recommendations. The article also states, "An early version of the report, which is currently being drafted and is expected to be completed by the beginning of next year, will recommend a very rapid reduction of American forces, as much as two-thirds of the existing force very quickly, while keeping the remainder there."

Is this report accurate? Is there another report that's been prepared and circulating and could be publicized and adopted in the near term?

GLOBAL RESPONSIBILITIES

General PACE. I'm not aware of it, sir. I can tell you what I do know, and that is that we started, about, oh, 2 months ago, purposefully, independently, with General Petraeus doing his work, Admiral Fallon doing his, and the Chiefs doing ours—then, about 3 weeks before the President spoke publicly, we eight senior officers shared our thoughts with each other about where we were, where we were going, how we were going to get there. We were very much in the same grid square, so to speak, with regard to what we thought was appropriate to make recommendations to the President. Not surprisingly, General Petraeus being responsible for Iraq, Admiral Fallon being responsible for the region, and the Chiefs being responsible for global responsibilities, had a little bit different flavor as we looked at the raw data.

At the end of the day, we were unanimous, individually and collectively, to go forward to the President with what has been dubbed "The Petraeus Report," but could just as easily be said "The Pace Report," or "The Cartwright Report," or whatever the other Chief's name you want to put on it. So, we have gone through—and, in the process of getting there, we did look at about—we looked at nine separate courses of action: going to the borders, et cetera, et cetera. So, it's possible that one of those nine courses of action that we tossed out is the basis for this rumor, but there is no report inside the Pentagon that has any gravity at all to it, that was not presented to the President when we—he asked for it.

Senator REED. Is it fair to say this option was seriously considered?

General PACE. Could you repeat the option again, sir?

Senator REED. The option of a rapid drawdown of the forces in the near term——

General PACE. It was. Yes, sir, the—both plussing up, on one end——

Senator REED. Right.

General PACE [continuing]. And rapid drawdown, on the other; and six or seven in between.

Senator REED. Let me conclude by saying—I understand, General Pace, that, on your last trip to Iraq you had the opportunity to visit Gulf Company 2nd Battalion 5th Marines.

General PACE. I did, sir.

Senator REED. And I also understand that, as a lieutenant, you commanded a platoon in Vietnam with that unit.

General PACE. I did, sir.

Senator REED. I think that is a full circle on an honorable career with great fidelity to the Nation and to the Marine Corps, and I thank you, sir.

General PACE. Thank you very much, Senator.

Chairman BYRD. Thank you, Senator.

Senator Nelson.

Senator NELSON. Thank you, Mr. Chairman.

And let me begin by saying, to General Pace, thank you for your service, or your many courtesies. I remember our first trip to Colombia, South America, and the many times that we've enjoyed the same opportunities to be together. And I hope that, as you retire, you still send your—will continue to send the little handwritten notes to me. I appreciate it very much. I would miss them if I didn't get them. So, thank you——

General PACE. Thank you, sir.

Senator NELSON [continuing]. For the courtesies.

General PACE. Yes, sir. Thank you.

Senator NELSON. Mr. Secretary Negroponte, as you know, Congress enacted language requiring the reporting on benchmarks that originated with the President and Prime Minister Maliki, to some degree or other, and some of which really were part of the Iraq Study Group Report. All the reports to date indicate, on the most important benchmarks relating to reconciliation, little to no progress.

I've been visiting with—I've visited with Prime Minister Maliki twice this year in Baghdad. I've related to him my concerns about the failure to meet the benchmarks, and the importance of the benchmarks, indicating that the will of the American people is very strong, but, when it comes to a lack of progress on the part of the Maliki government, the patience is growing thin.

I didn't detect a lack of interest in the benchmarks, but I didn't detect a strong interest in seeing them fulfilled, or any awareness of the impatience—growing impatience in the United States. I'm certain there's some difference between his thoughts about that which is essentially timely and ours. But, in light of the failure, now, of the Iraqi government to meet those benchmarks to any sig-

nificant extent, do we need to change the benchmarks? What can we do to expect to get a greater effort?

I outlined to the Prime Minister that we were interested in three things. One is to know if there's a commitment; two, to determine what level of effort is underway; and, three any progress. Now, we understand you can be committed and you can put an effort in, and not get results, because of how difficult it may be. But are these benchmarks too much? Or is the bar set too high? Do we need to lower the bar? Do we need to lower expectations? Maybe you can enlighten me.

IRAQI BENCHMARKS

Mr. NEGROPONTE. You know—thank you, Senator—I think, speaking in general terms, that—I think that certainly the government of Iraq gets the message about the importance we attach to progress on this score. More importantly, I think they, themselves, know that, if there isn't effective progress toward national reconciliation, the level of violence is simply not going to subside. So, I think they're very much aware that it's in their interest.

As you suggest, some of these things aren't always that easy. I'm not sure that I—just at first blush, I'm not sure I would think about changing the benchmarks, so much as just recognize that these things are difficult to achieve.

I don't doubt their commitment to working toward them. Just to cite——

Senator NELSON. What about their level——

Mr. NEGROPONTE [continuing]. One example——

Senator NELSON [continuing]. Of effort? If you decide they have a commitment, what kind of a level of effort——

Mr. NEGROPONTE. Well, here are some examples of effort. I don't know how I would measure the intensity of that effort, but certainly there's constant dialogue between the various groups that are involved in this, whether it's Sunni, Shi'a, Kurd, or the various groups—the factions involved. So, I think that's an important factor.

I can report to you that a de-Ba'athification law, which is something that had been listed as one of the benchmarks—progress on de-Ba'athification issue—has apparently been submitted to their Council of Representatives. So, I think——

Senator NELSON. And the reaction——

Mr. NEGROPONTE [continuing]. That's important.

Senator NELSON [continuing]. The reaction to that, that we've picked up from conversations there from people who are on the ground who have some knowledge of this, is that they're still playing king of the hill, the Shi'as are in a situation—winner takes all, and compromise is not ultimately one of the words.

Mr. NEGROPONTE. Let me mention another couple of examples.

Senator NELSON. Okay.

Mr. NEGROPONTE. The fact that the Prime Minister went out to visit the Sunni areas——

Senator NELSON. And I——

Mr. NEGROPONTE [continuing]. And he went out to——

Senator NELSON [continuing]. Complimented him for that.

Mr. NEGROPONTE. I think that's very important. And I think it shows a certain attitude about wanting to move these issues forward. The fact that they've improved their budgetary execution and are spending more money in some of these Sunni provinces that—this is a basically Shi'a-controlled ministry of finance and government that is making sure that some of this money is getting out where it's needed in places like Fallujah, Mosul, and so forth. I was personally witness to that on one of my recent trips.

So, yes, it's hard, but I don't think it's hopeless. I think that they're committed to accomplishing this, and I think it's indispensable to leading—to achieving a reduction in the levels of violence.

Senator NELSON. Thank you.

Secretary Gates, in terms of what my colleague Senator Reed was talking about in transitioning a mission to take into account reductions in force in Iraq, I've submitted a proposal with Senator Collins that I hope you would take a look at, and I hope my colleagues will look at, as well, and that is to recognize that reducing the troop strength in Baghdad, turning over more of that to the Iraqi government—I think about 8.2 percent of the troop structure in Iraq, in Baghdad, is under the control of the Iraqi forces—that we could then concentrate on taking out the bad guys in the north with the Sunnis, and that is the al Qaeda, as we have in al Anbar—Anbaris have worked with us very closely, and progress has been made; also, transitioning the mission to the south, to quiet down the Shi'a militias. In the process of doing that, we should also establish—don't you believe?—the residual force, the force that we—in terms of the mission, that we believe will be there, perhaps not in the numbers, but as to what that mission is going to be: protecting the borders, also asset protection, as well as helping the government develop, and security training, move to establishing what the nature of the mission will be for residual force for some period of time. Maybe it's not 30 years. We certainly hope it's not. But for some period of time. If we get that in place, and we recondition—or reposition the combat forces, we have an opportunity, perhaps, to take out the bad guys in a more concentrated way, as—in both the north and the south. I wish you would give me your thoughts about that.

Secretary GATES. I'd be happy to take a look at the legislation, Senator. I think that, in terms of the mission of the residual force, we clearly are going to have to negotiate aspects of that with the Iraqi government itself in any time—any kind of long-term strategic agreement, but I think that it—that the mission of those forces is very close to what you just described.

Well, and in that regard, there is no—there is no required drawdown of troops in this legislation, nor a hard date to achieve the mission by, the transition of the mission. It's—the date that is used is March 31, 2008, and that comes from the Iraq Study Group. There's some suggestion that it may take 9 months, as opposed to the equivalent of 6 months, and that is less significant than the fact that we begin immediately to begin to change and transition the mission.

Secretary GATES. Yes, sir.

Senator NELSON. Thank you, Mr. Chairman.

Chairman BYRD. Thank you.

Senator NELSON. Thank you, gentlemen.

Chairman BYRD. Secretary Gates, if circumstances were to warrant it, do you have contingency planning in place to redeploy the troops out of Iraq and back to the United States within 90 days? 120 days? 180 days? If not, why not?

Secretary GATES. Mr. Chairman, since that planning is done by the Joint Staff, may I ask General Pace to address that question?

Chairman BYRD. Okay.

General PACE. Sir, right now the generic ability of the Nation is about one brigade per month, coming and going. So, without any other planning, if you were to say you want all 20 brigades out, starting tomorrow, it would take 20 months to get them out. You could certainly move that faster by contracting more civilian ships and more civilian planes and the like. There are—U.S. Transportation Command, under General Schwartz, has been doing the planning to both increase and decrease forces, but we have not set particular dates on it, but, rather, capacity of the Nation to move things, either direction.

Chairman BYRD. I thank the witnesses for your testimony.

Again, I thank General Pace for your service——

General PACE. Thank you, sir.

Chairman BYRD [continuing]. To the Nation.

I appreciate the patience of our witnesses when it became necessary to clear the room. We all believe in free speech, but it was necessary to restore order so that the committee could proceed in a disciplined manner.

Again, I thank you for your candor and your frankness in responding to our questions.

Senator Cochran, do you have any closing remarks?

Senator COCHRAN. Mr. Chairman, I join you in thanking our witnesses. We appreciate your being here and the information you've shared with us, and, most of all, your contribution to protecting the security interests of the United States.

ADDITIONAL COMMITTEE QUESTIONS

Secretary GATES. Mr. Chairman, Senator Cochran, as always, thank you for your courtesy today.

[The following questions were not asked at the hearing, but were submitted to the Department for response subsequent to the hearing:]

QUESTIONS SUBMITTED TO HON. ROBERT GATES

QUESTION SUBMITTED BY SENATOR PATRICK J. LEAHY

NATIONAL GUARD EQUIPMENT

Question. The funding unfortunately has barely made a dent in a Guard equipment deficit that we all agree reaches something well over $20 billion. It will take much more than $20 billion in new investment in National Guard equipment to bring Guard brigades and support battalions up to 100 percent of required levels. General Blum, Chief of the National Guard Bureau, noted last week that it will take $13 billion above the current spending plan just to get to 90 percent of the necessary equipment levels in the Guard's units. He noted that many Guard units back home have only one-third of the trucks, radios, and other gear they need for emergencies.

Question. Has the Department changed its budget plans at all since we added that additional funding? Doesn't the Department need Congress assistance in finding the additional funding above the equipment?

Answer. No, the Army has not changed the amount of funded allocated to equip the Army National Guard. The NGREA funding provided by Congress was a welcome addition in the Army's effort to fund the Army National Guard equipment and reduces the overall ARNG shortfall to $23.5 billion. Reallocating additional funds from inside Army procurement lines to fully fund Army National Guard shortfalls would place at risk many of the Army's ongoing initiatives that benefit the total force. The Army's balanced approach to funding equipment across all three components increases the amount of time it takes to modernize, but reduces the risk to the operating force.

QUESTIONS SUBMITTED BY SENATOR RICHARD J. DURBIN

Question. How many companies has DOD contracted with to provide security in Iraq? In Afghanistan? How many people does each of these companies have employed in each country? How much is each contract worth and what is the duration of each?

Answer.

Iraq

The U.S. Central Command (USCENTCOM) provides information on a quarterly basis on the number of DOD-funded contractors and contractor personnel in the theater of operations in support of U.S. military forces in Iraq. The present manual report is of limited scope but is currently our most reliable source of information on the number of DOD contractor personnel working in Iraq and Afghanistan.

