

Mr. BYRD. Mr. President, I ask unanimous consent that I may proceed out of order for as much time as I may consume.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BYRD. Mr. President, I do not expect to speak overly long. I think I should be able to complete my statement in 20 minutes.

#### HOW SADDAM HAPPENED

Mr. BYRD. Mr. President, yesterday, at a hearing of the Senate Armed Services Committee, I asked a question of the Secretary of Defense. I referred to a Newsweek article that will appear in the September 23, 2002, edition. That article reads as follows. It is not overly lengthy. I shall read it. Beginning on page 35 of Newsweek, here is what the article says:

America helped make a monster. What to do with him—and what happens after he is gone—has haunted us for a quarter century.

The article is written by Christopher Dickey and Evan Thomas. It reads as follows:

The last time Donald Rumsfeld saw Saddam Hussein, he gave him a cordial handshake. The date was almost 20 years ago, Dec. 20, 1983; an official Iraqi television crew recorded the historic moment.

The once and future Defense secretary, at the time a private citizen, had been sent by President Ronald Reagan to Baghdad as a special envoy. Saddam Hussein, armed with a pistol on his hip, seemed "vigorous and confident," according to a now declassified State Department cable obtained by Newsweek. Rumsfeld "conveyed the President's greetings and expressed his pleasure at being in Baghdad," wrote the notetaker. Then the two men got down to business, talking about the need to improve relations between their two countries.

Like most foreign-policy insiders, Rumsfeld was aware that Saddam was a murderous thug who supported terrorists and was trying to build a nuclear weapon. (The Israelis had already bombed Iraq's nuclear reactor at Osirak.) But at the time, America's big worry was Iran, not Iraq. The Reagan administration feared that the Iranian revolutionaries who had overthrown the shah (and taken hostage American diplomats for 44 days in 1979-81) would overrun the Middle East and its vital oilfields. On the theory that the enemy of my enemy is my friend, the Reaganites were seeking to support Iraq in a long and bloody war against Iran. The meeting between Rumsfeld and Saddam was consequential: for the next five years, until Iran finally capitulated, the United States backed Saddam's armies with military intelligence, economic aid and covert supplies of munitions.

Rumsfeld is not the first American diplomat to wish for the demise of a former ally. After all, before the cold war, the Soviet Union was America's partner against Hitler in World War II. In the real world, as the saying goes, nations have no permanent friends, just permanent interests. Nonetheless, Rumsfeld's long-ago interlude with Saddam is a reminder that today's friend can be tomorrow's mortal threat. As President George W. Bush and his war cabinet ponder Saddam's successor's regime, they would do well to contemplate how and why the last three presidents allowed the Butcher of Baghdad to stay in power so long.

The history of America's relations with Saddam is one of the sorrier tales in American foreign policy. Time and again, America turned a blind eye to Saddam's predations, saw him as the lesser evil or flinched at the chance to unseat him. No single policymaker or administration deserves blame for creating, or at least tolerating, a monster; many of their decisions seemed reasonable at the time. Even so, there are moments in this clumsy dance with the Devil that make one cringe. It is hard to believe that, during most of the 1980s, America knowingly permitted the Iraq Atomic Energy Commission to import bacterial cultures that might be used to build biological weapons.

Let me read that again:

It is hard to believe that, during most of the 1980s, America knowingly permitted the Iraq Atomic Energy Commission to import bacterial cultures that might be used to build biological weapons. But it happened.

America's past stumbles, while embarrassing, are not an argument for inaction in the future. Saddam probably is the "grave and gathering danger" described by President Bush in his speech to the United Nations last week. It may also be true that "whoever replaces Saddam is not going to be worse," as a senior administration official put it to Newsweek. But the story of how America helped create a Frankenstein monster it now wishes to strangle is sobering. It illustrates the power of wishful thinking, as well as the iron law of unintended consequences.

America did not put Saddam in power. He emerged after two decades of turmoil in the '60s and '70s, as various strongmen tried to gain control of a nation that had been concocted by British imperialists in the 1920s out of three distinct and rival factions, the Sunnis, Shiites and the Kurds. But during the cold war, America competed with the Soviets for Saddam's attention and welcomed his war with the religious fanatics of Iran. Having cozied up to Saddam, Washington found it hard to break away—even after going to war with him in 1991. Through years of both tacit and overt support, the West helped create the Saddam of today, giving him time to build deadly arsenals and dominate his people. Successive administrations always worried that if Saddam fell, chaos would follow, rippling through the region and possibly igniting another Middle East war. At times it seemed that Washington was transfixed by Saddam.

The Bush administration wants to finally break the spell. If the administration's true believers are right, Baghdad, after Saddam falls will look something like Paris after the Germans fled in August 1944. American troops will be cheered as liberators, and democracy will spread forth and push Middle Eastern despotism back into the shadows. Yet if the gloomy predictions of the administration's many critics come true, the Arab street, inflamed by Yankee imperialism, will rise up and replace the shaky but friendly autocrats in the region with Islamic fanatics.

While the Middle East is unlikely to become a democratic nirvana, the worst-case scenarios, always a staple of the press, are probably also wrong or exaggerated. Assuming that a cornered and doomed Saddam does not kill thousands of Americans in some kind of horrific Gotterdammerung—a scary possibility, one that deeply worries administration officials—the greatest risk of his fall is that one strongman may simply be replaced by another. Saddam's successor may not be a paranoid sadist. But there is no assurance that he will be America's friend or forswear the development of weapons of mass destruction.

American officials have known that Saddam was a psychopath—

Get that.

American officials have known that Saddam was a psychopath ever since he became the country's de facto ruler in the early 1970s. One of Saddam's early acts after he took the title of president in 1979 was to videotape a session of his party's congress, during which he personally ordered several members executed on the spot.

Let me repeat that:

American officials have known that Saddam was a psychopath ever since he became the country's de facto ruler in the early 1970s. One of Saddam's early acts after he took the title of president in 1979 was to videotape—

Videotape—

a session of his party's congress, during which he personally ordered several members executed on the spot.

The message, carefully conveyed to the Arab press, was not that these men were executed for plotting against Saddam, but rather for thinking about plotting against him. From the beginning, U.S. officials worried about Saddam's taste for nasty weaponry; indeed, at their meeting in 1983, Rumsfeld warned that Saddam's use of chemical weapons might "inhibit" American assistance. But top officials in the Reagan administration saw Saddam as a useful surrogate. By going to war with Iran, he could bleed the radical mullahs who had seized control of Iran from the pro-American shah. Some Reagan officials even saw Saddam as another Anwar Sadat, capable of making Iraq into a modern secular state, just as Sadat had tried to lift up Egypt before his assassination in 1981.

But Saddam had to be rescued first. The war against Iran was going badly by 1982. Iran's "human wave attacks" threatened to overrun Saddam's armies. Washington decided to give Iraq a helping hand.

After Rumsfeld's visit to Baghdad in 1983, U.S. intelligence began supplying the Iraqi dictator with satellite photos showing Iranian deployments. Official documents suggest that America may also have secretly arranged for tanks and other military hardware to be shipped to Iraq in a swap deal—American tanks to Egypt, Egyptian tanks to Iraq. Over the protest of some Pentagon skeptics, the Reagan administration began allowing the Iraqis to buy a wide variety of "dual use" equipment and materials from American suppliers. According to confidential Commerce Department export-control documents obtained by NEWSWEEK, the shopping list included a computerized database for Saddam's Interior Ministry (presumably to help keep track of political opponents); helicopters to transport Iraqi officials; television cameras for "video surveillance applications"; chemical-analysis equipment for the Iraq Atomic Energy Commission (IAEC), and, most unsettling, numerous shipments of "bacteria/fungi/protozoa" to the IAEC. According to former officials, the bacterial cultures could be used to make biological weapons, including anthrax. The State Department also approved the shipment of 1.5 million atropine injectors, for use against the effects of chemical weapons, but the Pentagon blocked the sale. The helicopters, some American officials later surmised, were used to spray poison gas on the Kurds.

The United States almost certainly knew from its own satellite imagery that Saddam was using chemical weapons against Iranian troops. When Saddam bombed Kurdish rebels and civilians with a lethal cocktail of mustard gas, sarin, tabun and VX in 1988, the

Reagan administration first blamed Iran, before acknowledging, under pressure from congressional Democrats, that the culprits were Saddam's own forces. There was only token official protest at the time. Saddam's men were unfazed. An Iraqi audiotape, later captured by the Kurds, records Saddam's cousin Ali Hassan al-Majid (known as Ali Chemical) talking to his fellow officers about gassing the Kurds. "Who is going to say anything?" he asks. "The international community? F—k them!"

The United States was much more concerned with protecting Iraqi oil from attacks by Iran as it was shipped through the Persian Gulf. In 1987, an Iraqi Exocet missile hit an American destroyer, the USS Stark, in the Persian Gulf, killing 37 crewmen. Incredibly, the United States excused Iraq for making an unintentional mistake and instead used the incident to accuse Iran of escalating the war in the gulf. The American tilt to Iraq became more pronounced. U.S. commandos began blowing up Iranian oil platforms and attacking Iranian patrol boats. In 1988, an American warship in the gulf accidentally shot down an Iranian Airbus, killing 290 civilians. Within a few weeks, Iran, exhausted and fearing American intervention, gave up its war with Iraq.

Saddam was feeling cocky. With the support of the West, he had defeated the Islamic revolutionaries in Iran. America favored him as a regional pillar; European and American corporations were vying for contracts with Iraq. He was visited by congressional delegations led by Sens. Bob Dole of Kansas and Alan Simpson of Wyoming, who were eager to promote American farm and business interests. But Saddam's megalomania was on the rise, and he overplayed his hand. In 1990, a U.S. Customs sting operation snared several Iraqi agents who were trying to buy electronic equipment used to make triggers for nuclear bombs. Not long after, Saddam gained the world's attention by threatening "to burn Israel to the ground." At the Pentagon, analysts began to warn that Saddam was a growing menace, especially after he tried to buy some American-made high-tech furnaces useful for making nuclear-bomb parts. Yet other officials in Congress and in the Bush administration continued to see him as a useful, if distasteful, regional strongman. The State Department was equivocating with Saddam right up to the moment he invaded Kuwait in August 1990.

Mr. President, I referred to this Newsweek article yesterday at a hearing of the Senate Armed Services Committee. Specifically, during the hearing, I asked Secretary Rumsfeld:

Mr. Secretary, to your knowledge, did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq war? Are we in fact now facing the possibility of reaping what we have sown?

The Secretary quickly and flatly denied any knowledge but said he would review Pentagon records.

I suggest that the administration speed up that review. My concerns and the concerns of others have grown.

A letter from the Centers For Disease Control and Prevention, which I shall submit for the RECORD, shows very clearly that the United States is, in fact, preparing to reap what it has sown. A letter written in 1995 by former CDC Director David Satcher to former Senator Donald W. Riegle, Jr., points out that the U.S. Government provided nearly two dozen viral and bacterial samples to Iraqi scientists in 1985—

samples that included the plague, botulism, and anthrax, among other deadly diseases.

According to the letter from Dr. Satcher to former Senator Donald Riegle, many of the materials were hand carried by an Iraqi scientist to Iraq after he had spent 3 months training in the CDC laboratory.

The Armed Services Committee is requesting information from the Departments of Commerce, State, and Defense on the history of the United States, providing the building blocks for weapons of mass destruction to Iraq. I recommend that the Department of Health and Human Services also be included in that request.

The American people do not need obfuscation and denial. The American people need the truth. The American people need to know whether the United States is in large part responsible for the very Iraqi weapons of mass destruction which the administration now seeks to destroy.

We may very well have created the monster that we seek to eliminate. The Senate deserves to know the whole story. The American people deserve answers to the whole story.

Also yesterday, in the same 6 minutes that I was given in which to ask questions—which was extended by virtue of the kindness of the distinguished Senator from Georgia, Mr. MAX CLELAND, and other members of the committee, so it was perhaps 9 or 10 minutes—there was another interesting question that I asked. Let me read a portion of that transcript from the Armed Services Committee:

Thank you, Mr. Chairman, for holding these hearings. Mr. Secretary, to your knowledge, did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq War? Are we, in fact, now facing the possibility of reaping what we have sown?

Rumsfeld: Certainly not to my knowledge. I have no knowledge of United States companies or government being involved in assisting Iraq develop chemical, biological or nuclear weapons.

There is another excerpt from that question and answer period in which Secretary Rumsfeld and I engaged:

Byrd: Now, the Washington Post reported this morning [yesterday] that the United States is stepping away from efforts to strengthen the Biological Weapons Convention. Are we not sending exactly the wrong signal to the world, at exactly the wrong time?

Doesn't this damage our credibility in the international community at the very time that we are seeking their support to neutralize the threat of Iraq's biological weapons program? If we supplied, as the Newsweek article said, if we supplied the building blocks for germ and chemical warfare to this madman in the first place, this psychopath, how do we look to the world to be backing away from this effort to control it at this point?

That question speaks for itself. I ask unanimous consent that the following material be printed in the RECORD at the close of my remarks: The partial transcript from the Senate Armed

Services Committee hearing on September 19; the article from the Washington Post of yesterday, titled "U.S. Drops Bid to Strengthen Germ Warfare Accord"; the Newsweek article, which I have alluded to already; a letter dated January 6, 1994, requesting information from the Centers for Disease Control and a response to the Honorable Donald W. Riegle, Jr., U.S. Senator, dated June 21, 1995, from David Satcher, M.D., Ph.D., Director; a U.S. Senate Hearing Report 103-900, dealing with U.S. exports of biological materials to Iraq to the Senate Committee on Banking, Housing, and Urban Affairs which has oversight responsibility for the Export Administration Act, and keeping in mind that the U.S. Department of Commerce approves licenses by that Department for exports; including also the U.S. Senate hearing report in that matter. Included in the approved sales are such items as *Bacillus Anthracis*, anthrax, *Clostridium Botulinum*, *Histoplasma Capsulatum*, which causes a disease superficially resembling tuberculosis that may cause pneumonia; *Brucella Melitensis*, a bacteria which can cause chronic fatigue, and so on; *Clostridium Perfringens*, which causes gas gangrene. I believe that completes the list.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

BYRD-RUMSFELD TRANSCRIPT—PARTIAL  
TRANSCRIPT FROM SENATE ARMED SERVICES  
COMMITTEE, SEPTEMBER 19, 2002

LEVIN. Senator Byrd?

BYRD. Thank you, Mr. Chairman, for holding these hearings.

Mr. Secretary, to your knowledge, did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq War? Are we, in fact, now facing the possibility of reaping what we have sown?

RUMSFELD. Certainly not to my knowledge. I have no knowledge of United States companies or government being involved in assisting Iraq develop chemical, biological or nuclear weapons.

BYRD. Mr. Secretary, let me read to you from the September 23, 2002, Newsweek story. I read this, I read excerpts, because my time is limited.

"Some Reagan officials even saw Saddam as another Anwar Sadat, capable of making Iraq into a modern secular state, just as Sadat had tried to lift up Egypt before his assassination in 1981. But Saddam had to be rescued first. The war against Iran was going badly by 1982."

BYRD. "Iran's human-wave attacks threatened to overrun Saddam's armies. Washington decided to give Iraq a helping hand. After Rumsfeld's visit to Baghdad in 1982, U.S. intelligence began supplying the Iraqi dictator with satellite photos showing Iranian deployments."

"Official documents suggest that America may also have secretly arranged for tanks and other military hardware to be shipped to Iraq in a swap deal: American tanks to Egypt, Egyptian tanks to Iraq."

"Over the protest of some Pentagon skeptics, the Reagan administration began allowing the Iraqis to buy a wide variety of, quote, 'dual-use,' close quote, equipment and materials from American suppliers."

"According to confidential Commerce Department export control documents obtained

by Newsweek, the shopping list included a computerized database for Saddam's Interior Ministry, presumably to help keep track of political opponents, helicopters to help transport Iraqi officials, television cameras for video surveillance applications, chemical analysis equipment for the Iraq Atomic Energy Commission, IAEC, and, most unsettling, numerous shipments of the bacteria, fungi, protozoa to the IAEC.

"According to former officials the bacterial cultures could be used to make biological weapons, including anthrax. The State Department also approved the shipment of 1.5 million atropine injectors for use against the effects of chemical weapons but the Pentagon blocked the sale.

"The helicopters, some American officials later surmised, were used to spray poison gas on the Kurds. The United States almost certainly knew from its own satellite imagery that Saddam was using chemical weapons against Iranian troops.

"When Saddam bombed Kurdish rebels and civilians with a lethal cocktail of mustard gas, sarin, tabun and VX in 1988, the Reagan administration first blamed Iran before acknowledging, under pressure from congressional Democrats, that the culprit were Saddam's own forces. There was only token official protest at the time. Saddam's men were unfazed.

"An Iraqi audiotape later captured by the Kurds records Saddam's cousin, Ali Hassan al-Majid, known as Ali Chemical, talking to his fellow officers about gassing the Kurds. Quote, 'Who is going to say anything?' close quote, he asks, 'the international community? F-blank them!' exclamation point, close quote."

Now can this possibly be true? We already knew that Saddam was dangerous man at the time. I realize that you were not in public office at the time, but you were dispatched to Iraq by President Reagan to talk about the need to improve relations between Iraq and the U.S.

Let me ask you again: To your knowledge did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq war? Are we, in fact, now facing the possibility of reaping what we have sown?

The Washington Post reported this morning that the United States is stepping away from efforts to strengthen the Biological Weapons Convention. I'll have a question on that later.

Let me ask you again: Did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq War? Are we, in fact, now facing the possibility of reaping what we have sown?

RUMSFELD. I have not read the article. As you suggest, I was, for a period in late '83 and early '84, asked by President Reagan to serve as Middle East envoy after the Marines—241 Marines were killed in Beirut.

As part of my responsibilities I did visit Baghdad. I did meet with Mr. Tariq Aziz. And I did meet with Saddam Hussein and spent some time visiting with them about the war they were engaged in with Iran.

At the time our concern, of course, was Syria and Syria's role in Lebanon and Lebanon's role in the Middle East and the terrorist acts that were taking place.

As a private citizen I was assisting only for a period of months. I have never heard anything like what you've read, I have no knowledge of it whatsoever, and I doubt it.

BYRD. You doubt what?

RUMSFELD. The questions you posed as to whether the United States of America assisted Iraq with the elements that you listed in your reading of Newsweek and that we could conceivably now be reaping what we've sown.

I think—I doubt both.

BYRD. Are you surprised that this is what I've said? Are you surprised at this story in Newsweek?

RUMSFELD. I guess I'm at an age and circumstance in life where I'm no longer surprised about what I hear in the newspapers.

BYRD. That's not the question, I'm of that age, too. Somewhat older than you, but how about that story I've read?

RUMSFELD. I see stories all the time that are flat wrong. I just don't know. All I can say . . .

BYRD. How about this story? This story? How about this story, specifically?

RUMSFELD. As I say, I have not read it, I listened carefully to what you said and I doubt it.

BYRD. All right.

Now the Washington Post reported this morning that the United States is stepping away from efforts to strengthen the Biological Weapons Convention. Are we not sending exactly the wrong signal to the world, at exactly the wrong time?

BYRD. Doesn't this damage our credibility in the international community at the very time that we are seeking their support to neutralize the threat of Iraq's biological weapons program? If we supplied, as the Newsweek article said, if we supplied the building blocks for germ and chemical warfare to this madman in the first place, this psychopath, how do we look to the world to be backing away from this effort to control it at this point?

RUMSFELD. Senator, I think it would be a shame to leave this committee and the people listening with the impression that the United States assisted Iraq with chemical or biological weapons in the 1980s. I just do not believe that's the case.

BYRD. Well, are you saying that the Newsweek article is inaccurate?

RUMSFELD. I'm saying precisely what I said, that I didn't read the Newsweek article, but that I doubt it's accurate.

BYRD. I'll be glad to send you a copy.

RUMSFELD. But that I was not in government at that time, except as a special envoy for a period of months. So one ought not to rely on me as the best source as to what happened in that mid-'80s period that you were describing.

I will say one other thing. On two occasions I believe when you read that article, you mentioned the IAEC, which as I recall is the International Atomic Energy Commission, and mentioned that if some of the things that you were talking about were provided to them, which I found quite confusing to be honest.

With respect to the Biological Weapons Convention, I was not aware that the United States government had taken a position with respect to it. It's not surprising because it's a matter for the Department of State, not the Department of Defense.

If in fact they have indicated, as The Washington Post reports, that they are not going to move forward with a—I believe it's an enforcement regime, it's not my place to discuss the administration's position when I don't know what it is.

But I can tell you, from a personal standpoint, my recollection is that the biological convention never, never was anticipated that there would even be thought of to have an enforcement regime. And that an enforcement regime on something like that, where there are a lot of countries involved who are on the terrorist list who were participants in that convention, that the United States has, over a period of administrations, believed that it would not be a good idea, because the United States would be a net loser from an enforcement regime.

But that is not the administration's position. I just don't know what the administration's position is.

LEVIN. We're going to have to leave it there, because you're way over.

BYRD. This is a very important question.

LEVIN. It is indeed, and you're over time, I agree with you on the importance, but you're way over time, sir.

BYRD. I know I'm over time, but are we going to leave this in question out there dangling?

LEVIN. One last question.

BYRD. I ask unanimous consent that I may have an additional five minutes.

LEVIN. No, I'm afraid you can't do that. If you could just do one last—well, wait a minute, ask unanimous consent, I can't stop you from doing that.

(UNKNOWN). I object.

(LAUGHTER)

BYRD. Mr. Chairman?

LEVIN. Just one last question. Would that be all right so you could wind that up?

Senator Byrd, if you could just take one additional question.

BYRD. I've never—I've been in this Congress 50 years. I've never objected to another senator having a few additional minutes.

Now Mr. Chairman, I think that the secretary should have a copy of this report, this story that—from Newsweek that I've been querying him about. I think he has a right to look at that.

LEVIN. Could somebody take that out to the secretary?

BYRD. Now, while that's being given to the secretary, Mr. Secretary, I think we're put into an extremely bad position before the world today if we're going to walk away from an international effort to strengthen the Biological Weapons Convention against germ warfare, advising its allies that the U.S. wants to delay further discussions until 2006. Especially in the light of the Newsweek story; I think we bear some responsibility.

INHOFE. Mr. Chairman I ask for a point of order.

LEVIN. Can we just have this be the last question, if you would just go along with us please, Senator Inhofe?

INHOFE. I'll only say though, in all respect to the Senator from West Virginia, we have a number of senators here. We have a limited time of six minutes each, and we're entitled to have our six minutes. That should be a short questions if it's the last question.

LEVIN. If we could just make that the last question and answer, I would appreciate it. The chair would appreciate the cooperation of all senators.

Secretary Rumsfeld, could you answer that question please?

RUMSFELD. I'll do my best.

Senator, I just in glancing at this, and I hesitate to do this because I have not read it carefully.

But it says here that, "According to confidential Commerce Department export control documents obtained by Newsweek, the shopping list included." It did not say that there were deliveries of these things. It said that Iran—Iraq asked for these things. It talks about a shopping list.

Second, in listing these things, it says that they wanted television cameras for video surveillance applications, chemical analysis equipment for the Iraq Atomic Energy Commission, the IAEC—and that may very well be the Iraqi Atomic Energy Commission, which would be—mean that my earlier comment would not be correct, because I thought it was the International Atomic Energy Commission. But this seems to indicate it's the Iraq Commerce Commission.

BYRD. Mr. Chairman, may I say to my friend from Oklahoma, I'm amazed that he himself wouldn't yield me time for this important question. I would do the same for him.

Mr. Chairman, I would like to ask . . .