According to the USCENTCOM July 2007 census data, the DOD in Iraq was supported by 16 different private security contractors (PSCs). A detailed list of DOD-funded companies providing security in Iraq is below. There are several contracts associated with each of the PSCs, each with different periods of performance. The table provides an estimate of the number of employees providing security on those contracts and an estimated cost of the contracts, where available. The dollar value provided is for the entire contract and does not delineate the cost for personnel providing security versus other support.

Company Name	Country of Registration	Est. Total Employed	Approx. Dollar Amount
AEGIS Defense Services LTD	United Kingdom	1,035	$382,160,000
Ellis	United States	361	157,271,000
EOD Technology Inc	United States	1,825	20,937,000
ERSM (GUERNSEY) LIMITED	British Virgin Islands.	4	598,800
FALCON COMPANY	Iraq	135	(1)
Global Sales, ADAR Logistics	United States	52	(1)
Global Strategies	United States	27	(1)
Innovative Technical Solutions	United States	1,198	291,114,000
Lakeshore Engineering Services	United States	106	21,453,000
Olive Group FZ LLC	United Arab Emirates.	229	(1)
Raymond Associates	United States	31	824,000
SOC–SMG, Inc	United States	335	(1)
Tetra Tech EC, Inc	United States	394	(1)
TMG Iraq	United Kingdom	82	(1)
Triple Canopy	United States	106	797,134
URS	United States	448	(1)

[1] Not available.

Private security contractors perform personal, convoy, and static security missions. The DOD does not have a contract with Blackwater to provide support in Iraq, although the Department does have other contracts with Blackwater, primarily to provide training that takes place within the United States.

The U.S. Army Corps of Engineers Gulf Region Division has contracts with Armor Group Services Ltd (registered in the United Kingdom) to provide security primarily for reconstruction projects. The USCENTCOM July 2007 quarterly census data does not reflect this information.

Afghanistan

The USCENTCOM July 2007 quarterly census reports that there are approximately 1,060 private security contractors in Afghanistan. Specific contractors and numbers of employees associated with each contract were not provided in the census.

Question. Is there an office within DOD that is responsible for the oversight of private security contractors? What is the procedure when a contractor fires a weapon? What is the procedure when a contractor shoots someone?

Answer. Oversight is the responsibility of the DOD Contracting Officer and the Contracting Officer Representative for the specific contract.

The Deputy Under Secretary of Defense (Logistics and Materiel Readiness) (DUSD (L&MR)) in the Office of the Under Secretary of Defense for Acquisition, Technology and Logistics (USD (AT&L)) established the Office of the Assistant Deputy Under Secretary of Defense for Program Support (ADUSD (PS)) and appointed the ADUSD (PS) to establish and oversee the program for managing contractor personnel in forward areas and to provide leadership in other areas to support more effective and efficient Geographic Combatant Commander (GCC) logistics and materiel readiness needs.

DOD contractors armed by DOD authority must report any use of force, including the firing of a weapon. The requirement to report and the required information to be submitted are identified within the terms of the contract and in Multi-National Force—Iraq (MNF–I) Fragmentary Order (FRAGO) 06–310 (Civilian Arming). MNF–I FRAGO 05–231, Reporting and Investigating Incidents Involving Contractors Firing Weapons, requires that Multi-National Forces must report any use of force by a civilian armed under the requirements of this FRAGO to their chain of command.

Question. Are private security contractors working for DOD liable under U.S. law for their actions in Iraq and Afghanistan? Are they liable under the UCMJ?

Answer. Yes. Private security contractors working for the Department of Defense (DOD) are criminally liable under 18 U.S.C. 3261, the Military Extraterritorial Jurisdiction Act (MEJA), for their criminal actions in Iraq and Afghanistan. Additionally, under the Uniform Code of Military Justice (UCMJ), DOD contractors "serving with or accompanying an armed force in the field" during a declared war or a contingency operation, such as Operation Iraqi Freedom and Operation Enduring Freedom, are criminally liable under 10 U.S.C. 802(a)(10), also known as Article 2(a)(10), UCMJ, for acts occurring after October 17, 2006.

Question. What is the procedure if a private security contractor is suspected of having committed an unjustified or criminal shooting in Iraq or Afghanistan? Have any been investigated for this? Have any been prosecuted?

Answer. If Multi-National Force—Iraq (MNF–I) observes a violation of Rules for Use of Force, exhibitions of criminal behavior, or conduct that threatens security, the forces are authorized to stop, search, seize weapons, and detain civilians armed under MNF–I FO 06–310 (Civilian Arming).

There are currently no known PSC personnel who have been convicted at this time.

Question. What Rules of Engagement do private security contractors working for DOD operate under?

Answer. The Combatant Commander has provided specific guidance on arming contractor personnel and private security contractors in the USCENTCOM Area of Responsibility (AOR) through a series of FRAGOs and other authoritative guidance, including the following:

—Private security contractor personnel are not authorized to participate in offensive operations and must comply with specific USCENTCOM Rules for the Use of Force (RUF). Under RUF, private security contractors are authorized to use deadly force only when necessary in: self-defense, defense of facilities/persons as specified in their contract; prevention of life-threatening acts directed against civilians; or defense of Coalition-approved property specified within their contract. USCENTCOM issues to approved private security contractors a weapons card authorizing them to carry a weapon. This weapons card also contains the guidance for the RUF and the contractor's signature acknowledging the difference between the Rules for the Use of Force and the Rules of Engagement.

—Private security contractors in Iraq must be properly licensed to carry arms in accordance with host nation law and must receive USCENTCOM/Coalition Forces' approval of their operations. Coalition Provisional Authority (CPA) Order 17, Status of the Coalition, Foreign Liaison Missions, Their Personnel and Contractors (June 23, 2003) is still in effect. It addresses private security contractors operating in Iraq and requires the contractor's understanding of and compliance with all applicable: United States, host nation, and third country

national laws; Treaties and international agreements; United States regulations, directives, instructions, policies; and Orders, Standing Operating Procedures, and policies issued by the Combatant and/or Operational Commanders.

QUESTIONS SUBMITTED BY SENATOR FRANK R. LAUTENBERG

Question. The Associated Press reported that "the Army's 38 available combat units are deployed, just returning home or already tapped to go to Iraq, Afghanistan or elsewhere, leaving no fresh troops to replace five extra brigades that President Bush sent to Baghdad this year."

Should we be alarmed about the current level of preparedness of our armed forces in the event of a military crisis somewhere else in the world?

Answer. The United States is a nation at war. The demands and challenges of continuing operations in Operation Iraqi Freedom, Operation Enduring Freedom, and other fronts in the Global War on Terror have increased the risks associated with executing the National Defense Strategy and the National Military Strategy. Our forces have adapted quickly.

We have taken steps to ensure our forces remain ready to fight and win the Nation's wars. First, we are increasing our warfighting capabilities and effectiveness by increasing the size of our Army and Marine Corps. Second, we are optimizing how we use and resource our Reserve component forces to ensure these forces are ready when needed. Today, we are resetting our units to repair or replace worn out equipment, and keep our forces ready to deploy if, and when needed. These changes will improve our ability to respond and support operations worldwide.

We are also addressing longer-term needs of the Department. We are adding capacity and modernizing our forces to keep our technological advantage. We are also transforming our processes, doctrine, and organizations to ensure we maintain a long-term focus and our forces are flexible, mobile, and able to deploy, fight, and win in all endeavors around the globe.

We are a joint Force ready to succeed in every challenge, fully capable of meeting all objectives of the National Military Strategy.

Question. By 2008, it is estimated that half of the New Jersey National Guard will be deployed to Iraq.

Are you concerned about the effect that these National Guard deployments will have on New Jersey, and when can we expect the military to stop relying on the National Guard to sustain our presence in Iraq?

Answer. There are 5,981 soldiers in the New Jersey Army National Guard. Under current plans, we estimate that on January 1, 2008, 21 members of the New Jersey Army National Guard will be deployed in Iraq. This constitutes 0.3 percent of the New Jersey National Guard.

The Air National Guard is an operational force and an integral part of the Air Force's combat capability. To fulfill its Air Expeditionary Force requirements it relies heavily on volunteerism. We do not believe the Air National Guard requirements through January 2008 will impose a significant burden on the New Jersey Air National Guard and we expect those requirements to remain consistent throughout 2008. The 177th Fighter Wing and the 108th Air Refueling Wing are not scheduled to deploy their aviation package in 2008. Through January 2008, the 177th Fighter Wing will have 22 personnel deployed and the 108th Air Refueling Wing will have 63 personnel deployed, or, approximately 3 percent of their 2,300 Air National Guard members.

I am always concerned about the effects that National Guard deployments have on the states. The Chief of the National Guard Bureau has committed to this Nation's governors that he will manage the selection of National Guard units to fulfill deployment requirements in such a way as to achieve the goal of having at least half of a state's National Guard forces at home and available to Governors for state emergencies. This has largely been achieved. Only in rare cases have deployments required more than half of a state's National Guard forces to be deployed overseas at one time. In those rare cases, we have worked with those states to help insure that National Guard forces and capability from other neighboring states are readily available under the Emergency Management Assistance Compact.

The Department of Defense has no plans to ever stop relying upon the Reserve Components as an integral partner in the Nation's overall capability to defend its interests. America has a long tradition in which civilians may choose to participate in the defense of the Nation through membership in the National Guard and Reserves. The philosophical basis for the wisdom of this tradition was articulated by General Creighton Abram who, following the Vietnam War stated that America should never go to war without the inclusion and participation of its reserve compo-

nents as such participation constitutes an expression and incorporation of the will of the American public to bear the burden of conflict. This tradition has been incorporated into the formal structure of the American military through the Total Force policy. To abandon this policy would be detrimental to the country in two ways. First, it would cut off hundreds of thousands of American civilians from their choice to participate in the Nation's defense through membership in the Reserve Components. Second, it would result in a tremendous loss of available manpower for Nation's military which could only be made up by dramatically increasing the size of the full-time active duty forces. Such a change could be so prohibitively expensive that it might result in the reinstitution of the draft under which citizens are forced to serve. Faced with such a choice, it is clear that continued reliance on the participation by Nation Guard and Reserve members is and will continue to be the best course for the future defense of the Nation.

Question. Do you agree with the Congressional Budget Office's $2 trillion cost estimate for maintaining a Korea-like presence in Iraq over the next 50 years? Is the Defense Department planning to have such a long-term presence in Iraq?

Answer. The Department of Defense does not have a detailed plan for a long-term presence in Iraq, so we do not have cost estimates to compare to the CBO's. As I stated previously, the United States is "pursuing a long-term strategic agreement with the Iraqis. The number of forces that would be included would be considered under that agreement. I can tell you that the number of troops would be a small fraction of those that are in the country today. And I think no one really knows what the duration of their presence there would be. It will depend both on the nature of the Iraqi government and on conditions in the region, what the Iranians are trying to do and others in the region. The purpose of that kind of a longer term presence, should it be agreed, would be, first of all, to continue the fight against Al Qaida in Iraq, to help prevent foreign intervention in Iraq, and to continue to train and equip the Iraqi forces."

Question. The Department of Defense fiscal year 2008 appropriations bill that was recently passed includes full funding for TRICARE, the military's health care program.

Can you assure us that you will not increase enrollment and pharmacy co-payment fees on our military men and women, and military retirees, in 2008?

Answer. Section 701 of the Fiscal Year 2008 National Defense Authorization Act (NDAA) extends a prohibition on Increases in Certain Health Care Costs for Members of the Uniformed Services through fiscal year 2008 and Section 702 establishes a Temporary Prohibition on Increase in Copayments under the Retail Pharmacy System of the Pharmacy Benefits Program through fiscal year 2008. The Senate version of the fiscal year 2008 NDAA, Sections 713 and 714, contains similar provisions. The Department will comply with any requirements for TRICARE fee increases that may become law under the fiscal year 2008 NDAA.

Although Congress and the Department of Defense (DOD) leadership have supported the growing costs of managing this benefit over the years, there has been no increase in TRICARE fees since 1995 even as health care costs have increased. As a result, there is a gaping disparity between TRICARE and other health plan out-of-pocket costs that we believe is driving increased reliance on TRICARE as the primary source of health coverage. In addition, the incentives must be adjusted to encourage beneficiaries to use more cost-effective alternatives, such as formulary prescription drugs.