(CLELAND). I yield my five minutes, Senator.

BYRD. I thank the distinguished Senator.

Mr. Chairman, I would like to ask the secretary—and I don't just like to ask him—I asked him to review Pentagon records to see if the Newsweek article is true or not. Will the secretary do that?

RUMSFELD. It appears that they're Department of Commerce records, as opposed to Pentagon. But I can certainly ask that the Department of Commerce and, to the extent that it's relevant, the Department of State, look into it and see if we can't determine the accuracy or inaccuracy of some aspects of this. Yes, sir.

LEVIN. And we go one step further than that. I think the request is that the Defense Department search its records. Will you do that?

RUMSFELD. We'll be happy to search ours, but this refers to the Commerce Department.

LEVIN. We will ask the State Department and the Commerce Department to do the same thing.

RUMSFELD. We'd be happy to.

LEVIN. And we will also ask the Intelligence Committee to stage a briefing for all of us on that issue, so that Senator Byrd's question. . .

BYRD. Mr. Chairman, I thank the chairman.

LEVIN. Thank you very much, Senator.

BYRD. I thank the secretary.

RUMSFELD. Thank you.

LEVIN. Senator Byrd, we will ask Senator Graham and Senator Shelby to hold a briefing on that subject, because it is a very important subject.

BYRD. I thank the chairman.

[From the Washington Post, Sept. 19, 2002]

U.S. DROPS BID TO STRENGTHEN GERM  
WARFARE ACCORD  
(By Peter Slevin)

The Bush administration has abandoned an international effort to strengthen the Biological Weapons Convention against germ warfare, advising its allies that the United States wants to delay further discussions until 2006. A review conference on new verification measures for the treaty has been scheduled for November.

Less than a year after a State Department envoy abruptly pulled out of biowarfare negotiations in Geneva, promising that the United States would return with new proposals, the administration has concluded that treaty revisions favored by the European Union and scores of other countries will not work and should not be salvaged, administration officials said yesterday.

The decision, which has been conveyed to allies in recent weeks, has been greeted with warnings that the move will weaken attempts to curb germ warfare programs at a time when biological weapons are a focus of concern because of the war on terrorism and the administration's threats to launch a military campaign against Iraq. It also comes as the administration, which has angered allies by rejecting a series of multilateral agreements, is appealing to the international community to work with it in forging a new U.N. Security Council resolution on Iraq's programs to develop weapons of mass destruction.

The 1972 Biological Weapons Convention, which has been ratified by the United States and 143 other countries, bans the development, stockpiling and production of germ warfare agents, but has no enforcement mechanism. Negotiations on legally binding measures to enforce compliance have been underway in Geneva for seven years.

The administration stunned its allies last December by proposing to end the nego-

tiators' mandate, saying that while the treaty needed strengthening, the enforcement protocol under discussion would not deter enemy nations from acquiring or developing biological weapons if they were determined to do so. Negotiators suspended the discussions, saying they would meet again in November when U.S. officials said they would return with creative solutions to address the impasse.

Instead, U.S. envoys are now telling allies that the administration's position is so different from the views of the leading supporters of the enforcement protocol that a meeting would dissolve into public squabbling and should be avoided, administration officials said. Better, they said, to halt discussions altogether.

"It's based on an incorrect approach. Our concern is that it would be fundamentally ineffective," a State Department official said. Another administration official said the "best and least contentious" approach would be to hold a very brief meeting in November—or even no meeting at all—and talk again when the next review is scheduled four years from now.

Amy Smithson, a biological and chemical weapons specialist, said the administration is making a mistake by halting collaborative work to strengthen the convention. "It sounds to me as though they've thrown the baby out with the bath water," said Smithson, an analyst at the Henry L. Stimson Center. "The contradiction between the rhetoric and what the administration is actually doing—the gulf is huge. Not a day goes by when they don't mention the Iraq threat."

The Stimson Center is releasing a report today that criticizes the U.S. approach to the convention. Drawn from a review by 10 pharmaceutical companies and biotechnology experts, the document argues that bioweapons inspections can be effective with the right amount of time and the right science and urges the administration to develop stronger measures.

"To argue that this wouldn't be a useful remedy would just be a mistake. I think it's because they're looking through the wrong end of the telescope," said Matthew Meselson, a Harvard biologist who helped draft a treaty to criminalize biological weapons violations. "We're denying ourselves useful tools."

The administration has focused publicly on a half-dozen countries identified by the State Department as pursuing germ warfare programs. Undersecretary of State John R. Bolton said the existence of Iraq's bioweapons project is "beyond dispute." The U.S. government also believes Iran, North Korea, Sudan, Libya and Syria are developing such weapons, he said.

Meselson concurred with the administration's position that a limited enforcement provision for the bioweapons treaty could not provide confidence that countries are staying clean. But he said that a pact establishing standards and verification measures would deter some countries while also helping to build norms of international behavior.

Bolton, on the other hand, told delegates to last year's review conference that "the time for 'better-than-nothing' protocols is over. We will continue to reject flawed texts like the BWC draft protocol, recommended to us simply because they are the product of lengthy negotiations or arbitrary deadlines, if such texts are not in the best interests of the United States."

With only hours to go at the meeting, Bolton stopped U.S. participation in the final negotiations. He said of the resulting one-year delay, "This gives us time to think creatively on alternatives."

In Bolton's view, each country should develop criminal laws against germ warfare ac-

tivities, develop export controls for dangerous pathogens, establish codes of conduct for scientists and install strict biosafety procedures. The administration has proposed that governments resolve disputes over biowarfare violations among themselves, perhaps through voluntary inspections or by referral to the United Nations secretary general.

Such an approach is "at best ineffectual," said the specialists gathered by the Stimson Center. At worst, they concluded, the approach could damage U.S. interests because it would not be structured to deliver "meaningful monitoring."

"If a challenge inspection system is not geared to pursue violators aggressively, then it does not serve U.S. security interests," the 65-page report states. The participants strongly favored establishing mandatory standards backed by penalties and "robust" inspections, which goes significantly further than the proposed protocol backed by the EU and other nations.

The State Department Web site has not yet been changed to reflect the change in policy. It says, "The United States is committed to strengthening the BWC as part of a comprehensive and multidisciplinary strategy for combating the proliferation of weapons of mass destruction and international terrorism. . . . We would like to share these ideas with our international partners."

PARTIAL TRANSCRIPT FROM SENATE ARMED  
SERVICES COMMITTEE, SEPTEMBER 19, 2002

LEVIN. Senator Byrd?

BYRD. Thank you, Mr. Chairman, for holding these hearings.

Mr. Secretary, to your knowledge, did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq War? Are we, in fact, now facing the possibility of reaping what we have sown?

RUMSFELD. Certainly not to my knowledge. I have no knowledge of United States companies or government being involved in assisting Iraq develop chemical, biological or nuclear weapons.

BYRD. Mr. Secretary, let me read to you from the September 23, 2002, Newsweek story. I read this, I read excerpts, because my time is limited.

"Some Reagan officials even saw Saddam as another Anwar Sadat, capable of making Iraq into a modern secular state, just as Sadat had tried to lift up Egypt before his assassination in 1981. But Saddam had to be rescued first. The war against Iran was going badly by 1982."

"Iran's human-wave attacks threatened to overrun Saddam's armies. Washington decided to give Iraq a helping hand. After Rumsfeld's visit to Baghdad in 1983, U.S. intelligence began supplying the Iraqi dictator with satellite photos showing Iranian deployments."

"Official documents suggest that America may also have secretly arranged for tanks and other military hardware to be shipped to Iraq in a swap deal: American tanks to Egypt, Egyptian tanks to Iraq."

"Over the protest of some Pentagon skeptics, the Reagan administration began allowing the Iraqis to buy a wide variety of, quote, 'dual-use,' close quote, equipment and materials from American suppliers."

"According to confidential Commerce Department export control documents obtained by Newsweek, the shopping list include a computerized database for Saddam's Interior Ministry, presumably to help keep track of political opponents, helicopters to help transport Iraqi officials, television cameras for video surveillance applications, chemical analysis equipment for the Iraq Atomic Energy Commission, IAEC, and, most unsettling, numerous shipments of the bacteria, fungi, protozoa to the IAEC."

"According to former officials the bacterial cultures could be used to make biological weapons, including anthrax. The State Department also approved the shipment of 1.5 million atropine injectors for use against the effects of chemical weapons but the Pentagon blocked the sale.

"The helicopters, some American officials later surmised, were used to spray poison gas on the Kurds. The United States almost certainly knew from its own satellite imagery that Saddam was using chemical weapons against Iranian troops.

"When Saddam bombed Kurdish rebels and civilians with a lethal cocktail of mustard gas, sarin, tabun and VX in 1988, the Reagan administration first blamed Iran before acknowledging, under pressure from congressional Democrats, that the culprit were Saddam's own forces. There was only token official protest at the time. Saddam's men were unfazed.

"An Iraqi audiotape later captured by the Kurds records Saddam's cousin, Ali Hassan al-Majid, known as Ali Chemical, talking to his fellow officers about gassing the Kurds. Quote, 'Who is going to say anything?' close quote, he asks, 'the international community? F-blank them!' exclamation point, close quote."

Now can this possibly be true? We already knew that Saddam was dangerous man at the time. I realize that you were not in public office at the time, but you were dispatched to Iraq by President Reagan to talk about the need to improve relations between Iraq and the U.S.

Let me ask you again: To your knowledge did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq war? Are we, in fact, now facing the possibility of reaping what we have sown?

The Washington Post reported this morning that the United is stepping away from efforts to strengthen the Biological Weapons Convention. I'll have a question on that later.

Let me ask you again: Did the United States help Iraq to acquire the building blocks of biological weapons during the Iran-Iraq War? Are we, in fact, now facing the possibility of reaping what we have sown?

RUMSFELD. I have not read the article. As you suggest, I was, for a period in late '83 and early '84, asked by President Reagan to serve as Middle East envoy after the Marines—241 Marines were killed in Beirut.

As part of my responsibilities I did visit Baghdad. I did meet with Mr. Tariq Aziz. And I did meet with Saddam Hussein and spent some time visiting with them about the war they were engaged in with Iran.

At the time our concern, of course, was Syria and Syria's role in Lebanon and Lebanon's role in the Middle East and the terrorist acts that were taking place.

As a private citizen I was assisting only for a period of months. I have never heard anything like what you've read, I have no knowledge of it whatsoever, and I doubt it.

BYRD. You doubt what?

RUMSFELD. The questions you posed as to whether the United States of America assisted Iraq with the elements that you listed in your reading of Newsweek and that we could conceivably now be reaping what we've sown.

I think—I doubt both.

BYRD. Are you surprised that this is what I've said? Are you surprised at this story in Newsweek?

RUMSFELD. I guess I'm at an age and circumstance in life where I'm no longer surprised about what I hear in the newspapers.

BYRD. That's not the question. I'm of that age, too. Somewhat older than you, but how about that story I've read?

RUMSFELD. I see stories all the time that are flat wrong. I just don't know. All I can say . . .

BYRD. How about this story? This story? How about this story, specifically?

RUMSFELD. As I say, I have not read it, I listened carefully to what you said and I doubt it.

BYRD. All right.

Now the Washington Post reported this morning that the United States is stepping away from efforts to strengthen the Biological Weapons Convention. Are we not sending exactly the wrong signal to the world, at exactly the wrong time?

BYRD. Doesn't this damage our credibility in the international community at the very time that we are seeking their support to neutralize the threat of Iraq's biological weapons program? If we supplied, as the Newsweek article said, if we supplied the building blocks for germ and chemical warfare to this madman in the first place, this psychopath, how do we look to the world to be backing away from this effort to control it at this point?

RUMSFELD. Senator, I think it would be a shame to leave this committee and the people listening with the impression that the United States assisted Iraq with chemical or biological weapons in the 1980s. I just do not believe that's the case.

BYRD. Well, are you saying that the Newsweek article is inaccurate?