The Defense Health Program (DHP) budget currently represents 7.5 percent of total DOD spending. If our DOD related health care costs grow as expected, then the DHP budget will end up at more than 11 percent of total DOD spending. Thus, existing weapons, training and personnel programs will have to be cut to accommodate this growth. For this reason, there continues to be a pressing need to take action to make the health care benefit fiscally sustainable for the future.

QUESTIONS SUBMITTED BY SENATOR ARLEN SPECTER

Question. I believe the resulting benefits to this country from the JRC will be measured by the lives saved, property protected, and communities returned to normal. The steps that have been taken should allow the Department to begin making progress towards the establishment of the JRC this year. It is vital to our country and its citizens that the momentum achieved on this initiative not be lost.

I would appreciate your perspective on the Pentagon's next steps in the development and funding of the JRC. Have personnel been dedicated from your staff, to the implementation of the JRC? Who is leading the coordination efforts with other federal agencies and partners, as needed by the JRC? What are the expected per-

sonnel requirements for the JRC? What level of funding has been proposed by the Department for the JRC? What is the timeline for initiating this project?

Answer. The 2005 Defense Base Closure and Realignment Commission Report recommended: "Realign Pittsburgh International Airport (IAP) Air Reserve Station (ARS), Pennsylvania. Establish a contiguous enclave at the Pittsburgh ARS, Pennsylvania sufficient to support continued operations of the reserve station units, including flight operations, and compatible with combined use of the civilian airport by the Air Reserve, Air National Guard and civilian users. Within that enclave, establish a Regional Joint Readiness Center (RJRC) at the Pittsburgh International Air Station with the mission of providing civil-military operations, homeland security and community-based medical support to the Department of Defense and the Department of [H]omeland [S]ecurity National Incident Management Plan and the National Response Plan. The enclave and RJRC will be staffed at the current manning level of the ARS. The PAA and personnel allocations of Air National Guard units at Pittsburgh are unaffected by this recommendation." (BRAC Commission Final Report to the President, Pages 150–151)

The Department has worked with Allegheny County civic leaders, Pennsylvania Congressional Delegation staff members, and Federal partners to develop an implementation concept for the Joint Readiness Center. The Department, in cooperation with the Regional Joint Readiness Center Task Force, has coordinated site visits to Pittsburgh Air Reserve Station by DOD components such as U.S. Northern Command, the Uniformed Services University of the Health Sciences, and the United States Army Medical Command and with Federal partners such as the Department of Homeland Security (DHS), including the Federal Emergency Management Agency (FEMA), the Department of Health and Human Services (DHHS), the Department of Veterans Affairs (VA), and the Federal Bureau of Investigation.

FEMA is considering locating a National Incident Management Team (NIMT) at the Joint Readiness Center. The 26-person, multi-agency NIMT would form the advance cadre of the Joint Field Office, a deployable contingency Federal multi-agency coordination center that would be established during an incident to facilitate field-level domestic incident management activities by providing a central location for coordination of Federal, State, local, tribal, nongovernmental, and private sector response organizations. The NIMT would establish a Federal presence within 12 hours of notification and be self-sufficient for 48 hours. Proximity to military and commercial air transportation make Pittsburgh Air Reserve Station a very viable location for the NIMT. FEMA is seeking funding to support this initiative.

Given the vast medical resources in the greater Allegheny region, DHS, DHHS, VA, and the U.S. Public Health Service are considering Pittsburgh Air Reserve Station as a potential site for a Joint Interagency Medical Training Center. This center would establish a common awareness of and exchange best practices for emergency off-site triage, patient transport and tracking, advanced disaster life support, medical urban search and rescue, risk communication, and other topics of interest to the greater emergency medical community.

In February 2008, the Department, in partnership with DHS, DHHS, and the VA, will conduct a major National Disaster Medical System exercise using the Pittsburgh Air Reserve Station.

Question. Our military is under tremendous stress from multiple combat deployments and the wars in Iraq and Afghanistan. I understand there are efforts underway to help soldiers and their families better manage this stress and trauma. I have recently heard about a program in development by the Benson-Henry Institute and the Samueli Institute which would train our troops and families in stress management skills. I understand that the Army is supportive of this program and has expressed interest in funding. I would appreciate your views on this idea and how it would augment current efforts to treat PTSD and combat stress. If there is support for this program within the Army and it will help our returning troops I would urge you to direct funding to support these efforts.

Answer. The Army is supporting development of "reset" programs that help redeploying Soldiers and their Families recover from the changes and stresses of combat deployment. The U.S. Army Medical Research and Materiel Command (USAMRMC) manages and executes the Research, Development, Test, and Evaluation (RDTE) medical research programs for the Army and also manages and executes the majority of the Defense Health Program (DHP) RDTE congressional special interest (CSI) programs. These Army and DHP CSI programs include research on stress and trauma and are leveraged to maximize their relevancy with core RDTE military research efforts where possible. The Army RDTE CSIs have included funds for the Samueli Institute in recent years. Also, the fiscal year 2007 War Supplemental appropriation included DHP RDTE funds to conduct research for Post-Traumatic

Stress Disorder (PTSD) and for Traumatic Brain Injury (TBI) broadly announced and competitively awarded.

The CSI programs include currently funded efforts involving the Samueli Institute as well as plans to incorporate the unique expertise offered by the Benson-Henry Institute. A pilot program at the William Beaumont Army Medical Center in El Paso, Texas, is in the proposal design phase. This will allow veterans to re-adjust to a productive and healthy life following war trauma exposure using relaxation techniques pioneered by Dr. Benson, and expands on current uses of complementary and alternative medicine techniques to control PTSD and related conditions such as stress, anxiety, and substance abuse in military personnel and veterans.

Other planned efforts have been discussed with senior noncommissioned officers and will be incorporated into the current Army-wide Battlemind Training as research validation is completed. Current efforts by the Army-funded Samueli Institute projects have paved new ground for many aspects of reset program efforts. As examples, these include the effects of complementary and alternative medicine techniques to improve healing and pain control (Salt Lake City Veterans Affairs Medical Center); evaluation of optimal healing environments in military health care facilities (at multiple Army sites); and programs to moderate stress in Families of wounded veterans (Walter Reed Army Medical Center).

QUESTIONS SUBMITTED BY SENATOR PETE V. DOMENICI

Question. Mr. Secretary, what is your opinion of these cuts and could you elaborate on the impacts to our national security?

Answer. A specific cut to the Department of Energy's (DOE's) Chemistry and Metallurgy Research Replacement (CMRR) facility will have a detrimental impact on the nuclear weapons program. This facility is required for pit production, which is a critical component in supporting the future stockpile and current joint DOD–DOE complex planning.

Question. Mr. Secretary, I wanted to make sure you are aware of a very serious problem facing the Energy and Water Development Appropriations Act for Fiscal Year 2008. The House bill proposes to cut over $632 million from the President's request for the National Nuclear Security Administration (NNSA) budget in fiscal year 2008. These cuts, if implemented, would have a devastating impact on the NNSA's ability to certify and maintain our nation's nuclear deterrent. According to the NNSA, this budget level would force the layoff of over 8,300 laboratory employees nationwide, including 3,600 at the two New Mexico labs; delay the Life Extension effort of the W–76; cut funding for surveillance activities required to certify the W–80 warhead; cripple the Science Campaign that supports the Stockpile Stewardship program, enabling the country to avoid underground testing; cut a $50 million investment in laboratory computing; and stop construction on the CMR-Replacement facility, leaving the nation without pit manufacturing capability. What is your opinion of these cuts and could you elaborate on their impacts to our national security?

Answer. The National Nuclear Security Administration (NNSA) is an agency of the Department of Energy. If NNSA elected to apply the $632 million budget cut to their weapons programs as stated above, there would in fact be a detrimental impact on the DOD nuclear weapons program. However, we have no insight into the NNSA budget process that would indicate whether the proposed cuts would necessarily be applied to these programs.

Question. Will you speak to your recruiting and retention efforts and needs as you work to grow the Army and the Marine Corps?

Answer. The phasing of the growth allows us to spread the impact on recruiting such that the increase in a given year, relative to the total recruiting mission, would generally remain below five percent. This will be especially true if the prevailing—and historically high—retention patterns of the past couple years continue.

Of course, the key component of sustained success will be solid resourcing, smart and agile recruiting practices, and our agility in adjusting incentives and programs as the situations change. The Services and the Department eagerly accept those responsibilities, and we will continue to monitor progress to ensure that our current pattern of success is aggressively maintained.

Question. I understand part of the February funding request would purchase language translation systems. Can you talk to the language issues we have in the war and will you provide more information to my office regarding the specifics of this request?

Answer. The language issue is not only the need of military service members to know the local language, but also culture and use of gestures. This training develop-

ment will provide this skill through computer based interactive training using animated characters representing local people in a simulated mission scenario.

The request in question actually refers to a $2.0 million development project for an Automated Language Training System, contained in the fiscal year 2007 Global War on Terrorism (GWOT) funding. It was inadvertently mentioned in the fiscal year 2008 GWOT justification, but not requested in that submission. The development project is a personal computer based simulated interactive language and culture training system designed to provide warfighters survival language and culture skills as well as tactical decision making skills for their area of responsibility. It is designed to provide Marines with necessary skills that are unavailable or impractical through other language training means.

QUESTIONS SUBMITTED BY SENATOR LARRY CRAIG

Question. Since the war began, our efforts to bring stability to Iraq have shown great success in the Kurdish region in the north of the country. The peace and economic well-being of that region is threatened by cross-border attacks by separatist Kurds against Turkey, and the potential of a Turkish response across the Iraqi border. Additionally, we have heard this week that Iran has closed off major border crossings between Iran and Iraq's Kurdish region, a move that could have very negative impacts on the economy of that region.

What is being done to provide security for our Turkish allies, and to ensure that the Kurdish region remains a success story in Iraq?

Answer. Our goal in Iraq remains a unified, federal, democratic state at peace with itself and its neighbors. We are encouraged by the economic growth in Northern Iraq and we are confident this prosperity will spread through other regions. Likewise, we are pleased with the success of the recent Turkey-Iraq meetings and the resulting agreements on economics and counter-terrorism. The threat of terrorist attacks by the PKK is being addressed bi-laterally between Iraq and Turkey, as well as through a formal tri-lateral initiative to counter the PKK. The recent attacks resulting in the regrettable loss of 16 Turkish security personnel further highlight the importance of counter-terrorism efforts in the region.

Our efforts to provide security for our Turkish allies are mainly channeled through NATO. Turkey is entitled to defense by Alliance members under Article V of the NATO Charter. Our bilateral security relations are based upon mutual respect and inter-operability. They include billions of dollars in commercial and military weapons sales and combined training exercises. In fiscal year 2007, the United States provided over $3.5 million worth of training to Turkey to enhance its self-defense capabilities and for fiscal year 2008 we proposed an increase to $3.7 million. In addition, Turkey's Foreign Military Financing topped $14 million in fiscal year 2007, and $11.825 million has proposed for fiscal year 2008 (a small reduction has been suggested as Turkey has largely graduated from the need for financing). Finally, the United States and Turkey exchange intelligence on common threats and conduct annual staff talks at the service and joint levels to share best practices and plan future military-to-military and security cooperation activities.

Question. General Petraeus has signaled his intention to begin to draw down some of the surge forces, some to be leaving Iraq soon. The American people are rightly concerned about the escalating costs of this war, especially when the results on the ground from the beginning have not been what was expected.

After the surge forces are reduced next spring, do you anticipate the costs of this war to continue to rise or will we see a decline in funding requests?

Answer. The surge forces will start reducing in December and the combat brigades will return to their home stations by mid-summer. However, it would be premature to speculate about the future funding requests for the costs of the war. The conditions on the ground will continue to change and the Commanders on the ground will identify requirements for military personnel and military capability. We will continue to evaluate those requirements and work with Congress to respond to changing conditions.

Question. Congress and the Department of Defense seem to see the M–RAP (M-Wrap) vehicle as the way forward in defending against IED attacks in Iraq. This bill would add funding, I believe, to bring the total procurement level of MRAP vehicles to 8,000 MRAPs to be on the ground in Iraq some time next year.

If we can push this bill through Congress in a very timely fashion, how long will it take to get these vehicles on the ground? Also, what else is being done to prevent against IED attacks?