RUMSFELD. I'm saying precisely what I said, that I didn't read the Newsweek article, but that I doubt its accuracy.

BYRD. I'll be glad to send you a copy.

RUMSFELD. But that I was not in government at that time, except as a special envoy for a period of months. So one ought not to rely on me as the best source as to what happened in that mid-'80s period that you were describing.

I will say one other thing. On two occasions I believe when you read that article, you mentioned the IAEC, which as I recall is the International Atomic Energy Commission, and mentioned that if some of the things that you were talking about were provided to them, which I found quite confusing to be honest.

With respect to the Biological Weapons Convention, I was not aware that the United States government had taken a position with respect to it. It's not surprising because it's a matter for the Department of State, not the Department of Defense.

If in fact they have indicated, as The Washington Post reports, that they are not going to move forward with a—I believe it's an enforcement regime, it's not my place to discuss the administration's position when I don't know what it is.

But I can tell you, from a personal standpoint, my recollection is that the biological convention never, never was anticipated that there would even be thought of to have an enforcement regime. And that an enforcement regime on something like that, where there are a lot of countries involved who are on the terrorist list who were participants in that convention, that the United States has, over a period of administrations, believed that it would not be a good idea, because the United States would be a net loser from an enforcement regime.

But that is not the administration's position. I just don't know what the administration's position is.

LEVIN. We're going to have to leave it there, because you're way over.

BYRD. This is a very important question.

LEVIN. It is indeed, and you're over time. I agree with you on the importance, but you're way over time, sir.

BYRD. I know I'm over time, but are we going to leave this in question out there dangling?

LEVIN. One last question.

BYRD. I ask unanimous consent that I may have an additional five minutes.

LEVIN. No, I'm afraid you can't do that. If you could just do one last—well, wait a minute, ask unanimous consent, I can't stop you from doing that.

(UNKNOWN). I object.

(Laughter)

BYRD. Mr. Chairman?

LEVIN. Just one last question. Would that be all right so you could wind it up?

Senator Byrd, if you could just take one additional question.

BYRD. I've never—I've been in this Congress 50 years. I've never objected to another senator having a few additional minutes.

Now Mr. Chairman, I think that the secretary should have a copy of this report, this story that—from Newsweek that I've been querying him about. I think he has a right to look at that.

LEVIN. Could somebody take that out to the secretary?

BYRD. Now, while that's being given to the secretary, Mr. Secretary, I think we're put into an extremely bad position before the world today if we're going to walk away from an international effort to strengthen the Biological Weapons Convention against germ warfare, advising its allies that the U.S. wants to delay further discussions until 2006. Especially in the light of the Newsweek story, I think we bear some responsibility.

INHOFE. Mr. Chairman I ask for a point of order.

LEVIN. Can we just have this be the last question, if you would just go along with us please, Senator Inhofe?

INHOFE. I'll only say though, in all respect to the senator from West Virginia, we have a number of senators here. We have a limited time of six minutes each, and we're entitled to have our six minutes. That should be a short question if it's the last question.

LEVIN. If we could just make that the last question and answer, I would appreciate it. The chair would appreciate the cooperation of all senators.

RUMSFELD. I'll do my best.

Senator, I just in glancing at this, and I hesitate to do this because I have not read it carefully.

But it says here that, "According to confidential Commerce Department export control documents obtained by Newsweek, the shopping list included." It did not say that there were deliveries of these things. It said that Iran—Iraq asked for these things. It talks about a shopping list.

Second, in listing these things, it says that they wanted television cameras for video surveillance applications, chemical analysis equipment for the Iraq Atomic Energy Commission, the IAEC—and that may very well be the Iraqi Atomic Energy Commission, which would be—mean that my earlier comment would not be correct, because I thought it was the International Atomic Energy Commission. But this seems to indicate it's the Iraq Commerce Commission.

BYRD. Mr. Chairman, may I say to my friend from Oklahoma, I'm amazed that he himself wouldn't yield me time for this important question. I would do the same for him.

Mr. Chairman, I would like to ask . . .

(CLELAND). I yield my five minutes, Senator.

BYRD. I thank the distinguished senator.

Mr. Chairman, I would like to ask the secretary—and I don't just like to ask him—I ask him to review Pentagon records to see if the Newsweek article is true or not. Will the secretary do that?

RUMSFELD. It appears that they're Department of Commerce records, as opposed to Pentagon. But I can certainly ask that the

Department of Commerce and, to the extent that it's relevant, the Department of State, look into it and see if we can't determine the accuracy or inaccuracy of some aspects of this. Yes, sir.

LEVIN. And we go one step further than that. I think the request is that the Defense Department search its records. Will you do that?

RUMSFELD. We'll be happy to search ours, but this refers to the Commerce Department.

LEVIN. We will ask the State Department and the Commerce Department to do the same thing.

RUMSFELD. We'd be happy to.

LEVIN. And we will also ask the Intelligence Committee to stage a briefing for all of us on that issue, so that Senator Byrd's question . . .

BYRD. Mr. Chairman, I thank the chairman.

LEVIN. Thank you very much, Senator.

BYRD. I thank the secretary.

RUMSFELD. Thank you.

LEVIN. Senator Byrd, we will ask Senator Graham and Senator Shelby to hold a briefing on that subject, because it is a very important subject.

BYRD. I thank the chairman.

[From Newsweek, Sept. 23, 2002]

#### HOW SADDAM HAPPENED

(By Christopher Dickey and Evan Thomas)

The last time Donald Rumsfeld saw Saddam Hussein, he gave him a cordial handshake. The date was almost 20 years ago, Dec. 20, 1983; an official Iraqi television crew recorded the historic moment.

The once and future Defense secretary, at the time a private citizen, had been sent by President Ronald Reagan to Baghdad as a special envoy. Saddam Hussein, armed with a pistol on his hip, seemed "vigorous and confident," according to a new declassified State Department cable obtained by Newsweek. Rumsfeld "conveyed the President's greetings and expressed his pleasure at being in Baghdad," wrote the notetaker. Then the two men got down to business, talking about the need to improve relations between their two countries.

Like most foreign-policy insiders, Rumsfeld was aware that Saddam was a murderous thug who supported terrorists and was trying to build a nuclear weapon. (The Israelis had already bombed Iraq's nuclear reactor at Osirak.) But at the time, America's big worry was Iran, not Iraq. The Reagan administration feared that the Iranian revolutionaries who had overthrown the shah (and taken hostage American diplomats for 44 days in 1979-81) would overrun the Middle East and its vital oilfields. On the theory that the enemy of my enemy is my friend, the Reaganites were seeking to support Iraq in a long and bloody war against Iran. The meeting between Rumsfeld and Saddam was consequential: for the next five years, until Iran finally capitulated, the United States backed Saddam's armies with military intelligence, economic aid and covert supplies of munitions.

#### FORMER ALLIES

Rumsfeld is not the first American diplomat to wish for the demise of a former ally. After all, before the cold war, the Soviet Union was America's partner against Hitler in World War II. In the real world, as the saying goes, nations have no permanent friends, just permanent interests. Nonetheless, Rumsfeld's long-ago interlude with Saddam is a reminder that today's friend can be tomorrow's mortal threat. As President George W. Bush and his war cabinet ponder Saddam's successor's regime, they would do well to contemplate how and why the last

three presidents allowed the Butcher of Baghdad to stay in power so long.

The history of America's relations with Saddam is one of the sorrier tales in American foreign policy. Time and again, America turned a blind eye to Saddam's predations, saw him as the lesser evil or flinched at the chance to unseat him. No single policymaker or administration deserves blame for creating, or at least tolerating, a monster; many of their decisions seemed reasonable at the time. Even so, there are moments in this clumsy dance with the Devil that make one cringe. It is hard to believe that, during most of the 1980s, America knowingly permitted the Iraq Atomic Energy Commission to import bacterial cultures that might be used to build biological weapons. But it happened.

America's past stumbles, while embarrassing, are not an argument for inaction in the future. Saddam probably is the "grave and gathering danger" described by President Bush in his speech to the United Nations last week. It may also be true that "whoever replaces Saddam is not going to be worse," as a senior administration official put it to Newsweek. But the story of how America helped create a Frankenstein monster it now wishes to strangle is sobering. It illustrates the power of wishful thinking, as well as the iron law of unintended consequences.

#### TRANSFIXED BY SADDAM

America did not put Saddam in power. He emerged after two decades of turmoil in the '60s and '70s, as various strongmen tried to gain control of a nation that had been concocted by British imperialists in the 1920s out of three distinct and rival factions, the Sunnis, Shiites and the Kurds. But during the cold war, America competed with the Soviets for Saddam's attention and welcomed his war with the religious fanatics of Iran. Having cozied up to Saddam, Washington . . .

While the Middle East is unlikely to become a democratic nirvana, the worst-case scenarios, always a staple of the press, are probably also wrong or exaggerated. Assuming that a cornered and doomed Saddam does not kill thousands of Americans in some kind of horrific *Götterdämmerung*—a scary possibility, one that deeply worries administration officials—the greatest risk of his fall is that one strongman may simply be replaced by another. Saddam's successor may not be a paranoid sadist. But there is no assurance that he will be America's friend or forswear the development of weapons of mass destruction.

#### A TASTE FOR NASTY WEAPONS

American officials have known that Saddam was a psychopath ever since he became the country's *de facto* ruler in the early 1970s. One of Saddam's early acts after he took the title of president in 1979 was to videotape a session of his party's congress, during which he personally ordered several members executed on the spot. The message, carefully conveyed to the Arab press, was not that these men were executed for plotting against Saddam, but rather for thinking about plotting against him. From the beginning, U.S. officials worried about Saddam's taste for nasty weaponry; indeed, at their meeting in 1983, Rumsfeld warned that Saddam's use of chemical weapons might "inhibit" American assistance. But top officials in the Reagan administration saw Saddam as a useful surrogate. By going to war with Iran, he could bleed the radical mullahs who had seized control of Iran from the pro-American shah. Some Reagan officials even saw Saddam as another Anwar Sadat, capable of making Iran into a modern secular state, just as Sadat had tried to lift up Egypt before his assassination in 1981.

But Saddam had to be rescued first. The war against Iran was going badly by 1982. Iran's "human wave attacks" threatened to overrun Saddam's armies. Washington decided to give Iraq a helping hand. After Rumsfeld's visit to Baghdad in 1983, U.S. intelligence began supplying the Iraqi dictator with satellite photos showing Iranian deployments. Official documents suggest that America may also have secretly arranged for tanks and other military hardware to be shipped to Iraq in a swap deal—American tanks to Egypt, Egyptian tanks to Iraq. Over the protest of some Pentagon skeptics, the Reagan administration began allowing the Iraqis to buy a wide variety of "dual use" equipment and materials from American suppliers. According to confidential Commerce Department export-control documents obtained by Newsweek, the shopping list included a computerized database for Saddam's Interior Ministry (presumably to help keep track of political opponents); helicopters to transport Iraqi officials; television cameras for "video surveillance applications"; chemical-analysis equipment for the Iraq Atomic Energy Commission (IAEC), and, most unsettling, numerous shipments of "bacteria/fungi/protozoa" to the IAEC. According to former officials, the bacteria cultures could be used to make biological weapons, including anthrax. The State Department also approved the shipment of 1.5 million atropine injectors, for use against the effects of chemical weapons, but the Pentagon blocked the sale. The helicopters, some American officials later surmised, were used to spray poison gas on the Kurds.

#### "WHO IS GOING TO SAY ANYTHING?"

The United States almost certainly knew from its own satellite imagery that Saddam was using chemical weapons against Iranian troops. When Saddam bombed Kurdish rebels and civilians with a lethal cocktail of mustard gas, sarin, tabun and VX in 1988, the Reagan administration first blamed Iran, before acknowledging, under pressure from congressional Democrats, that the culprits were Saddam's own forces. There was only token official protest at the time. Saddam's men were unfazed. An Iraqi audiotape, later captured by the Kurds, records Saddam's cousin Ali Hassan al-Majid (known as Ali Chemical) talking to his fellow officers about gassing the Kurds. "Who is going to say anything?" he asks. "The international community? F—k them!"

The United States was much more concerned with protecting Iraqi oil from attacks by Iran as it was shipped through the Persian Gulf. In 1987, an Iraqi Exocet missile hit an American destroyer, the USS Stark, in the Persian Gulf, killing 37 crewmen. Incredibly, the United States excused Iraq for making an unintentional mistake and instead used the incident to accuse Iran of escalating the war in the gulf. The American tilt to Iraq became more pronounced. U.S. commandos began blowing up Iranian oil platforms and attacking Iranian patrol boats. In 1988, an American warship in the gulf accidentally shot down an Iranian Airbus, killing 290 civilians. Within a few weeks, Iran, exhausted and fearing American intervention, gave up its war with Iraq.

Saddam was feeling cocky. With the support of the West, he had defeated the Islamic revolutionaries in Iran. America favored him as a regional pillar; European and American corporations were vying for contracts with Iraq. He was visited by congressional delegations led by Sens. Bob Dole of Kansas and Alan Simpson of Wyoming, who were eager to promote American farm and business interests. But Saddam's megalomania was on the rise, and he overplayed his hand. In 1990, a U.S. Customs sting operation snared several Iraqi agents who were trying to buy



electronic equipment used to make triggers for nuclear bombs. Not long after, Saddam gained the world's attention by threatening "to burn Israel to the ground." At the Pentagon, analysts began to warn that Saddam was a growing menace, especially after he tried to buy some American-made high-tech furnaces useful for making nuclear-bomb parts. Yet other officials in Congress and in the Bush administration continued to see him as a useful, if distasteful, regional strongman. The State Department was equivocating with Saddam right up to the moment he invaded Kuwait in August 1990.

#### AMBIVALENT ABOUT SADDAM'S FATE

Some American diplomats suggest that Saddam might have gotten away with invading Kuwait if he had not been quite so greedy. "If he had pulled back to the Mutla Ridge [overlooking Kuwait City], he'd still be there today," one ex-ambassador told *Newsweek*. And even though President George H.W. Bush compared Saddam to Hitler and sent a half-million-man Army to drive him from Kuwait, Washington remained ambivalent about Saddam's fate. It was widely assumed by policymakers that Saddam would collapse after his defeat in Desert Storm, done in by him humiliated officer corps or overthrown by the revolt of a restive minority population. But Washington did not want to push very hard to topple Saddam. The Gulf war, Bush I administration officials pointed out, had been fought to liberate Kuwait, not oust Saddam. "I am certain that had we taken all of Iraq, we would have been like the dinosaur in the tar pit—we would still be there," wrote the American commander in Desert Storm, Gen. Norman Schwarzkopf, in his memoirs. America's allies in the region, most prominently Saudi Arabia, feared that a post-Saddam Iraq would splinter and destabilize the region. The Shiites in the south might bond with their fellow religionists in Iran, strengthening the Shiite mullahs, and threatening the Saudi border. In the north, the Kurds were agitating to break off parts of Iraq and Turkey to create a Kurdistan. So Saddam was allowed to keep his tanks and helicopters—which he used to crush both Shiite and Kurdish rebellions.

The Bush administration played down Saddam's darkness after the Gulf war. Pentagon bureaucrats compiled dossiers to support a war-crimes prosecution of Saddam, especially for his sordid treatment of POWs. They documented police stations and "sports facilities" where Saddam's henchmen used acid baths and electric drills on their victims. One document suggested that torture should be "artistic." But top Defense Department officials stamped the report secret. One Bush administration official subsequently told *The Washington Post*, "Some people were concerned that if we released it during the [1992 presidential] campaign, people would say, 'Why don't you bring this guy to justice?'" (Defense Department aides say politics played no part in the report.)

The Clinton administration was no more aggressive toward Saddam. In 1993, Saddam apparently hired some Kuwaiti liquor smugglers to try to assassinate former president Bush as he took a victory lap through the region. According to one former U.S. ambassador, the new administration was less than eager to see an open-and-shut case against Saddam, for fear that it would demand aggressive retaliation. When American intelligence continued to point to Saddam's role, the Clintonites lobbied a few cruise missiles into Baghdad. The attack reportedly killed one of Saddam's mistresses, but left the dictator defiant.

#### CLINTON-ERA COVERT ACTIONS

The American intelligence community, under orders from President Bill Clinton, did

mount covert actions aimed at toppling Saddam in the 1990s, but by most accounts they were badly organized and halfhearted. In the north, CIA operatives supported a Kurdish rebellion against Saddam in 1995. According to the CIA's man on the scene, former case officer Robert Baer, Clinton administration officials back in Washington "pulled the plug" on the operation just as it was gathering momentum. The reasons have long remained murky, but according to Baer, Washington was never sure that Saddam's successor would be an improvement, or that Iraq wouldn't simply collapse into chaos. "The question we could never answer," Baer told *Newsweek*, "was, 'After Saddam goes, then what?'" A coup attempt by Iraqi Army officers fizzled the next year. Saddam brutally rolled up the plotters. The CIA operatives pulled out, rescuing everyone they could, and sending them to Guam.

Meanwhile, Saddam was playing cat-and-mouse with weapons of mass destruction. As part of the settlement imposed by America and its allies at the end of the Gulf war, Saddam was supposed to get rid of his existing stockpiles of chem-bio weapons, and to allow in inspectors to make sure none were being hidden or secretly manufactured. The U.N. inspectors did shut down his efforts to build a nuclear weapon. But Saddam continued to secretly work on his germ- and chemical-warfare program. When the inspectors first suspected what Saddam was trying to hide in 1995, Saddam's son-in-law, Hussein Kamel, suddenly fled Iraq to Jordan. Kamel had overseen Saddam's chem-bio program, and his defection forced the revelation of some of the secret locations of Saddam's deadly labs. That evidence is the heart of the "white paper" used last week by President Bush to support his argument that Iraq has been defying U.N. resolutions for the past decade. (Kamel had the bad judgment to return to Iraq, where he was promptly executed, along with various family members.)

By now aware of the scale of Saddam's efforts to deceive, the U.N. arms inspectors were unable to certify that Saddam was no longer making weapons of mass destruction. Without this guarantee, the United Nations was unwilling to lift the economic sanctions imposed after the Gulf war. Saddam continued to play "cheat and retreat" with—the inspectors, forcing a showdown in December 1998. The United Nations pulled out its inspectors, and the United States and Britain launched Operation Desert Fox, four days of bombing that was supposed to teach Saddam a lesson and force his compliance.

Saddam thumbed his nose. The United States and its allies, in effect, shrugged and walked away. While the U.N. sanctions regime gradually eroded, allowing Saddam to trade easily on the black market, he was free to brew all the chem-bio weapons he wanted. Making a nuclear weapon is harder, and intelligence officials still believe he is a few years away from even regaining the capacity to manufacture enriched uranium to build his own bomb. If he can steal or buy ready-made fissile material, say from the Russian mafia, he could probably make a nuclear weapon in a matter of months, though it would be so large that delivery would pose a challenge.

#### LASHING OUT?

As the Bush administration prepares to oust Saddam, one way or another, senior administration officials are very worried that Saddam will try to use his WMD arsenal. Intelligence experts have warned that Saddam may be "flushing" his small, easy-to-conceal biological agents, trying to get them out of the country before an American invasion. A vial of bugs or toxins that could kill thousands could fit in a suitcase—or a diplomatic

pouch. There are any number of grim end-game scenarios. Saddam could try blackmail, threatening to unleash smallpox or some other grotesque virus in an American city if U.S. forces invaded. Or, like a cornered dog, he could lash out in a final spasm of violence, raining chemical weapons down on U.S. troops, handing out his bioweapons to terrorists. "That's the single biggest worry in all this," says a senior administration official. "We are spending a lot of time on this," said another top official.

Some administration critics have said, in effect, let sleeping dogs lie. Don't provoke Saddam by threatening his life; there is no evidence that he has the capability to deliver weapons of mass destruction. Countered White House national-security adviser Condoleezza Rice, "Do we wait until he's better at it?" Several administration officials indicated that an intense effort is underway, covert as well as overt, to warn Saddam's lieutenants to save themselves by breaking from the dictator before it's too late. "Don't be the fool who follows the last order" is the way one senior administration official puts it.

The risk is that some will choose to go down with Saddam, knowing that they stand to be hanged by an angry mob after the dictator falls. It is unclear what kind of justice would follow his fall, aside from summary hangings from the nearest lamppost.

#### POST-SADDAM IRAQ

The Bush administration is determined not to "overthrow one strongman only to install another," a senior administration official told *Newsweek*. This official said that the president has made clear that he wants to press for democratic institutions, government accountability and the rule of law in post-Saddam Iraq. But no one really knows how that can be achieved. Bush's advisers are counting on the Iraqis themselves to resist a return to despotism. "People subject to horrible tyranny have strong antibodies to anyone who wants to put them back under tyranny," says a senior administration official. But as another official acknowledged, "a substantial American commitment" to Iraq is inevitable.

At what cost? And who pays? Will other nations chip in money and men? It is not clear how many occupation troops will be required to maintain order, or for how long. Much depends on the manner of Saddam's exit: whether the Iraqis drive him out themselves, or rely heavily on U.S. power. Administration officials shy away from timeables and specifics but say they have to be prepared for all contingencies. "As General Eisenhower said, 'Every plan gets thrown out on the first day of battle. Plans are useless. Planning is everything,'" said Vice President Cheney's chief of staff, I. Lewis (Scooter) Libby.

It is far from clear that America will be able to control the next leader of Iraq, even if he is not as diabolical as Saddam. Any leader of Iraq will look around him and see that Israel and Pakistan have nuclear weapons and that Iran may soon. Just as England and France opted to build their own bombs in the cold war, and not depend on the U.S. nuclear umbrella, the next president of Iraq may want to have his own bomb. "He may want to, but he can't be allowed to," says a Bush official. But what is to guarantee that a newly rich Iraqi strongman won't buy one with his nation's vast oil wealth? In some ways, Iraq is to the Middle East as Germany was to Europe in the 20th century, too large, too militaristic and too competent to coexist peacefully with neighbors. It took two world wars and millions of lives to solve "the German problem." Getting rid of Saddam may be essential to creating a stable, democratic

Iraq. But it may be only a first step on a long and dangerous march.

Per our previous conversation, after reviewing the available licensing records of the Bureau of Export Administration, U.S. Department of Commerce, related to biological materials exported to the government of Iraq, additional information identifying the genus species, and strain or origin (if known) of the following viruses, bacteria, fungi, and protozoa for which export licenses were granted is requested.

*Date License Approved, Consignee, and Material information:*

02/08/85, Iraq Atomic Energy Commission, Ustilago  
02/22/85 (2 each), Ministry of Higher Education, Fungi Histoplasma  
07/11/85 (2 each), Middle and Near East Regional A, Fungi Histoplasma  
10/02/85 (46 each), Ministry of Higher Education, Bacteria  
10/08/85 (10 each), Ministry of Higher Education, Bacteria, Clostridium, Francisella  
03/21/86 (18 each), Agriculture and Water Resources, Fungi, Alysidium, Aspergillus, Hypopichia  
03/21/86 (21 each), Agriculture and Water Resources, Fungi, Actinormucor, Aspergillus, Rhizopus, Rhizomucor, Talaromyces, Fusarium, Penicillium, Tricyoderma  
02/04/87 (11 each), State Company for Drug Indust, Bacteria Bacillus, Bacillus, Escherichia, Staphylococcus, Klebsiella, Salmonella, Pseudomonas

08/17/87 (2 each), Iraq Atomic Energy Commission, Bacteria, Escherichia  
03/24/88 (3 each), Iraq Atomic Energy Commission, Bacteria, Escherichia  
04/22/88, Sera and Vaccine Institute, Bacteria, Salmonella (Class I), Clostridium (Class II), Brucella (Class III), Corynebacterium (II), Vibrio (Class III)  
05/05/88 (1 each), Iraq Atomic Energy Commission, Bacteria, Escherichia  
08/16/88, Ministry of Trade, Bacteria, (12 each) Bacillus (Class III), (6 each) Bacillus (Class II), (6 each) Bacillus (Class III), (9 each) Clostridium (Class 10)  
11/07/88 (2 each), Iraq Atomic Energy Commission, Bacteria, Escherichia (Class I)  
12/19/88 (3 each), Iraq Atomic Energy Commission, Bacteria Escherichia (Class I)

The above listing includes only those material for which export licenses were granted from January 1, 1985, until the present. A number of requests were returned without action. If any information is available as to the specific materials requested by the consignee in these cases, it may also prove useful. A listing of materials for which export licenses were approved between January 1, 1980 and December 31, 1984 follows. I understand that record may no longer be available for these items, however, if any specific information is available which identifies these materials please forward it as well.