Answer. The funds requested will go toward fielding approximately 7,000 more Mine Resistant Ambush Protected (MRAP) Armored Vehicles in addition to the

8,000 MRAPs already procured. The original 8,000 vehicles should all be fielded by April 2008. We anticipate that vendors will begin delivery of the additional 7,000 vehicles in March 2008. Integration and installation of government-furnished equipment on the vehicles and subsequent transportation will add another 30 to 40 days to the schedule, resulting in the in-theater delivery of vehicles produced with these funds beginning in April 2008.

Protecting our personnel from Improvised Explosive Device (IED) attacks through additional fielding of MRAP vehicles is only one measure of protection. The Department follows a philosophy of Prevent and Protect. We continually monitor enemy activity and behavior with the intention of preventing attacks from happening. This monitoring is done through intelligence data gathering and reporting.

QUESTIONS SUBMITTED BY SENATOR SAM BROWNBACK

Question. Soldiers returning home from active duty are finding almost no support for the Iraqi translators who served with them in combat and have now had to flee their homes and their country due to their security situations. These Iraqi translators saved American lives and supported the U.S. war effort with courage and heroism. What impact do you think the government's lack of support for these Iraqi's has on the ability of the army to recruit more translators and drivers? What is the impact on the morale of the troops when their Iraqi combat veterans are not supported after their service?

Answer. The documented contract linguist records for Iraq since September 2006 reflect no negative impact attributable to lack of support. From September 2006 to October 2007, the Army reported a net gain of 817 Category I (uncleared) locally hired linguists. This period precedes and includes the February 2007 increase in linguist requirements associated with an increase in military forces. Contract linguist reports from April 2007, when the Army began to report local linguist recruiting, to the present, reflect a steady gain in the average weekly rate of hire.

This recruiting trend may be too brief to provide an accurate indication of the long-term impact. Additional impacts to linguist recruitment could be expected from local conditions and U.S. immigration policy. Recruitment could be affected by a recovery in the Iraqi local economy that provides employment at competitive rates or from increased violence that renders some locations too hostile for linguists to work there.

In July 2007, the U.S. Department of State announced an expanded special immigrant status for Afghan and Iraqi translators and interpreters. The policy temporarily increased the number of translators and interpreters allowed to immigrate annually from 50 to 500 for fiscal year 2007 and fiscal year 2008. The full effect of this policy over the past four months is unknown. While the Army does not track the number of persons who take advantage of this policy, the Army's incumbent linguist contractor has received 70 requests for verification of previous employment associated with immigration requests.

Additionally, the Army has not received indications of low morale in the current force as related to the situation in Iraq concerning condition of the translators. Upon separation from the U.S. military, the Iraqi translators recruited in country are no longer in support of the U.S. Army and have no formal relationship or feedback mechanism to the Army.

QUESTIONS SUBMITTED BY SENATOR WAYNE ALLARD

Question. Can you describe for us in what ways the funds provided in this supplemental will assist in the drawdown of U.S. Forces from Iraq proposed for next year? Will the delay or reduction of this funding affect proposed troop withdrawals?

Answer. This adjustment to our fiscal year 2008 GWOT request takes into account the President's announced intention to drawdown Army and Marine forces in Iraq. A delay or reduction in our proposed funding would seriously strain the Department's ability to support our forces fighting this war and to maintain the readiness of the rest of the military forces. I do not believe that a delay or reduction would affect the President's planned drawdown.

Question. Are the funds in this supplemental necessary for the construction of the new "Shocker" military base near the Iranian border? Will their delay or reduction affect the construction of that base? Can you elaborate on why you feel this base will be necessary and useful?

Answer. No military construction funds are requested for a new base near the Iranian border.

QUESTIONS SUBMITTED TO GENERAL PETER PACE

QUESTION SUBMITTED BY SENATOR FRANK R. LAUTENBERG

Question. The Pentagon and the Administration received a lot of criticism for the failure to adequately prepare for the situation in Iraq after major combat operations ended.

Is the Pentagon now preparing contingency plans for the eventual and complete redeployment of our combat forces out of Iraq?

Answer. In accordance with the Commander in Chiefs guidance on the way ahead in Iraq, forces are being re-postured based on recommendations from the commander in the field. Any decisions regarding redeployment of those forces will be conditions-based, and will be continually reevaluated based upon the assessment of the situation on the ground. Commander MNF–I and other military leaders are always conducting appropriate contingency planning to ensure we are prepared to quickly react to further guidance from the President or any emerging threat anywhere in the world.

QUESTIONS SUBMITTED BY SENATOR PETE V. DOMENICI

Question. General Pace, one of the areas I am especially interested in is the use of unmanned aerial vehicle (UVA's) as part of our country's defense and security efforts. Please tell us how UAV's are being used generally in Afghanistan and Iraq.

Answer. Unmanned aerial vehicles (UAVs) have proved indispensable from tactical to theater level operations. While Soldiers and Marines toss hand-held Ravens into the air to get a bird's eye view of their tactical situation, Global Hawk UAVs fly overhead at 60,000 feet supporting the theater commander's information requirements. UAVs provide an unblinking eye and in some cases a kinetic option to our combat forces. I believe our UAV assets will continue to increase in both quantity and quality, as they continue to be a significant and effective capability to our warfighters.

Question. Are you under the authority of one component commander in those theatres, or are they operated independently by the various units that have them, and what benefits or complications does this arrangement present?

Answer. Because UAVs operate across the full spectrum of operations, it is appropriate that tactical maneuver units control our smaller UAVs (Raven, Scan Eagle, and Shadow). Large UAVs like the Predator and Global Hawk support theater level operations and are controlled by the theater commander. Others, like the Army's Warrior UAV, operate in the seams between the tactical and theater level of operations while under the control of tactical commanders. Additional experience and analysis will determine what level of control best serves the needs of our warfighters.

Question. Can you tell us a little more about the military's efforts in Afghanistan and the funding request for that work?

Answer. The U.S. military operates under two different mandates in Afghanistan. They make up 14,000 of 38,000 troops in the International Security and Assistance Forces (ISAF) and 10,000 of 11,500 Operation Enduring Freedom (OEF) forces.

The ISAF troops conduct security assistance missions in the form of counter-insurgency operations through the employment of Infantry Brigade Combat Teams (IBCTs) and Provincial Reconstruction Teams (PRTs), where they work in partnership with Afghan National Security Forces and the Afghan government to bring stability, reconstruction and development to the Afghan people. This force is under the command of U.S. Army General Dan K. McNeil who operates under NATO.

Approximately two-thirds of the OEF forces focus on training and equipping both the Afghan National Army and the Afghan National Police under the command and control of the Combined Security Transition Command—Afghanistan (CSTC–A). The remainder of OEF forces include those who are working on development projects under the direction of the Corps of Engineers' Afghan Engineering District and Special Operations Forces who execute counter-terrorism missions.

The ANSF development is currently funded at $7.4 billion for fiscal year 2007 and the fiscal year 2007 supplemental; $2.7 billion is requested for the fiscal year 2008 GWOT.

QUESTIONS SUBMITTED BY SENATOR SAM BROWNBACK

Question. I understand that something like 60,000 people are being displaced inside Iraq every month. How does this displacement affect U.S. operations? What kind of humanitarian relief can the military provide to the displaced?

Answer. Perhaps the State Department could verify the specific numbers of Iraqis being displaced each month, but with regard to mission impact, there is negligible impact to U.S. Operations as a result of displaced Iraqi citizens. MNF–I and Iraqi Security Forces work closely with the Government of Iraq (GOI) to minimize the operational effects caused by the displacement of Iraqi citizens.

Humanitarian relief in Iraq is generally managed by GOI ministries with assistance and support from NGOs, IGOs, and U.S. Department of State representatives in Iraq. If required, the U.S. military has the capacity to provide short-term relief such as temporary shelter, food, water, and urgent medical care.

Question. Given the extensive evidence of Iranian involvement in Iraq, are we doing all we can to combat Iranian influence? Are there any restrictions on what U.S. troops can do to counter Iranian activities? Would listing the IRGC as a terrorist organization be useful for U.S. forces?

Answer. U.S. forces have and will continue to take appropriate action inside of Iraq against extremist networks regardless of what organization is behind them. The United States and Iraqi leadership now have a better understanding of the Iranian influence and we are addressing the issue by improving border security in key areas, targeting EFP networks, and pursuing Iranian sponsored militia extremists intent on undermining the legitimate government of Iraq. But with regard to the Iranian influence, we need to be very precise in how we articulate what we know to be fact. In some instances, when going after the networks, we have policed up some individuals who are in fact Iranian. Either the Iranian government has knowledge of this involvement, or they don't, and either instance is instructional. We are using our conventional forces and our Special Forces against the extremist networks, and I believe we have made a lot of progress over the last several months. Listing the IRGC as a terrorist organization would have significant positive and negative consequences, best addressed in a classified setting. For now, U.S. forces have the authorities they need to conduct operations inside Iraq and Afghanistan.

Question. Can the United States successfully counter Iranian influence in Iraq without striking targets inside Iran?

Answer. The United States and other countries are currently being effective against the Iranian influence inside Iraq. Beyond the kinetic work involved in pursuing extremist elements inside of Iraq, diplomacy is a key element in countering Iranian influence. Diplomatic efforts should not be considered the sole responsibility of the United States, but rather should include the active involvement of other countries in the region and around the world.

Question. What steps are being taken to counter Iranian arms shipments to Afghanistan? Will Iran be able to influence events in Afghanistan to the same degree they have done so in Iraq?

Answer. The mission to interdict enemy supplies is a normal subset of the both the ISAF counter-insurgency mandate and the OEF counter-terrorism mandate. Commanders at all levels in Regional Command West, Regional Command South, and Combined Special Operations Task Force—Afghanistan collect, analyze, and act on intelligence regarding how the insurgents receive weapons, ammunition, equipment and funding.

Question. Provide an update on the situation between Turkey and the Kurdistan region. What are we doing to reduce the threat of Turkish military intervention across the Iraq border? Are we getting sufficient cooperation from the Kurds against the PKK?

Answer. The situation in the border region between Turkey and the Kurdistan region remains tense. PKK terrorism is an integral security problem to the Turkish Government and an extremely emotional issue to the Turkish people. Nearly every Turk knows a relative or close friend that has either been killed or injured by the PKK terrorists.

The Department of Defense continues to work with the Department of State to encourage the Governments of Iraq and Turkey to meet and find ways to address the problem.

QUESTIONS SUBMITTED TO JOHN D. NEGROPONTE

QUESTIONS SUBMITTED BY SENATOR PATRICK J. LEAHY

Question. Your Supplemental request includes $931 million for Iraq reconstruction to continue Provincial Reconstruction Teams (PRT) programs, governance programs, the Community Action Program, increased prison capacity, and other items.

We are told the Maliki Government is reviled by many Iraqis who see it as anything but democratic, competent, honest or accountable. Do you agree with the reports that the Maliki Government is plagued by corruption and infiltrated with anti-American extremists, and apparently unwilling to make the compromises necessary for political reconciliation? If that's true, why should we support it?

Answer. Supporting the efforts of the Iraqi Government to create stability and effective, transparent governance in Iraq is in the interests of the United States because a stable and democratic Iraq, at peace with itself and its neighbors, is in the interests of the United States.

Political negotiations take time, but we are seeing progress. On August 26, Iraqi leaders, including Prime Minister Maliki, President Talabani, Vice Presidents Abdul Mahdi and Hashemi, and Kurdistan Regional Government President Barzani signed an agreement pledging cooperation on a number of key political issues. They found common ground on detainees, power sharing, and other pieces of legislation on which they had not been able to agree in the past. We have already seen progress since that meeting; the draft of the De-Ba'athification reform law (Law of Accountability and Justice) that those leaders agreed to at that meeting has been transmitted to the Council of Representatives.

How these recent political agreements by Iraq's political leaders will play out in the Council of Representatives is yet to be seen, but these developments are promising and may represent important steps towards resolution of these previously divisive issues. While progress has been slow, the Maliki government has been working to maintain the unity of Iraq in the context of reconciliation.

That said, it is true that corruption, a legacy of the Saddam era and a regrettable but, unfortunately, common occurrence in post-conflict states, remains endemic throughout the Iraqi government. In many cases, Iraqis have failed to put the nation's interests ahead of sectarian, tribal, and personal agendas, and one reflection of this has been pervasive corruption. While Prime Minister Maliki and other Iraqi officials and institutions have taken steps to combat corruption, there is much more to be done.

The USG and Iraqi government have instituted anti-corruption training and have put into place several systems to improve the monitoring and auditing of funds. Prime Minister Maliki has supported anti-corruption initiatives to clean up corruption in his administration.