*Date License Approved, Consignee, and Material Information*

08/14/80 (20 each), Ministry of Health for College, Bacteria/Fungi, not further identified

09/11/80 (45 each), University of Baghdad, Bacteria/Fungi/Protozoa, Virus/Viroids (15 each), not further identified  
03/17/82 (1 each), University of Mosul, Bacteria/Fungi/Protozoa  
04/09/82 (6 each), General Establishment/Drugs, Pseudomonas, Salmonella, Aspergillus  
04/09/82 (6 each), General Establishment/Drugs, Pseudomonas, Salmonella, Aspergillus  
07/30/82 (3 each), State Co for Drug Industries, Bacillus  
08/08/84 (2 each), Ministry of Health for College, Bacteria Corynebacterium  
11/30/84 (59 each), College of Medicine, Aspergillus, Epidermophyton, Microsporium, Penicillium, Trichophyton, Alternaria, Neisseria, Clostridium, Bacteroides, Escherichia

I understand that information for those items exported prior to January 1, 1985 may be unavailable. Please feel free to contact me if you have any questions regarding this request at 202-224-4822.

HEADLINE: Ustilago nuda (Jensen) Rostrup, ATCC 34718. TEXT: CBS 118.19. H. Knip. USDA permit PPQ-526 required. Growth Conditions: Medium 336 24C. Shipped: Test tube. Price Code: W.

HEADLINE: Histoplasma capsulatum var. farciminosum, ATCC 32136. TEXT: A.A. Padhye CDC Disagnostic 76-066816 (Histoplasma farciminosum). CBS 176.57. Class III pathogen, requests must carry signed statement assuming all risks and responsibilities for lab handling. Growth Conditions: Medium 337 25C. Shipped: Test tube. Price Code: W.

AMERICAN TYPE CULTURE COLLECTION, CUSTOMER ACTIVITY DETAIL REPORT, FROM: 01/01/85 TO: 12/31/93; FOR: ALL CUSTOMERS, FOR COUNTRY: IRAQ

Inv. #	Date	ATCC #	Description	Batch #	Quantity	Price
Cust #: 015408 Customer Name: UNIV OF BAGHDAD						
010072 ..	05/02/86	000000000010	BACILLUS ANTHRACIS .....	8-20-82	2	108.80
010072 ..	05/02/86	000000000082	BACILLUS SUBTILIS .....	6-20-84	2	108.80
010072 ..	05/02/86	0000000003502	CLOSTRIDIUM BOTULINUM TYPE A .....	7-7-81	3	163.20
010072 ..	05/02/86	0000000003624	CLOSTRIDIUM PERFRINGENS .....	10-85SV	2	20.40
010072 ..	05/02/86	0000000006051	BACILLUS SUBTILIS .....	12-6-84	2	20.40
010072 ..	05/02/86	0000000006223	FRANCISELLA TULARENSIS VAR. TULARENSIS .....	5-14-79	2	108.80
010072 ..	05/02/86	0000000009441	CLOSTRIDIUM TETANI .....	3-84	3	163.20
010072 ..	05/02/86	0000000009564	CLOSTRIDIUM BOTULINUM TYPE E .....	3-29-79	2	108.80
010072 ..	05/02/86	0000000010779	CLOSTRIDIUM TETANI .....	4-24-84S	3	30.60
010072 ..	05/02/86	0000000012916	CLOSTRIDIUM PERFRINGENS .....	8-14-80	2	108.80
010072 ..	05/02/86	0000000013124	CLOSTRIDIUM PERFRINGENS .....	7-84SV	3	30.60
010072 ..	05/02/86	0000000014185	BACILLUS ANTHRACIS .....	1-14-80	3	163.20
010072 ..	05/02/86	0000000014578	BACILLUS ANTHRACIS .....	1-6-78	2	108.80
010072 ..	05/02/86	0000000014581	BACILLUS MEGATERIUM .....	4-18-85	2	20.40
010072 ..	05/02/86	0000000014945	BACILLUS MEGATERIUM .....	6-21-81	2	108.80
010072 ..	05/02/86	0000000017855	CLOSTRIDIUM BOTULINUM TYPE E .....	6-21-71	2	108.80
010072 ..	05/02/86	0000000019213	BACILLUS MEGATERIUM .....	3-84	2	108.80
010072 ..	05/02/86	0000000019397	CLOSTRIDIUM BOTULINUM TYPE A .....	8-18-81	3	163.20
010072 ..	05/02/86	0000000023450	BRUCELLA ABORTUS BIOTYPE 3 .....	8-2-84	3	163.20
010072 ..	05/02/86	0000000023455	BRUCELLA ABORTUS BIOTYPE 9 .....	2-5-68	3	163.20
010072 ..	05/02/86	0000000023456	BRUCELLA MELITENSIS BIOTYPE 1 .....	3-8-78	2	108.80
010072 ..	05/02/86	0000000023458	BRUCELLA MELITENSIS BIOTYPE 3 .....	1-29-68	2	108.80
010072 ..	05/02/86	0000000025763	CLOSTRIDIUM BOTULINUM TYPE A .....	8-83	2	108.80
010072 ..	05/02/86	0000000035415	CLOSTRIDIUM BOTULINUM TYPE F .....	2-24-84	2	108.80
010072 ..	05/02/86	FREIGHT	.....	.....	.....	297.12
010072 ..	05/02/86	TAX	.....	.....	.....	0.00
010072 ..	05/02/86	Total Invoice .....	.....	.....	58	2,813.12
Total for: UNIV OF BAGHDAD .....						58 2,813.12
Cust #: 016124 Customer Name: STATE CO FOR DRUG INDUST.						
AC377 ...	08/31/87	000000002601	SACCHAROMYCES CEREVISIAE .....	8-28-80	1	12.00
AC377 ...	08/31/87	0000000006539	SALMONELLA CHOLERAESUIS SUBSP. CHOLERAESUIS .....	6-86S	1	12.00
AC377 ...	08/31/87	0000000006633	BACILLUS SUBTILIS .....	10-85	2	128.00
AC377 ...	08/31/87	0000000010031	KLEBSIELLA PNEUMONIAE SUBSP. PNEUMONIAE .....	8-13-80	1	64.00
AC377 ...	08/31/87	0000000010536	ESCHERICHIA COLI .....	4-9-80	1	64.00
AC377 ...	08/31/87	0000000011778	BACILLUS CEREUS .....	5-85SV	2	24.00
AC377 ...	08/31/87	0000000012228	STAPHYLOCOCCUS EPIDERMIDIS .....	11-86S	1	12.00
AC377 ...	08/31/87	0000000014884	BACILLUS PUMILUS .....	9-8-80	2	128.00

AC1507, 04/26/88, Total Invoice

AC1616, 07/11/88, 0000000035-X, COMMUNICATION FEES, 35-X.  
AC1616, 07/11/88, 000000011303, ESCHERICHIA COLI, 4-87S.  
AC1616, 07/11/88, 000000037349, PTIBO542 PLASMID IN AGROBACTERIUM TUMEFACIENS, 6-14-85.

AC1616, 07/11/88, 000000045031, CAULIFLOWER MOSAIC CAULIMOVIRUS CLONE, 5-28-85.  
AC1616, 07/11/88, FREIGHT.  
AC1616, 07/11/88, TAX.  
062876, 10/12/87, Total Invoice  
AC1507, 04/26/88, 0000000035-X, COMMUNICATION FEES.  
AC1507, 04/26/88, 000000057236, HU LAMBDA 4X-8 PHAGE LYSATE.

AC1507, 04/26/88, 000000057240, HU LAMBDA 14 PHAGE LYSATE.  
AC1507, 04/26/88, 000000057242, HU LAMBDA 15 PHAGE LYSATE.  
AC1507, 04/26/88, FREIGHT.  
AC1507, 04/26/88, TAX.  
AC489, 08/31/87, 000000023846, ESCHERICHIA COLI, 7-29-83.  
AC489, 08/31/87, 000000033694, ESCHERICHIA COLI, 7-29-83.



AC489, 08/31/87, FREIGHT.  
AC489, 08/31/87, MINIMUM.

CUST #: 022913, Customer Name: TECHNICAL & SCIENTIFIC

AC2658, 09/29/88, 000000000240, BACILLUS ANTHRACIS, 5-14-63.

AC2658, 09/29/88, 000000000938, BACILLUS ANTHRACIS, 1963.

AC2658, 09/29/88, 000000003629, CLOSTRIDIUM PERFRINGENS, 10-23-85.

AC2658, 09/29/88, 000000008009, CLOSTRIDIUM PERFRINGENS, 3-30-84.

AC2658, 09/29/88, 000000008705, BACILLUS ANTHRACIS, 6-27-62.

AC2658, 09/29/88, 000000009014, BRUCELLA ABORTUS, 5-11-66.

AC2658, 09/29/88, 000000010388, CLOSTRIDIUM PERFRINGENS, 6-1-73.

AC2658, 09/29/88, 000000011966, BACILLUS ANTHRACIS, 5-5-70.

AC2658, 09/29/88, 000000025763, CLOSTRIDIUM BOTULINUM TYPE A, 7-86.

AC2658, 09/29/88, 000000033018, BACILLUS CEREUS, 4-83.

AC2658, 09/29/88, 000000033019, BACILLUS CEREUS, 3-88.

AC2658, 09/29/88, DISCOUNT.

AC2658, 09/29/88, FREIGHT.

AC2658, 09/29/88, TAX.

AC3352, 01/17/89, Total Invoice

AC1639, 01/31/89, 00000000035-X, COMMUNICATION FEES, 35-X.

AC1639, 01/31/89, 000000057056, PHPT31 PLASMID IN ESCHERICHIA COLI JM83, 3-88.

AC1639, 01/31/89, 000000057212, P LAMBDA 500 PLASMID IN ESCHERICHIA COLI, 88-09.

AC1639, 01/31/89, FREIGHT.

AC1639, 01/31/89, TAX.

DEPARTMENT OF HEALTH & HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION,

Atlanta, GA, June 21, 1995.

Hon. DONALD W. RIEGLE, JR.,

U.S. Senate,

Washington, DC.

DEAR SENATOR RIEGLE: In 1993, at your request, the Centers for Disease Control and Prevention (CDC) forwarded to your office a listing of all biological materials, including viruses, retroviruses, bacteria, and fungi, which CDC provided to the government of Iraq from October 1, 1984, through October 13, 1993. Recently, in the course of reviewing our shipping records for a Freedom of Information Act (FOIA) request from a private citizen, we identified an additional shipment, on May 21, 1985, that was not included on the list that was provided to your office. Following this discovery, we conducted a thorough review of all of our shipping records and are confident that we have now included a listing of all shipments. A corrected list is enclosed (Note: the new information is italicized).

These additional materials were hand-carried by Dr. Mohammad Mahoud to Iraq after he had spent three months training in a CDC laboratory. Most of the materials were non-infectious diagnostic reagents for detecting evidence of infections to mosquito-borne viruses. Only two of the materials are on the Commodity Control List, i.e., Yersinia Pestis (the agent of plague) and dengue virus. (the strain of plague bacillus was non-virulent, and CDC is currently petitioning the Department of Commerce to remove this particular variant from the list of controlled materials).

We regret that our earlier list was incomplete and appreciate your understanding.

Sincerely,

DAVID SATCHER,

Director.

Enclosure. (Copy unclear)

CDC SHIPMENTS TO IRAQ OCTOBER 1, 1984 THROUGH PRESENT

4/26/85—MINISTER OF HEALTH, MINISTRY OF HEALTH, BAGHDAD, IRAQ

8 Vials antigen and antisera, (R. rickettsii and R. typhi) to diagnose rickettsial infections (non-infectious).

5/21/85—DR. MAHAMMAD IMAD, AL-DEAN M. MAHMUD, DEPT. OF MICROBIOLOGY, COLLEGE OF MEDICINE, UNIVERSITY OF BASRAH, BASRAH, IRAQ

Etiologic Agents:—lyophilized arbovirus seed;

West Nile Fever Virus, Lyophilized cultures of avirulent yersinia pestis and Y. pseudotuberculosis ((strain r);

0.5 ml Bhanja Virus (Ig 690);

0.5 ml Dongua Virus type 2 (New Guinea C);

0.5 ml Dongua Virus type 3 (H-97);

0.5 ml Hazara Virus (Pak IC 280);

0.5 ml Kemeroud Virus (rio);

0.5 ml Langat Virus (TP 21);

0.5 ml Sandfly Fever/Naples Virus (original);

0.5 ml Sandfly Fever/Sicilian Virus (original);

0.5 ml Sindbis Virus (Egar 339);

0.5 ml Tahyna Virus (Bardos 92);

0.5 ml Thgoto Virus (II A).

Diagnostic Reagents and Associated Materials:

2 vials each Y. pestis FA (+ & -) conjugates;

2 vials Y. pestis Fraction 1 antigen;

10 vials Y. pestis bacteriophage impregnated paper strips;

5 plague-infected mouse tissue smears (fixed);

Various protocols for diagnostic bacteriology tests;

23 X 0.5 ml Bhanja (Ig 690) antigen;

22 X 0.5 ml Dengue Type 2 (New Guinea C) antigen;

22 X 0.5 ml Dengue type 3 (H-69) antigen;

22 X 0.5 ml Hazara (Pak IC 290) antigen;

22 X 0.5 ml Kemarovo (Rio) antigen;

22 X 0.5 ml Langat (IF 21) antigen,

24 X 0.5 ml Sandfly Fever/Naples (original) antigen;

24 X 0.5 ml Sandfly Fever/Sicilian (original) antigen;

Diagnostic Reagents and Associated Materials:

2 vials each Y. pestis PA (+6-) conjugates;

2 vials Y. pestis Fraction 2 antigen;

10 vials Y. pestis bacteriophage impregnated paper stripe;

5 plague-infected mouse tissue smears (fixed);

Various protocols for diagnostic bacteriology tests;

23 X 0.5 ml Bhanja (Ig 690) antigen;

22 X 0.5 ml Dengue Type 2 (New Guinea C) antigen;

22 X 0.5 ml Dengue Type 3 (H-67) antigen;

22 X 0.5 ml Hazara (Pak IC 280) antigen;

23 X 0.5 ml Kemarovo (Rio) antigen;

21 X 0.5 ml Langat (TP 21) antigen;

24 X 0.5 ml Sandfly Fever/Maples (original) antigen;

24 X 0.5 ml Sandfly Fever/Sicilian (original) antigen;

23 X 0.5 ml Sindbis (EgAr 339) antigen;

23 X 0.5 ml Tahyna (Bardos 92) antigen;

20 X 0.5 ml Thogoto (II A) antigen;

23 X 0.5 ml Bhanja (Ig 690) antigen;

21 X 0.5 ml West Nile (Eg 101) antigen;

20 X 0.5 ml Normal SMB antigen;

10 X 0.5 ml Normal SML antigen;

5 X 1.0 ml Bhanja (Ig 690) antibody;

5 X 1.0 ml Dengue Type 2 (New Guinea C) antibody;

5 X 1.0 ml Dengue Type 3 (H-87) antibody;

5 X 1.0 ml Hazara (Pak IC 280) antibody;

5 X 1.0 ml Xemerovo (Rio) antibody;

5 X 2.0 ml Langat (TP 21) antibody;

5 X 1.0 ml Sandfly Fever/Naples (original) antibody;

5 X 2.0 ml Sandfly Fever/Sicilian (original) antibody;

5 X 1.0 ml Sindbis (EgAr 339) antibody;

5 X 1.0 ml Tahyna (Bardos 92) antibody;

5 X 1.0 ml Thogoto (II A) antibody;

5 X 1.0 ml West Nile (Eg 101) antibody;

3 X 1.0 ml Normal MHIAF (SMB) antibody;

3 X 1.0 ml Normal MHIAF (SML) antibody;

1.0 ml A polyvalent grouping fluid;

1.0 ml AIYA, etc. polyvalent grouping fluid;

1.0 ml B polyvalent grouping fluid;

1.0 ml BUN polyvalent grouping fluid;

1.0 ml BWA polyvalent grouping fluid;

1.0 ml C-1 polyvalent grouping fluid;

1.0 ml C-2 polyvalent grouping fluid;

1.0 ml CAL polyvalent grouping fluid;

1.0 ml CAP polyvalent grouping fluid;

1.0 ml CON polyvalent grouping fluid;

1.0 ml GMA polyvalent grouping fluid;

1.0 ml KEM polyvalent grouping fluid;

1.0 ml PAL polyvalent grouping fluid;

1.0 ml PAT polyvalent grouping fluid;

1.0 ml PHL polyvalent grouping fluid;

1.0 ml ORF polyvalent grouping fluid;

1.0 ml Rabies, etc. polyvalent grouping fluid;

1.0 ml STM polyvalent grouping fluid;

1.0 ml TCR polyvalent grouping fluid;

1.0 ml VSV polyvalent grouping fluid;

1.0 ml polyvalent 1;

1.0 ml polyvalent 2;

1.0 ml polyvalent 3;

1.0 ml polyvalent 4;

1.0 ml polyvalent 5;

1.0 ml polyvalent 6;

1.0 ml polyvalent 7;

1.0 ml polyvalent 8;

1.0 ml polyvalent 9;

1.0 ml polyvalent 10;

1.0 ml polyvalent 12;

1.0 ml Group BI reagent;

1.0 ml Bluetongue reagent;

4 X 0.5 ml Dengue 1-4 set monoclonal antibodies;

1.0 ml St. Louis Enc. (MSI-7) monoclonal antibody;

1.0 ml Western Eq. Enc. (McMillian) monoclonal antibody.

6/26/85—

Dr. Mohammed S. Khidar, University of Baghdad, College of Medicine, Department of Microbiology, Baghdad, Iraq 3 yeast cultures *Candida sp.* (etiologic).

3/10/86

Dr. Rowil Shawil Georgis, M.B.CH.B.D.F.H., Officers City Al-Muthanna, Quartret 710, Street 13, Close 69, House 28/I, Baghdad, Iraq. 1 vial Botulinum Toxiod # A-2 (non-infectious).

4/21/86—DR. ROWIL SHAWIL GEORGIS, N.B. CIR. D.D.F.H., OFFICERS CITY AL-MUTHANA, QUARTRET 710, STREET 13, CLOSE 69, HOUSE 23/R, BAGHDAD, IRAQ

1 vial Botulinum toxin (non-infections).

7/21/88—DR. FAQID ALFARHOOD, MAHELA 887, ZIKAK 54, HOUSE 97, HAY ALJIHAD, KERK, BAGHDAD, IRAQ

teaching supplies (non-infectious); CDC procedures manuals.

7/27/88—DR. FAGID ALFARHOOD, MAHELA 887, ZIKAK 54, HOUSE 97, HAY ALJIHAD, KERK, BAGHDAD, IRAQ

teaching supplies (non-infectious); CDC procedure manuals.

11/28/89—DR. NADEAL T. AL HADITHI, UNIVERSITY OF BASRAH, COLLEGE OF SCIENCE, DEPARTMENT OF BIOLOGY, BASRAH, IRAQ

5.0 mls Enterococcus faecalis;

5.0 mls Enterococcus faecium;

5.0 mls Enterococcus avium;

5.0 mls Enterococcus raffinosus;

5.0 mls Enterococcus gallinarum;

5.0 mls *Enterococcus durans*;  
5.0 mls *Enterococcus hirac*;  
5.0 mls *Streptococcus bovis* (ccologic).

FROM U.S. SENATE HEARING REPORT 103-900  
U.S. EXPORTS OF BIOLOGICAL MATERIALS TO  
IRAQ

The Senate Committee on Banking, Housing, and Urban Affairs has oversight responsibility for the Export Administration Act. Pursuant to the Act, Committee staff contacted the U.S. Department of Commerce and requested information on the export of biological materials during the years prior to the Gulf War. After receiving this information, we contacted a principal supplier of these materials to determine what, if any, materials were exported to Iraq which might have contributed to an offensive or defensive biological warfare program. Records available from the supplier for the period from 1985 until the present show that during this time, pathogenic (meaning "disease producing"), toxigenic (meaning "poisonous"), and other biological research materials were exported to Iraq pursuant to application and licensing by the U.S. Department of Commerce. Records prior to 1985 were not available, according to the supplier. These exported biological materials were not attenuated or weakened and were capable of reproduction. According to the Department of Defense's own Report to Congress on the Conduct of the Persian Gulf War, released in April 1992:

"By the time of the invasion of Kuwait, Iraq had developed biological weapons. It's advanced and aggressive biological warfare program was the most advanced in the Arab world. The program probably began late in the 1970's and concentrated on the development of two agents, botulinum toxin and anthrax bacteria. . . . Large scale production of these agents began in 1989 at four facilities near Baghdad. Delivery means for biological agents ranged from simple aerial bombs and artillery rockets to surface-to-surface missiles."

Included in the approved sales are the following biological materials (which have been considered by various nations for use in war), with their associated disease symptoms:

**Bacillus Anthracis:** anthrax is a disease-producing bacteria identified by the Department of Defense in the The Conduct of the Persian Gulf War: Final Report to Congress, as being a major component in the Iraqi biological warfare program.

Anthrax is an often-fatal infectious disease due to ingestion of spores. It begins abruptly with high fever, difficulty in breathing, and chest pain. The disease eventually results in septicemia (blood poisoning), and the mortality is high. Once septicemia is advanced, antibiotic therapy may prove useless, probably because the exotoxins remain, despite the death of the bacteria.

**Clostridium Botulinum:** a bacterial source of botulinum toxin, which causes vomiting, constipation, thirst,

general weakness, headache, fever, dizziness, double vision, dilation of the pupils and paralysis of the muscles involving swallowing. It is often fatal.

**Histoplasma Capsulatum:** causes a disease superficially resembling tuberculosis that may cause pneumonia, enlargement of the liver and spleen, anemia, an influenza-like illness and an acute inflammatory skin disease marked by tender red modules, usually on the shins. Reactivated infection usually involves the lungs, the brain, spinal membranes, heart, peritoneum, and the adrenals.

**Brucella Melitensis:** a bacterial which can cause chronic fatigue, loss of appetite, profuse sweating when at rest, pain in joints and muscles, insomnia, nausea, and damage to major organs.

**Clostridium Perfringens:** a highly toxic bacteria which causes gas gangrene. The bacteria produce toxins that move along muscle bundles in the body killing cells and producing necrotic tissue that is then favorable for further growth of the bacteria itself. Eventually, these toxins and bacteria enter the bloodstream and cause systemic illness.

In addition, several shipments of *Escherichia Coli* (E.Coli) and genetic materials, as well as human and bacterial DNA, were shipped directly to the Iraq Atomic Energy Commission.