Because public sector corruption is such an important concern, anti-corruption themes are an integral part of our governance programs in Iraq and are vital to the success of our mission there. From our efforts at the national ministries in Baghdad to our Provincial Reconstruction Teams (PRTs) around the country, we work with Iraqis to incorporate good governance, fiscal transparency, and accountability into public operations. Our PRTs incorporate anti-corruption themes and activities into their programs, including budget acquisition and accountability processing.

Three key entities in the Government of Iraq (GOI) fight corruption: the CPI, the BSA, and the Inspectors General (IGs). The USG works closely with Iraqis to strengthen those institutions. Just this year, the Iraqis created the Joint Anti-Corruption Council (JACC), which coordinates anti-corruption activities and discusses joint policy initiatives within the GOI.

The Iraqi CPI has conducted over 4,000 investigations and made several high-profile arrests, including the former Minister of Electricity, the Minister of Labor, and a number of officials of the Ministry of Oil. It has referred over 2,000 cases for prosecution to the Central Criminal Court of Iraq.

Prime Minister Maliki provided crucial support to the formation of the JACC. He also gave a direct order to an Iraqi General to clean up rampant corruption at the Bayji oil refinery that was funding insurgents, and allocated funding to an anti-corruption academy.

The GOI has taken another significant step to fight corruption by increasing domestic fuel prices to regional levels, as it pledged to do under Iraq's IMF Standby Arrangement. This action addressed a large source of corruption in Iraq and also helped to undercut the insurgency, for which profit from black market fuel sales was a major source of funding. The Iraqi Government has also instituted much more transparent procedures for its 2007 budget, which are making the ministries more accountable.

Question. We have poured billions of dollars into costly infrastructure projects, like the Basra hospital that will end up costing three times what we were initially told. What arrangements have you or the Iraqi Government made for maintaining and operating these facilities, so our investment does not go to waste?

Answer. As reconstruction in post-Saddam Iraq began, it became clear that long-term improvement in Iraqi public services required not only new and significantly rehabilitated infrastructure but also an improved capability to operate and maintain Iraq's infrastructure in a sustainable manner. The USG response to the latter requirement has been two-fold. For a transitional period, USG programs have directly supported operations and maintenance (O&M) activities, for example, through the purchase of spare parts. That transitional period is now complete in some areas and is drawing to a close in others.

To provide for the longer term, capacity development programs have enhanced the ability of Iraqi ministries to operate and maintain infrastructure after the period of USG support comes to an end. The capacity development programs focus both on ministry-level activities such as the execution of budgets and on plant-level O&M.

In the health sector, USG programs to supply advanced medical equipment include training in the use of the equipment, and for the Basrah Children's Hospital, Project Hope, a U.S. charity, is providing an important supplement to the USG programs by conducting training programs that will provide the hospital with the specialized staff it needs after it is completed at the end of 2008.

For the electricity sector, the availability of detailed operational data makes it possible to assess the impact of these programs in that sector. Electricity supply reached record levels during September and October of this year. Improved security and the addition of new or rehabilitated generating units contributed to the gains, but improved O&M was also an important factor. A higher percentage of the installed generation capacity was available to supply electricity, and the units that were available operated at a consistently higher level.

IRAQI REFUGEES REQUEST

Question. The U.N. High Commissioner for Refugees estimates that there are now 2.2 million Iraqis who are internally displaced inside Iraq, and another 2 million Iraqis who have fled to neighboring countries, mostly to Syria and Jordan which are unable to care for them.

Of these 4.2 million people who have been displaced from their homes, only about 1,500 have been admitted to the United States since 2003—829 of whom were admitted in fiscal year 2007.

In your fiscal year 2008 Supplemental request, you have asked for another $931 million for reconstruction programs in Iraq but only $35 million for Iraqi refugees. How do you explain such an obviously inadequate amount for a humanitarian catastrophe of this magnitude?

Answer. At the time that the Administration formulated and transmitted the original fiscal year 2008 Global War on Terror request of $35 million, refugees were returning to Iraq and the humanitarian situation was relatively stable. Since the formulation of the fiscal year 2008 budget in 2006, the number of Iraqis displaced by violence has increased substantially, severely straining neighboring countries' abilities to provide basic social services as well as local services in Iraq. A more robust USG humanitarian response is necessary to meet basic needs. As a result, the President submitted an additional request of $160 million for Migration and Refugee Assistance and $80 million for International Disaster and Famine Assistance, which, along with the original $35 million, totals $275 million in humanitarian funds requested for Iraqis in fiscal year 2008.

Needs continue to rise as Iraqis that are now leaving are generally from the lower socio-economic sectors of Iraqi society and have fewer resources to draw upon than those who fled the violence earlier. As a result, they are more vulnerable and reliant upon host government and donor support. At the same time, those who took refuge in neighboring countries earlier are depleting their savings, and are increasingly reliant upon external assistance. All these factors contribute to an increased number of Iraqi refugees needing assistance at levels higher than were anticipated at the time the fiscal year 2008 budget was developed. Particularly hard hit have been the education and health sectors in Jordan, Syria, and Lebanon. Responding now to these needs is critical to avoiding disorder and potential instability in neighboring countries. Failure to respond could result in further border closings that block the right to asylum, potentially resulting in refoulement of refugees. We agree that a robust USG humanitarian response is essential and appreciate Congressional consideration of the request for supplemental appropriations to respond to additional requirements in fiscal year 2008 as soon as possible.

IRAQI REFUGEE PROCESSING

Question. The Washington Post reported that Ambassador Crocker wrote a cable to you this month stating it could take the U.S. Government up to two years to process the 10,000 refugees referred to the United States by UNHCR because of "bureaucratic bottlenecks" at the Departments of State and Homeland Security. Unfortunately, Ambassador Crocker failed to mention this when he testified here last week, when we could have discussed it with him. These people's lives are threatened because of bureaucratic bottlenecks. Some of them are being killed for no other reason than that they worked as translators or in other capacities for the U.S. Government. Others are being targeted because they are academic scholars.

We read in the newspaper that Secretaries Rice and Chertoff just named special representatives to clear these logjams. Why has it taken so long, and why aren't the funds included in the budget, when Congress, the refugee organizations, and even people within your Administration, have been calling for this for so long?

Answer. When the Iraq admissions program was announced in February, there was no U.S. refugee processing infrastructure in place in either Jordan or Syria. From March to May, office space was identified, staff hired and trained, and host government permission was obtained to operate our program. During this same period, UNHCR geared up its own operations in the region. Our Overseas Processing Entities (OPEs) opened their doors in late May (Amman) and June (Damascus) and have been fully operational since then. Now that the necessary facilities and personnel are in place we expect that the number of Iraqis admitted to the United States will rise significantly.

It will not take the United States up to two years to process the refugees already referred to the U.S. Refugee Admissions Program. Despite the fact that, in the post 9/11 era, the worldwide average refugee processing time from referral to arrival is eight to ten months, we have expedited processing for Iraqi refugees and cut that time nearly in half for those who arrived in the United States in fiscal year 2007. For example, UNHCR began to refer significant numbers of Iraqis in Turkey for U.S. resettlement in March. First, our Overseas Processing Entity pre-screened the cases for DHS/USCIS interview and collected relevant data for requesting Security Advisory Opinions (SAOs), which generally require a minimum of 30–45 days to complete. USCIS, then interviewed these cases in May, and approved individuals began arriving in the United States in late July after medical screenings, DHS fingerprint checks, sponsorship assurances, and exit permissions were obtained. Larger numbers arrived in August. The total time between referral and arrival in the United States for these cases was four to five months unless cases were placed on hold pending security or medical clearances. For the first tranche of cases interviewed in Syria and Jordan, the total time between referral and arrival in the United States was five to six months. According to UNHCR, the wait time for registration interviews in Syria is approximately five months, while in Jordan it has been reduced to three weeks from four months.

Ambassador Foley, Secretary Rice's Senior Coordinator for Iraqi Refugee Issues, and Lori Scialabba, Secretary Chertoff's Special Advisor for Iraqi Refugee Issues, are working together with our partners (both domestic and international) to remove any obstacles that remain in the Iraqi refugee processing operation. The unique security and political situation in the region, where most Iraqi refugees are located, presents significant challenges to U.S. refugee processing, and they are working to address these challenges in order to expedite the process of consideration for resettlement to the United States of vulnerable Iraqis.

There is no need to request additional funds for establishing Ambassador Foley's position as Senior Coordinator for Iraqi Refugee Issues.

Question. There is no money in the Supplemental request for peacekeeping costs in Darfur, or, for that matter, to pay any of the arrears we owe for other U.N. peacekeeping missions. Since Secretary Rice and this Committee have identified the establishment of a U.N.-African Union peacekeeping mission in Darfur as an urgent priority, why is there nothing in this emergency Supplemental for what everyone recognizes is one of the world's worst humanitarian emergencies?

Answer. The Administration shares your concern about the situation in Darfur and has requested $723.6 million in the fiscal year 2008 Emergency Supplemental for the Contributions for International Peacekeeping Activities (CIPA) account to support the United Nations-African Union hybrid mission (UNAMID). The African Union peacekeeping mission in Darfur (AMIS) is in the process of transitioning to UNAMID. Under Security Council Resolution 1769, UNAMID has until no later than January 1, 2008 to assume responsibility for peacekeeping operations in Darfur. In addition, the resolution states that no later than October 2007, UNAMID "shall establish financial arrangements to cover troop costs for all personnel de-

ployed to AMIS." Future U.S. contributions to pay our assessed dues to the peacekeeping mission in Darfur will be paid through the CIPA account.

The United States also plans to provide funds to train and equip African troop-contributing countries who have been selected to participate in UNAMID. We plan to use funds appropriated under the Peacekeeping Operations (PKO) account in the fiscal year 2007 Supplemental to support the African Union mission for this purpose.

PAKISTAN

Question. President Musharraf forcibly deported a political rival, former Prime Minister Sharif, the same week you visited Pakistan for meetings with General Musharraf, whose popularity, like President Bush's, is at an all time low. He is seen by many as a dictator and a puppet of the United States who will do anything, including sacking the chief justice of Pakistan's Supreme Court and ignoring the Court's rulings, to ensure his hold on power.

At what point does our support for an unpopular foreign leader become a liability? Haven't we been down this road before, in Iran and Iraq, for example? We supported the Shah, we supported Saddam Hussein, and look at the huge price we have paid.

You called Pakistan's political crisis an "internal" matter, but do you not agree that it is also of immense importance to the United States? Over the past five years we have provided billions of dollars in military and economic aid to Pakistan. President Bush makes speech after speech about democracy and his "freedom agenda". Our international reputation is in tatters. According to press reports, in Turkey, a NATO ally, only 9 percent of the Turkish people have a positive opinion of the United States, down from over 50 percent before 9/11. In Pakistan, where President Musharraf is increasingly reviled, the public's opinion of the United States is no better. Nobody believes Musharraf acts on his own without U.S. support or acquiescence. If he succeeds in orchestrating his reelection by a rubber stamp Parliament he controls, people will believe it is our doing. At what point should we expect more progress on democracy and the rule of law in order for our financial support to continue?

Answer. Our policy on Pakistan has been clear. We asked Musharraf to lift the state of emergency as a prelude to holding free, fair and transparent elections, in which Pakistanis could decide who their leaders should be. Under President Musharraf, Pakistan has become a more moderate and more prosperous society than it has been in the past, with a government that shares many of our most basic strategic imperatives. The state of emergency imposed by President Musharraf has been a setback to progress toward democratic, civilian rule and made an independent judiciary more difficult. The President, the Secretary and the Deputy Secretary spoke out strongly against emergency rule before and after November 3, warning that it would impede Pakistan's progress toward civilian democracy and that it was not compatible with free, fair, and transparent elections. We urged the Pakistani Government to drop restrictions on the media, to cease harassing journalists, and to allow non-governmental organizations to operate freely. Our Embassy in Islamabad reports that most detainees have been released, including Asma Jahangir, founder and Chairperson of The Human Rights Commission of Pakistan, opposition leaders Imran Khan and Javed Hashmi, and 3,400 activists.

The President has also repeatedly stated his support for an open, democratic society in Pakistan. Secretary Rice also said, "Pakistan is going to be better served in fighting extremism by the development of democratic institutions." President Musharraf has begun to take promising steps toward a return to civilian democratic government by resigning as Chief of Army Staff on November 28, restoring the constitution by lifting the emergency December 15, and setting a January 8 date to hold parliamentary elections. The United States welcomes the opportunity to work with the government that the people of Pakistan choose.

We intend to focus on continuing assistance crucial to the War on Terror—namely our Tribal Areas development and security assistance strategy—while supporting basic education, health, micro-enterprise development, and democracy programs. We must continue to demonstrate our long-term commitment to the Pakistani people. We have conducted a thorough review of aid to Pakistan to ensure that this assistance meets U.S. foreign policy and national security goals. As a result of this review, we will projectize $200 million in budget support from the United States to the Government of Pakistan. This will more directly target assistance towards healthcare and education to better reach and help the Pakistani people.

AFGHAN RECONSTRUCTION

Question. Your Supplemental request includes $339 million for Afghanistan reconstruction to continue U.S. programs to build roads and expand electric power generation. Since 2001, the United States has provided $1.5 billion for road construction and $509 million for electric power. I am sure this has helped improve the lives of the Afghan people, but at the same time we hear that President Karzai is widely seen as a puppet of the United States, that his government is corrupt and ineffective, the opium trade has skyrocketed, the Taliban remains a menace, and many Afghans feel let down by the United States. On top of that, we apparently are no closer to capturing Osama bin Laden, dead or alive, than we were six years ago.

You were just there a week or so ago. How do you see it?

There really is no limit to how much we could spend in Afghanistan, and it would still be one of the world's poorest countries. How long do you think it will be before there is a government there has the trust and confidence of the Afghan people?

Answer. The fiscal year 2008 Supplemental Request totals $839 million. In addition to the $339 million requested for infrastructure, we have requested $500 million to address the systemic issues you raise. A strong government that provides security and garners the trust and confidence of the Afghan people is our end goal, and to get there, we need to press ahead on all elements of our counterinsurgency strategy, which consists of separating the people from the enemy, transforming the environment and connecting the people to the government.

The first two elements are well underway. The Afghan National Security Forces are undergoing modernization and joint operations with Coalition and NATO forces, and are making steady progress towards separating people from the enemy. The roads and power projects in the fiscal year 2008 Supplemental are critical to enabling the Government of Afghanistan to transform the environment to reach the people and provide them the basic services and economic opportunities that gain their trust.

It's the third element—connecting people to the government—that needs our increased attention. Good governance is delivery of security, rule of law, and other vital services to citizens in a manner that reflects democratic principles—and that leads them to side with their government, rather than with the insurgents, or to sit on the fence. Due to corruption, lack of institutional capacity, and insecurity, the government of Afghanistan has failed to bring good governance to many Afghans, especially at the sub-national level. This poses a significant risk to our mission, as weak governance is fuel to insurgents.

With the funding provided in the amended fiscal year 2008 Supplemental Request, we can seize on an opportune time to redouble our efforts at improving governance. There is a rare degree of consensus among the government of Afghanistan and donors that governance must be addressed. President Karzai himself identified governance as a critical concern and recently established the Office for Local Administration to make the Afghan government a reality in the lives of the people.

The Supplemental provides funding to improve: (1) government management, (2) government effectiveness, and (3) public trust. Government management efforts include technical assistance to the new Office of Local Administration, and a Provincial Governance Fund to provide resources for effective, participatory provincial development planning. The U.S. Agency for International Development's Capacity Development Program will build capacity in targeted ministries such as Education, Health, and Agriculture to improve common functions such as financial management and accountability. In addition, U.S. government support to the National Solidarity Program will also bolster small-scale initiatives identified by village-based Community Development Projects. Centering development on village concerns is central to winning the trust of the people.

The Supplemental request will help improve government effectiveness with expanded efforts to improve access to health care, education, and municipal services. Efforts to increase the capacity of municipalities to provide services such as trash collection and road cleaning will directly connect the government to the people in a visible, attributable manner. These efforts are also key to ensuring that the government can maintain the programs and infrastructure we have funded.

The U.S. government will help increase confidence in the government through outreach to traditional leaders, encouraging them to visit development projects and communicate their impact to the Afghan people. In addition, the Supplemental includes programs intended to improve the ability of the government of Afghanistan to provide justice at the sub-national level. Knowing that a reliable justice system exists to protect human rights goes a long way towards instilling public trust. The program will include rolling out the new administration system for Afghanistan's provincial and district courts, training Ministry of Justice staff in dispute-resolution

techniques, and conducting awareness campaigns on the rights of women in the Afghan legal system.

As you correctly assert, our objective is to help Afghans achieve a level of governance where security, rule of law, and other vital services are adequately provided in a transparent and responsive manner. The fiscal year 2008 Supplemental request will fund programs that take concrete steps towards achieving this goal.

Finally, we must remind ourselves that Afghanistan's omnipresent challenges make it easy to overlook the remarkable progress that has been achieved in the past six years. In recent polls collected by Charney Research (2432 respondents), sixty-seven percent of Afghan respondents rated President Karzai's performance as excellent/good. Fifty-one percent reported the country is headed in the right direction.

We should be careful not to let recent headlines obscure the lengthy list of political, economic, and reconstruction milestones already achieved. Presidential and National Assembly elections have been held, and the current parliament—Afghanistan's first seated legislature since 1973—is over twenty percent female. Afghanistan's leaders have steadily advanced economic policy, and annual growth is around fourteen percent of gross domestic product. Nearly six million boys and girls have returned to school and over sixty percent of Afghans have access to basic health care. The Afghanistan Compact was adopted by sixty nations in London in January 2006 and provides a roadmap between the Afghan Government and the international community, complete with benchmarks and timelines. Afghanistan and the international community have made immense progress. Continued U.S. and international investment is critical to capitalize on the many opportunities this progress provides and to counteract the very real and immediate threats.

Question. Six months ago the Department of Defense revamped the regulations regarding the issuance of Common Access Cards (CACs) to include only USG prime contractors, excluding previously covered American and other employees who are working for American nongovernmental organizations (NGOs) which are funded by State Department grants.

After this extended period, why aren't the new regulations yet in place and being implemented? When will the regulations be implemented?

Answer. After a process of interagency consultation and coordination with the involved members of the NGO community, appropriate new procedures for CAC issuance have been worked out to address the problems which had been identified. We are pleased to be able to inform you that the new regulations are currently being implemented.

Question. Lack of CACs seriously jeopardizes the safety, welfare and support of American grantees. Regular access to secure and basic services, such as medical care and the dining hall is absolutely critical in Iraq. What is the rationale for this change in policy to exclude American grantees and their employees? What can be done to correct this oversight so these employees can receive Common Access Cards?

Answer. We shared a concern with the issues noted above, and thus worked closely with the involved parties to bring the CAC issue to a successful resolution. The categories of employees cited above are now eligible to receive Common Access Cards.

Question. American NGOs must implement their programs with the assistance of local staff or third country nationals (TCNs). Is it possible to develop a system to grant TCNs limited access to U.S. facilities in Iraq, within security guidelines, that would facilitate TCNs completing their work for U.S. NGOs more safely?

Answer. As with the other categories of employees involved with USG programs in Iraq, TCNs may now receive limited access cards, issued by MNF–I, which provide access to facilities required for them to undertake their work.

Question. There appears to be confusion regarding the temporary 90-day waiver to temporarily renew CACs for grantee staff that previously held CACs. What is the bottleneck, especially if the State Department is responsible for approving the staffs of their grantees? We have heard of instances where after lengthy negotiations to obtain the waiver, the CACs have not yet been issued. Which individual or bureau within the State Department has the primary responsibility for this process?

Answer. A system has been recently established to provide CAC cards to grantees and CAC cards are being processed for grantees now. Any grantee or grantee organization for which the new process is unclear is encouraged to contact their grant administrator, which is the first office that initiates the process for a grantee to obtain a CAC card and which can clarify and assist in this process.

Question. Some NGOs have been told that in order to receive a CAC, American employees must return to Washington to initiate the clearance. Considering the urgency in getting CACs into the hands of those who urgently need them, why must American staff travel to Washington? The time and expense alone would be cost-

prohibitive in normal circumstances, but considering the extreme situation in Iraq, this doesn't make sense. What's being done to expedite clearances?

Answer. To address this issue, officials of the Department of State and USAID traveled to Iraq and collected the fingerprint cards of a large number of grantees to avoid the requirement for grantees to travel to the United States to initiate the CAC clearance process. In the future, fingerprints can be taken in Iraq and grantees can apply on-line, so that they will not have to return to the United States to initiate this process.

UIGHERS

Question. I know you are aware of the Uighurs who are detained at Guantanamo. They were reportedly sold to U.S. forces by Pakistani bounty hunters for $5,000 each, nearly five years ago. It has now been far longer than a year since the U.S. military determined that these men were not enemy combatants and should be released. Yet while some have been released and are now in Albania (where they do not speak the language and face many obstacles to rebuilding their lives) the rest are still imprisoned. U.S. officials, including Secretary Powell before you, have said that the United States will not return these men to their native China for fear that they would be tortured by the Chinese. What are you doing to correct this tragic mistake and find another country in which to resettle these men? How do you justify continuing to imprison innocent people who apparently pose no threat to Americans, rather than allow them to resettle in the United States if no other country is willing to accept them?

Answer. Without getting into the circumstances of their capture, the Uighurs remaining at Guantanamo Bay have all been determined to be "Enemy Combatants" by DOD through the Combatant Status Review Tribunal process and are being lawfully detained as such. The five Uighur individuals who were determined to be "No Longer Enemy Combatants" were transferred in 2006 to Albania, which has thus far been the only country willing to accept Uighurs detainees from Guantanamo for resettlement.

Although it remains lawful for the United States to detain the remaining Uighur detainees as enemy combatants, we have made clear that we do not wish to be the world's jailer, and that we are making efforts to transfer or release detainees who are determined to pose a sufficiently low threat to the United States and its allies. In cases where we are unable to do so because of security or humane treatment concerns, we seek third-country resettlements. In the case of the Uighur detainees who are eligible for transfer or release, I believe that our efforts to find suitable third country placements have been hampered by a general lack of will on the part of other countries to become involved with a politically very sensitive issue, and by specific concerns that accepting Uighur detainees for resettlement could cause bilateral friction with China. We are continuing to pursue resettlement options at senior diplomatic levels but it is unclear whether these efforts will meet with success.

There are a number of factors that have precluded the resettlement of eligible Uighur detainees in the United States, including legal obstacles that would be most appropriately discussed with the Department of Homeland Security and the Department of Justice. I also note the sense of the Senate, "that detainees housed at Guantanmo Bay, Cuba, including senior members of Al Qaeda, should not be released into American society . . .", as expressed during a 94–3 vote on the McConnell Amendment on July 19, 2007.

QUESTIONS SUBMITTED BY SENATOR RICHARD J. DURBIN

Question. How many companies has DOS contracted with to provide security in Iraq? In Afghanistan? How many people does each of these companies have employed in each country? How much is each contract worth and what is the duration of each?

Answer. The Office of Acquisition Management awarded three contracts for personal protective services in response to the WPPS II solicitation as shown below:

—Blackwater, USA—S–AQMPD–05–D–1098

—DynCorp International—S–AQMPD–05–D–1099

—Triple Canopy, Inc.—S–AQMPD–05–D–1100

Each contract has a value of up to $1.2 billion for a total of $3.6 billion for the entire WPPS work effort. Individual Task Orders are issued for personal protective services at various locations. Each Task Order has a base performance period of 12 months with four one year options.

The approximate current annual costs under WPPS II contracts for work performed in Afghanistan and Iraq are as follows:

	Amount
Blackwater, USA Iraq	$315,123,902
Blackwater, USA Iraq, Aviation	112,581,657
Blackwater, USA Afghanistan	37,004,855
DynCorp Int. Iraq	38,513,713
Triple Canopy, Inc. Iraq	50,470,849

These costs do not include the contractor Local Program Management Offices (LPMO) located in the WDC area. The personnel working in the LPMO interface daily/weekly with the High Threat Protection (HTP) Division of the Office of Overseas Protective Operations and the meet the Contracting Officer on a weekly basis. All three contractors provide security services in Iraq. However, Blackwater, USA is the only contractor providing WPPS security services in Afghanistan.

Each company has personnel deployed as follows:

Blackwater, USA has the following Iraq and Afghanistan WPPS Task Orders:

Task Order 4—Kabul, Afghanistan (Blackwater, USA)

In 1st option year: February 8, 2007 to February 7, 2008

Authorized Staffing: 119 personnel (78 Protective Security Services (PSS)/21 support/20 guards)

Task Order 6—Baghdad, Iraq (Blackwater, USA)

In 1st option year: May 8, 2007 to May 7, 2008

Authorized Staffing: 645 personnel (494 PSS/100 support/51 guards)

Task Order 8—Al-Hillah, Iraq (Blackwater, USA)

In 1st option year: August 5, 2007 to August 4, 2008

Authorized Staffing: 197 personnel (71 PSS/11 support/115 guards)

Task Order 10—Iraq Aviation (Blackwater, USA)

In base year: September 4, 2007 to September 3, 2008

20 helicopters, operations to start late November 2007

Authorized Staffing: approximately 241 personnel

Total Authorized Staffing:

Blackwater, USA Iraq personnel: 842

Blackwater, USA Afghanistan personnel: 119

Blackwater, USA Iraq aviation: approximately 241 (not yet deployed)

Triple Canopy, Inc. has the following Iraq WPPS Task Orders:

Task Order 7—Basrah & Tallil, Iraq (Triple Canopy, Inc.)

In 1st option year: August 5, 2007 to August 4, 2008

Authorized Staffing: 275 personnel (76 PSS/27 support/172 guards)

(Recently reduced number of personnel at post due to transition from Basrah to Basrah Air Station.)

DynCorp Int. has the following Iraq WPPS Task Orders:

Task Order 9—Kirkuk & Erbil, Iraq (DynCorp Int.)

In 1st option year: August 5, 2007 to August 4, 2008

Authorized Staffing: 144 personnel (75 PSS/17 support/52 guards)

Additionally, the Office of Acquisition Management awarded Embassy Security Force Contracts in Iraq and Afghanistan to:

IRAQ

Baghdad Embassy Guard Contract (Triple Canopy, Inc.)

In 2nd option year: July 20, 2007 to July 19, 2008

Performance period cost: $105 million

Authorized Staffing: 1,740 personnel (1,711 guards/29 support)

AFGHANISTAN

Afghanistan Embassy Guard Contract (ArmorGroup North America)

In base year: July 1, 2007 to June 30, 2008

Performance period cost: $40 million

Authorized Staffing: 629 personnel (532 guards/97 support)

The Office of Acquisition Management awarded three contracts for Civilian Police (CivPol) programs in various countries (including Iraq and Afghanistan), which are managed by the Department's Bureau for International Narcotics and Law Enforcement Affairs. These contracts are for advisory and life support services, but include

security elements (protective services primarily for contractor personnel and facilities). These contractors and contract vehicles are:

—DynCorp Int'l (DI), S–LM–AQM–04–C–0030

—Civilian Police Int'l (CPI), S–LM–AQM–04–C–0032

—PAE-Homeland Security Corp (PAE–HSC), S–LM–AQM–04–C–0033

Each contract has a ceiling value of up to $5 billion. Individual Task Orders are issued for civilian police services at various locations. Each Task Order has a base performance period of 12 months with four one year options.

IRAQ:

DynCorp International (DI)

As of October 2007: 256–276 security personnel total (65 Physical Security Personnel, 131 Personal Security Detail (PSD) personnel, and 60–80 subcontracted local nationals providing reconnaissance for PSD movements).

Task Order S–AQMPD–05–F–1436, Iraq 9 Extension, POP 10 (June 1, 2007-November 30, 2007): $32,098,620

65 Physical Security Personnel, 131 PSD personnel, and 60–80 subcontracted local nationals providing reconnaissance for PSD movements

(Note: Numbers of personnel and dollar values are for security services only and do not represent the entire value or scope of the Task Order)

AFGHANISTAN:

DynCorp International (DI)

As of October 2007: 920 security personnel total (908 Physical Security Personnel and 12 PSD personnel).

Task Order 4305, Afghan Police Program (September 1, 2007-August 31, 2008): $95,045,226.00

824 Physical Security personnel and 8 PSD personnel

(Note: Numbers of personnel and dollar values are for security services only and do not represent the entire value or scope of the Task Order)

Task Order 1076, Poppy Eradication Force (October 1, 2007-September 31, 2008): $26,053,764.00

84 Physical Security personnel and 4 PSD personnel

(Note: Numbers of personnel and dollar values are for security services only and do not represent the entire value or scope of the Task Order)

Civilian Police International (CPI)

As of October 2007: 115 security personnel total (66 Physical Security Personnel and 49 PSD personnel).

Task Order A266, Poppy Elimination Program (March 28, 2007-March 27, 2008): $3,600,000

66 Physical Security Personnel and 49 PSD personnel

(Note: Numbers of personnel and dollar values are for security services only and do not represent the entire value or scope of the Task Order)

Pacific Architects and Engineers (PA&E)

As of October 2007: 144 security personnel total (87 Physical Security Personnel and 57 individuals assigned to PSD personnel).

Task Order 2737, Justice Sector Support Program (March 31, 2006-March 30, 2008): $3,000,000

54 Physical Security Personnel and 24 PSD personnel

(Note: Numbers of personnel and dollar values are for security services only and do not represent the entire value or scope of the Task Order)

Task Order A294, Corrections System Support Program (March 6, 2007-March 5, 2008): $1,900,000

33 Physical Security Personnel and 21 PSD personnel

(Note: Numbers of personnel and dollar values are for security services only and do not represent the entire value or scope of the Task Order)

Task Order 0885, U.S. Drug Enforcement Administration Support (March 25, 2007-March 24, 2008): $1,000,000

12 PSD personnel

(Note: Numbers of personnel and dollar values are for security services only and do not represent the entire value or scope of the Task Order)

Question. Is there an office within DOS that is responsible for the oversight of private security contractors? What is the procedure when a contractor fires a weapon? What is the procedure when a contractor shoots someone?

Answer. Is there an office within DOS that is responsible for the oversight of private security contractors?

Diplomatic Security (DS) utilizes a two-part (parallel and mutually supportive) oversight structure. It is composed of a post mechanism and a Washington (via contract program office) mechanism.

The DS Regional Security Officer (RSO), in conjunction with the Deputy RSO and the Assistant RSOs in the High Threat Protection (HTP) section, at post provides general oversight and manages the operations of security contractors. The post's HTP staff is responsible for all protective operations under Chief of Mission authority. The RSO oversees a number of DS Agents who are assigned to provide oversight of the protective operations which are accomplished by both DS special agents and PSS contractors. Additionally, the Kennedy Panel recommendations to deploy DS Special Agents to all motorcades; install exterior video and audio recording equipment in all vehicles; utilize audio recording equipment in the Tactical Operations Center (TOC); and establish an Embassy Joint Incident Review Board, will ensure the highest level of accountability for the Department's WPPS protective security contractors in Iraq. Enhancements in Iraq will be evaluated and considered for deployment to WPPS contractors operating in other countries as appropriate.

The DS HTP program office, the Baghdad and Kabul guard force Contacting Officer's Representative (COR), and the Office of Acquisitions Management share responsibility for overseeing the respective contracts. The DS HTP program office, the Baghdad/Kabul guard force COR, and the Contracting Officers (in Washington) meet weekly with contractor management and conduct periodic Program Management/Contract Compliance Reviews of task order operations at posts. In addition, the DS HTP program office conducts announced and unannounced visits to contractor training facilities to monitor compliance with contract training requirements.

Other State Department contracts in Iraq and Afghanistan include force protection and Personnel Security Detail elements primarily to protect contractor operations and staff. These contracts are overseen by individual Bureaus' contract administration staff, Embassy officers, and the Department's Bureau of Administration.

Question. What is the procedure when a contractor fires a weapon? What is the procedure when a contractor shoots someone?

Answer. PSS contractors working under the WPPS contract are required to immediately report operational incidents of weapons discharges, attacks, serious injury, or death. Contractors are also required to report incidents of a negative nature, including incidents that would reflect negatively on the United States, the State Department, RSO, or the contractor. Each Post has a Chief of Mission approved post specific Mission Firearms Policy that includes reporting requirements for weapons discharges. The RSO, Contracting Officer, and the program office receive such notifications simultaneously.

Significant incidents involving WPPS security contractor personnel will be reviewed by the Embassy Joint Incident Review Board to ensure that specific use of force incidents are consistent with Department policies. Incidents of security personnel misconduct are addressed through procedures in accordance with our contractual arrangements.

For non-DS contracts in Iraq and Afghanistan that include force protection and Personal Security Details, contractual requirements and corporate policies govern incident reviews in the event a weapon is discharged or in the event of injury or loss of life.

Question. Are private security contractors working for DOS liable under U.S. law for their actions in Iraq and Afghanistan?

Answer. The Department of State must defer to the Department of Justice (DOJ) to provide an opinion as to the extraterritorial application of U.S. criminal laws generally or the Military Extraterritorial Jurisdiction Act in particular. The Department of Justice is the Executive Branch agency charged with deciding whether to prosecute someone for violating U.S. law, and it would be up to DOJ in the first instance to judge whether jurisdiction exists under a given set of circumstances. Additionally, the issue of whether U.S. criminal jurisdiction applies to the conduct of Department of State security contractors overseas also depends very much on the facts at issue in any particular case.

Question. What is the procedure if a private security contractor is suspected of having committed an unjustified or criminal shooting in Iraq or Afghanistan? Have any been investigated for this? Have any been prosecuted?

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discharges. The RSO, Contracting Officer, and the program office receive such notifications simultaneously.

The Kennedy Panel recommendations to deploy DS Special Agents to all motorcades; install exterior video and audio recording equipment in all vehicles; utilize audio recording equipment in the Tactical Operations Center (TOC); and establish an Embassy Joint Incident Review Board, will ensure the highest level of accountability for the Department's WPPS protective security contractors in Iraq. Enhancements in Iraq will be evaluated and considered for deployment to WPPS contractors operating in other countries as appropriate.

Significant incidents involving WPPS security contractor personnel will be reviewed by the Embassy Joint Incident Review Board to ensure that specific use of force incidents are consistent with Department policies. Incidents of security personnel misconduct are addressed through procedures in accordance with our contractual arrangements.

In Iraq, nine (9) personnel have been removed from the WPPS program for shootings not in accordance with the Rules of Engagement in the Mission Firearms Policy. Based on a Program Office review, two individuals that had been removed from the WPPS program after a 2005 incident, were declared eligible to return to WPPS. As of October 3, 2007, neither individual has returned to the program.

One incident, which occurred on December 24, 2006 in Iraq, is under review by the Justice Department. The September 16, 2007 incident in Iraq is currently under investigation.

One individual, employed in Iraq by Triple Canopy Inc. under the Baghdad Embassy Security Force contract, was removed due to the discharge of a weapon. The incident occurred on 11/07/05 and involved a Third Country National guard who, during an indirect fire attack, discharged his weapon at a vehicle from which the guard believed an RPG had been fired. There were no injuries as a result of this incident.

Three (3) WPPS personnel have been investigated and/or removed from the program for violation of the Mission's Firearms Policy in Afghanistan.

Question. What Rules of Engagement do private security contractors working for DOS operate under?

Answer. The WPPS base contract and guard contracts require all security personnel to follow the Mission Firearms Policy of the post to which they are assigned. Any use of force by security personnel in the course of operations must comply with this policy. Other Department contractors follow Rules on the Use of Force (RUF) policies, as opposed to "rules of engagement." RUF policies are stipulated in contracts and other corporate policies, and/or any additional rules which may be imposed on private contractors by the relevant military command in an area of operation.

Embassy Mission Firearms Policies are defensive in nature, while at the same time taking into account specific circumstances surrounding our security operations in an active war or high threat zone. The Mission Firearms Policy is founded upon the Department of State's respect for the paramount value of all human life, and our commitment to take all reasonable steps to prevent the need to use deadly force. Accordingly, the touchstone of the policy is necessity; deadly force can only be used in situations where there is no safe alternative to using such force, and without which the security personnel and the individuals they are charged with protecting would face imminent and grave danger. The Iraq Mission Firearms Policy is based on the Department of Justice's Deadly Force Policy and is attached below for review. It is requested that this policy not be disseminated without permission of the Department as it contains sensitive operational guidelines for security personnel responsible for the protection of Chief of Mission personnel.

QUESTIONS SUBMITTED BY SENATOR PETE V. DOMENICI

Question. Mr. Secretary, I share Ambassador Crocker's frustrations about the slow pace of progress by the Iraqi government to achieve national reconciliation. That is unacceptable and Iraq must do more. What actions is the Department of State taking to move the Iraqi government towards national reconciliation?

Answer. After more than three decades of tyranny and division, achieving national reconciliation in Iraq is an enormous undertaking. The United States cannot force national reconciliation upon the Iraqis; the Iraqis themselves must decide to pursue reconciliation actively. However, some recent progress has been made in this direction. At the United Nations in September, Prime Minister al-Maliki acknowledged the need for reconciliation, and on August 26, Iraqi leaders, including Prime Minister al-Maliki, President Talabani, Vice Presidents Abd al-Mahdi and Hashemi,

and Kurdistan Regional Government President Barzani, signed an agreement pledging cooperation on a number of key political issues. Subsequently, agreement was reached on a new de-Baathification reform law that was sent to the Council of Representatives (CoR) for consideration. The leaders also found common ground on detainees, power sharing, and other pieces of legislation on which they have not been able to agree in the past. We support these positive developments; and President Bush, Secretary Rice and U.S. officials at all levels continue to make it clear to the Iraqis that progress on these legislative benchmarks, which the Iraqis set for themselves, is essential.

We continue to help in creating an atmosphere in which Iraqis can focus on reconciliation by seeking to neutralize regional interference in internal Iraqi politics and enhance regional and international support for reconciliation. For example, we strongly support the new Special Representative of the Secretary-General in Iraq, Staffan de Mistura, and the new expanded mandate for the U.N. Assistance Mission in Iraq (UNAMI), which includes facilitating national reconciliation efforts and regional dialogue. We will also continue to assist Iraqis in consolidating positive developments at local levels and in linking up local and national efforts. Finally, we will continue to help Iraqi security forces provide the stability and security necessary to allow Iraqis to focus on the important work of reconciliation.

Question. What actions can Congress take to encourage the Iraqi government to move forward with national reconciliation?

Answer. As President Bush stated in his September 13, 2007 address to the nation on the Way Forward in Iraq, securing the Iraqi population is the foundation for all other progress and Iraqis need to feel safe in their homes and neighborhoods in order to bridge sectarian divides. Congress can help by continuing to provide crucial funds and resources for our military and civilian efforts and by joining the President in supporting the troop levels General Petraeus has recommended. These steps will allow our military to continue to improve security and train Iraqi forces to maintain it, which will, in turn, allow the Government of Iraq to continue to focus on national reconciliation.

As the level of violence has slowly declined in Iraq, we have begun to see some political progress. For example, on August 26, Iraqi leaders, including Prime Minister al-Maliki, President Talabani, Vice Presidents Abd al-Mahdi and Hashemi, and Kurdistan Regional Government President Barzani signed an agreement pledging cooperation on a number of key political issues. Congress can encourage such progress by continuing to make clear that the U.S. supports a unified Iraq that is stable and secure and resolves differences through discussion and compromise.

QUESTION SUBMITTED BY SENATOR LARRY CRAIG

Question. Secretary Rice has been focusing quite a bit of attention on the problems in the Middle East, not just Iraq but on other large regional issues. I firmly believe that allowing Iraq to fall deeper into turmoil would further upset the balance of power in the Middle East, giving Iran a free-hand to impose its will upon smaller Middle Eastern States.

What efforts are being done diplomatically to gain support for our Iraq efforts among moderate Middle Eastern countries, and what kind of support can we hope for from these moderate countries?

Answer. Both U.S. and Iraqi officials continue to engage Iraq's neighbors bilaterally and in international forums to gain support for efforts in Iraq. One example of this is the Expanded Neighbors process. On November 2–3, Secretary Rice will attend an Expanded Neighbors Ministerial in Istanbul. This Ministerial provides an important venue to encourage Iraq's neighbors to play a helpful role in Iraq and is a follow-on to a successful Expanded Neighbors Conference held in Sharm El-Sheikh, Egypt on May 4. That Ministerial resulted in the creation of three working groups (energy, refugees, border security) and in a final communiqué in which participants committed to, among other things, support the efforts of the Government of Iraq to strengthen national unity, to reaffirm their obligations to combat terrorist activities, and to prevent the use of their territory by terrorists for supplying, organizing, and launching terrorist operations.

Secretary Rice, Ambassador Crocker, and U.S. officials at all levels also regularly meet with representatives of regional states, such as Turkey, Jordan, and Saudi Arabia, to encourage these states to support Iraq as it seeks stability and security.

Iraq's neighbors understand that stabilizing Iraq is crucial to regional security and, with the exception of Iran and Syria, they are engaged in helping to stabilize Iraq. In August, an Iraqi delegation headed by Iraqi National Security Advisor Ruba'ie traveled to Jordan to improve security coordination and intelligence sharing;

PM al-Maliki visited Damascus and Ankara to sign security and economic memoranda of understanding with both Syria and Turkey; and the Government of Saudi Arabia sent a delegation to Baghdad to explore potential sites for a new embassy. Regional states have also contributed to the formation of the International Compact with Iraq, an initiative co-chaired by the United Nations and Iraq, to provide an ongoing mechanism to support and assist Iraq as it works to build a stable and prosperous nation and a self-sustaining economy. At the May 3 launching of the Compact in Sharm el-Sheikh, Saudi Arabia pledged to reduce Iraq's Saddam-era debt at least on the same terms as Paris Club creditors (by 80 percent).

QUESTIONS SUBMITTED BY SENATOR SAM BROWNBACK

Question. Earlier this year, Secretary Rice created a task force to deal with the Iraqi refugee crisis—what concrete impact has the task force had? Can you cite explicit recommendations or policy proposals put forth by the task force?

Answer. The Iraq Refugee and Internally Displaced Persons Task Force, chaired by Under Secretary for Democracy and Global Affairs Paula Dobriansky, has brought together key players from the State Department, the NSC, the Department of Homeland Security, USAID, and the Department of Defense to coordinate assistance efforts for internally and externally displaced Iraqis.

Task Force discussions have resulted in expediting initiatives to assist and protect Iraqi refugees and IDPs. Specifically, the Task Force has assisted UNHCR and NGOs in the region in providing direct assistance to refugees in host countries, has finalized security vetting procedures for Iraqi refugees (necessary for resettling refugees in the United States), and has garnered interagency support for draft legislation that will allow Iraqi locally employed staff to apply for Special Immigrant Visas after one year of service with the United States Government.

Question. As certain Iraqi provinces are closing their borders to Iraqi civilians, there are concerns of the proliferation of refugee camps. Who is providing security for such camps? What is the role of the U.S. government in establishing and protecting these camps? How has the military handled encounters with Iraqi civilians who are fleeing sectarian violence?

Answer. We are aware of reports and statements by officials concerning restrictive measures placed on movements of internally displaced persons (IDPs). These restrictions may be motivated by reasons of security, political considerations, and/or saturation capacity. However, the State Department has not received information confirming governorate border closings, road blocks, or check points.

Refugee camps for Iraqis are settlements established outside Iraq, such as in Jordan or Syria. With respect to organized IDP camps inside Iraq, a July 2007 IDP camp assessment conducted by the International Organization for Migration (IOM) states that 13 IDP camps were assessed in the 15 central and southern governorates, some established by the Government of Iraq and some established by the Iraqi Red Crescent (IRC) Organization. These settlements are under the responsibility of the Iraqi government and the IRC organization, which provide shelter and security for IDPs according to the IOM. Three additional camps in the northern governorates were identified but not assessed. USAID and UNHCR continue to discourage the establishment of IDP camps and consider such an approach to be a last resort option.

USAID partners are aware of additional "makeshift camps" or group settlements and believe the existence of these makeshift camps is probably related to the same governorates refusing registration to certain IDPs due to ethnicity. According to UNHCR, the major needs of IDPs living in group settlements are access to clean water and safe sanitation, adequate shelter, healthcare, safety, as well as employment opportunities. Due to the rapid IDP movement in and out of these spontaneous living areas, it is unclear how many IDPs are staying in the group settlements. USAID partners' emergency distributions (food, non-food items, water) target IDPs who are living in these group settlements.

The U.S. military does not impede the movement of Iraqis who are escaping violence in Iraq. Support to refugee/internally displaced persons operations is not part of the mission of Multi-National Forces—Iraq. At the tactical level, commanders sometimes provide life-saving, humanitarian relief to displaced persons as circumstances require.

Question. When Iraq is stabilized to the degree where U.S. troops can be withdrawn, would you advocate for the voluntary return of the estimated 2.5 million Iraqi refugees? If not, what do you believe would be the best solution for these people?

Answer. The Office of the U.N. High Commissioner for Refugees (UNHCR) estimates that there are 2.2 million Iraqi refugees. The vast majority of Iraqis displaced in the region intend to return to Iraq once the security situation improves. The United States Government strongly supports the voluntary repatriation of Iraqi refugees and is working with the Government of Iraq to improve security conditions to make their return possible.

Question. What impact is the large scale displacement of Iraqi civilians having on the success of reconstruction and stabilization programs? How is the large scale movement of Iraq's middle class affecting your ability to find Iraqi professionals for reconstruction projects?

Answer. The large scale displacement of Iraqi civilians contains a disproportionate amount of Iraq's entrepreneurs, managers, professionals and educated people. Displacements as well as emigrations have reduced the pool of Iraqi professionals available for reconstruction projects. While figures quantifying the impact of this loss to the Iraqi economy are unavailable, we believe it is considerable.

Question. What is the Administration's regional approach to the Iraqi refugee problem?

Answer. To address the growing humanitarian crisis of Iraqi displacement, we have pushed international humanitarian agencies and NGOs toward greater engagement inside Iraq and in neighboring countries, and we have worked closely with neighboring governments to provide assistance and protection to displaced Iraqis. United Nations, International Organizations, and NGO appeals for displaced Iraqis increased from $62.5 million in 2006 to $385 million in 2007. Simultaneously, the USG (State Department and USAID) has increased its humanitarian assistance for displaced Iraqis from $43 million in fiscal year 2006 to almost $200 million available in fiscal year 2007.

In addition to significantly increasing our humanitarian assistance, we are closely engaged with regional governments. The State Department's Bureau of Population, Refugees and Migration Assistant Secretary Ellen Sauerbrey visited the region twice in 2007 to encourage neighboring countries to admit displaced Iraqis and work with international organizations to provide them assistance and protection. We regularly engage with regional governments on Iraqi refugee issues through our embassies and in international forums. The USG provided $10.3 million in direct assistance to the Government of Jordan to support Iraqi refugees in Jordan and $650,000 to World Food Program operations for Iraqi refugees in Syria. We demarched Gulf and European states to increase their humanitarian assistance to Iraqi refugees. After this demarche, the United Arab Emirates made a $10 million contribution to UNHCR for its programs in Syria. We also continue to push the Government of Iraq to fulfill its $25 million pledge to support displaced Iraqis.

Through our contributions to international organizations and NGOs, the USG is involved in providing assistance and protection to displaced Iraqis. This year we have focused heavily on education. We contributed $39 million to the $130 million UNHCR/UNICEF Joint Education Appeal, and we have worked with regional governments, especially Jordan, to ensure that Iraqi children would be permitted to enroll in school regardless of the legal status of their parents. In the coming fiscal year we plan to give increased attention to health. Recently a number of U.N. humanitarian agencies, including UNHCR, WHO, UNICEF, and UNFPA, issued an $85 million health appeal for Iraqi refugees. We plan to contribute generously to this appeal.

The USG has also expanded resettlement processing capacity in order to provide this option for particularly vulnerable Iraqi refugees in neighboring countries. In February 2007, the USG had virtually no refugee processing infrastructure in the two major asylum countries, Syria and Jordan. From March to May, U.S. Refugee Admissions Program (USRAP) overseas processing entities have located and leased space in Jordan and Syria for processing, hired and trained local and international staff, and prepared cases for presentation to DHS/USCIS. At the same time, UNHCR geared up its own operations in the region. The USG completed interviews of some 4,500 Iraqis by the end of fiscal year 2007 and will continue interviews on an accelerated basis in fiscal year 2008, assuming cooperation and support of host governments. In fiscal year 2007, 1,608 Iraqi refugees were admitted, and we anticipate admitting some 12,000 Iraqi refugees during fiscal year 2008.

CONCLUSION OF HEARING

Chairman BYRD. Thank you, Senator Cochran. Thank you, Secretary Gates. Thank you, all of our witnesses.

The committee is recessed.

[Whereupon, at 5:05 p.m., Wednesday, September 26, the hearing was concluded, and the committee was recessed, to reconvene subject to the call of the Chair.]

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