The following is a detailed listing of biological materials, provided by the American Type Culture Collection, which were exported to agencies of the government of Iraq pursuant to the issuance of an export license by the U.S. Commerce Department:

Date: February 8, 1985

Sent to: Iraq Atomic Energy Agency  
Materials Shipped: *Ustilago nuda* (Jensen) Rostrop.

Date: February 22, 1985

Sent to: Ministry of Higher Education

Materials Shipped: *Histoplasma capsulatum* var. *farciminosum* (ATCC 32136). Class III pathogen.

Date: July 11, 1985.

Sent to: Middle And Near East Regional A.

Materials Shipped: *Histoplasma capsulatum* var. *farciminosum* (ATCC 32136). Class III pathogen.

Date: May 2, 1986.

Sent to: Ministry of Higher Education.

Materials Shipped: 1. *Bacillus Anthracis* Cohn (ATCC 10). Batch #08-20-82 (2 each). Class III pathogen.

2. *Bacillus Subtilis* (Ehrenberg) Cohn (ATCC 82). Batch #06-20-84 (2 each).

3. *Clostridium botulinum* Type A (ATCC 3502). Batch #07-07-81 (3 each). Class III Pathogen.

4. *Clostridium perfringens* (Weillon and Zuber) Hauduroy, et al (ATCC 3624). Batch #10-85SV (2 each).

5. *Bacillus subtilis* (ATCC 6051). Batch #12-06-84 (2 each).

6. *Francisella tularensis*, var. *tularensis* Olsufiev (ATCC 6223) Batch #05-14-79 (2 each). Avirulent, suitable for preparations of diagnostic antigens.

7. *Clostridium tetani* (ATCC 9441). Batch #03-84 (3 each). Highly toxigenic.

8. *Clostridium botulinum* Type E (ATCC 9564). Batch #03-02-79 (2 each). Class III pathogen.

9. *Clostridium tetani* (ATCC 10779). Batch #04-24-84S (3 each).

10. *Clostridium perfringens* (ATCC 12916). Batch #08-14-80 (2 each). Agglutinating type 2.

11. *Clostridium perfringens* (ATCC 13124). Batch #07-84SV (3 each). Type A, alpha-toxigenic, produces lecithinase C.J. Appl.

12. *Bacillus Anthracis* (ATCC 14185). Batch #01-14-80 (3 each). G.G. Wright (Fort Dertick) V770-NP1-R. Bovine anthrax, Class III pathogen.

13. *Bacillus Anthracis* (ATCC 14578). Batch #01-06-78 (2 each). Class III pathogen.

14. *Bacillus megaterium* (ATCC 14581). Batch #04-18-85 (2 each).

15. *Bacillus megaterium* (ATCC 14945). Batch #06-21-81 (2 each).

16. *Clostridium botulinum* Type E (ATCC 17855). Batch #06-21-71. Class III pathogen.

17. *Bacillus megaterium* (ATCC 19213). Batch #3-84 (2 each).

18. *Clostridium botulinum* Type A (ATCC 19397). Batch #08-18-81 (2 each). Class III pathogen.

19. *Brucella abortus* Biotype 3 (ATCC 23450). Batch #08-02-84 (3 each). Class III pathogen.

20. *Brucella abortus* Biotype 9 (ATCC 23455). Batch #02-05-68 (3 each). Class III pathogen.

21. *Brucella melitensis* Biotype 1 (ATCC 23456). Batch #03-08-78 (2 each). Class III pathogen.

22. *Brucella melitensis* Biotype 3 (ATCC 23458). Batch #01-29-68 (2 each). Class III pathogen.

23. *Clostridium botulinum* Type A (ATCC 25763). Batch #8-83 (2 each). Class III pathogen.

24. *Clostridium botulinum* Type F (ATCC 35415). Batch #02-02-84 (2 each). Class III pathogen.

Date: August 31, 1987.

Sent to: State Company for Drug Industries.

Materials Shipped:

1. *Saccharomyces cerevesia* (ATCC 2601). Batch #08-28-08 (1 each).

2. *Salmonella choleraesuis* subsp. *choleraesuis* Serotype typhimurium (ATCC 6539). Batch #06-86S (1 each).

3. *Bacillus subtilis* (ATCC 6633). Batch# 10-85 (2 each).

4. *Klebsiella pneumoniae* subsp. *pneumoniae* (ATCC 10031). Batch# 08-13-80 (1 each).

5. *Escherichia coli* (ATCC 10536). Batch# 04-09-80 (1 each).

6. *Bacillus cereus* (11778). Batch# 05-85SV (2 each).

7. *Staphylococcus epidermidis* (ATCC 12228). Batch# 11-86s (1 each).

8. *Bacillus pumilus* (ATCC 14884). Batch# 09-08-90 (2 each).

Date: July 11, 1988.

Sent to: Iraq Atomic Energy Commission.

Materials Shipped:

1. *Escherichia coli* (ATCC 11303). Batch# 04-87S. Phage host.

2. Cauliflower Mosaic Caulimovirus (ATCC 45031). Batch# 06-14-85. Plant virus.

3. Plasmid in *Agrobacterium Tumefaciens* (ATCC 37349). (Ti plasmid for co-cultivation with plant integration vectors in E. Coli). Batch# 05-28-85.

Date: April 26, 1988.

Sent to: Iraq Atomic Energy Commission.

Materials Shipped:

Hulambda4x-8, clone: human hypoxanthine phosphoribosyltransferase (HPRT). Chromosome(s): X q26.1 (ATCC 57236) Phage vector; Suggested host: E.coli.

2. Hulambda14-8, clone: human hypoxanthine phosphoribosyltransferase (HPRT). Chromosome(s): X q26.1 (ATCC 57240) Phage vector; Suggest host: E.coli.

3. Hulambda 15, clone: human hypoxanthine phosphoribosyltransferase (HPRT). Chromosome(s): X q26.1 (ATCC 57242) Phage vector; Suggested host: E.coli.  
Date: August 31, 1987.  
Sent to: Iraq Atomic Energy Commission.  
Materials Shipped:  
1. Escherichia coli (ATCC 23846). Batch# 07-29-83 (1 each).  
2. Escherichia coli (ATCC 33694). Batch# 05-87 (1 each).  
Date: September 29, 1988.  
Sent to: Ministry of Trade.  
Materials Shipped:  
1. Bacillus anthracis (ATCC 240). Batch# 05-14-63 (3 each). Class III pathogen.  
2. Bacillus anthracis (ATCC 938). Batch# 1963 (3 each). Class III pathogen.  
3. Clostridium perfringens (ATCC 3629). Batch# 10-23-85 (3 each).  
4. Clostridium perfringens (ATCC 8009). Batch# 03-30-84 (3 each).  
5. Bacillus anthracis (ATCC 8705). Batch# 06-27-62 (3 each). Class III pathogen.  
6. Brucella abortus (ATCC 9014). Batch# 05-11-66 (3 each). Class III pathogen.  
7. Clostridium perfringens (ATCC 10388). Batch# 06-01-73 (3 each).  
8. Bacillus anthracis (ATCC 11966). Batch# 05-05-70 (3 each). Class III pathogen.  
9. Clostridium botulinum Type A. Batch# 07-86 (3 each). Class III pathogen.  
10. Bacillus cereus (ATCC 33018). Batch# 04-83 (3 each).  
11. Bacillus cereus (ATCC 33019). Batch# 03-88 (3 each).  
Date: January 31, 1989.  
Sent to: Iraq Atomic Energy Commission.  
Materials Shipped:  
1. PHPT31, clone: human hypoxanthine phosphoribosyltransferase (HPRT). Chromosome(s): X q26.1 (ATCC 57057)  
2. plambda500, clone: human hypoxanthine phosphoribosyltransferase pseudogene (HPRT). Chromosome(s): 5 p14-p13 (ATCC 57212).  
Date: January 17, 1989  
Sent to: Iraq Atomic Energy Commission.  
Materials Shipped:  
1. Hulambda4x-8, clone: human hypoxanthine phosphoribosyltransferase (HPRT). Chromosome(s): X q26.1 (ATCC 57237) Phage vector; Suggested host: E. coli.  
2. Hulambda14, clone: human hypoxanthine phosphoribosyltransferase (HPRT). Chromosome(s): X q26.1 (ATCC 57240) Cloned from human lymphoblast. Phage vector; Suggested host: E. coli.  
3. Hulambda15, clone: human hypoxanthine phosphoribosyltransferase (HPRT). Chromosome(s): X q26.1 (ATCC 57241) Phage vector; Suggested host: E. coli.  
Additionally, the Centers for Disease Control has compiled a listing of biological materials shipped to Iraq prior to the Gulf War. The listing covers the period from October 1, 1984 (when the CDC began keeping records) through October 13, 1993. The following materials with biological warfare significance were shipped to Iraq during this period:  
Date: November 28, 1989.  
Sent to: University of Basrah, College of Science, Department of Biology.  
Materials Shipped:  
1. Enterococcus faecalis.  
2. Enterococcus faecium.  
3. Enterococcus avium.  
4. Enterococcus raffinosus.  
5. Enterococcus gallinarum.  
6. Enterococcus durans.  
7. Enterococcus hirae.  
8. Streptococcus bovis (etiologic).  
Date: April 21, 1986.  
Sent to: Officers City Al-Muthanna, Quartret 710, Street 13, Close 69 House 28/I, Baghdad, Iraq.  
Materials Shipped:  
1. 1 vial botulinum toxoid (non-infectious).

Date: March 10, 1986.  
Sent to: Officers City Al-Muthanna, Quartret 710, Street 13, Close 69 House 28/I, Baghdad, Iraq.  
Materials Shipped:  
1. 1 vial botulinum toxoid #A2 (non-infectious).  
Date: June 25, 1985.  
Sent to: University of Baghdad, College of Medicine, Department of Microbiology.  
Materials Shipped:  
1. 3 yeast cultures (etiologic) Candida sp.  
Date: May 21, 1985.  
Sent to: Basrah, Iraq.  
Materials Shipped:  
1. Lyophilized arbovirus seed (etiologic).  
2. West Nile Fever Virus.  
Date: April 26, 1985.  
Sent to: Minister of Health, Ministry of Health, Baghdad, Iraq.  
Materials Shipped:  
1.8 vials antigen and antisera (r. rickettsii and r. typhi) to diagnose rickettsial infections (non-infectious).

#### UNSCOM BIOLOGICAL WARFARE INSPECTIONS

UNSCOM inspections uncovered evidence that the government of Iraq was conducting research on pathogen enhancement on the following biological warfare-related materials: bacillus anthracis; clostridium botulinum; clostridium perfringens; brucella abortus; brucella melitensis; francisella tularensis; and clostridium tetani.

In addition, the UNSCOM inspections revealed that biological warfare-related stimulant research was being conducted on the following materials: bacillus subtilis; bacillus cereus; and bacillus megaterium.

UNSCOM reported to Committee staff that a biological warfare inspection (BW3) was conducted at the Iraq Atomic Energy Commission in 1993. This suggests that the Iraqi government may have been experimenting with the materials cited above (E. coli and rDNA) in an effort to create genetically altered microorganisms (novel biological warfare agents). Committee staff plans to interview the BW3 team leader, Col. David Franz of the United States Army Medical Research Institute for Infectious Diseases (USAMRIID) in the near future. This phase of the investigation continues.

#### BIOLOGICAL WARFARE DEFENSE

The following section, describing the types, dissemination, and defensive measures against biological agents, is quoted verbatim from a United States Marine Corps Institute document, Nuclear and Chemical Operations, MCI 771B, used in the Command and Staff College's nonresident program. It is clear from this document that the Department of Defense recognizes both the threat and U.S. vulnerability to biological weapons. This document also outlines the Department's understanding of what actions should be taken in the event that a biological weapon has been or is suspected to have been employed.

"Biological agents cannot be detected by the human senses. A person could become a casualty before he is aware he has been exposed to a biological agent. An aerosol or mist of biological agent is borne in the air. These agents can silently and effectively attack man, animals, plants, and in some cases, materiel. Agents can be tailored for a specific type of target.

Methods of using antipersonnel agents undoubtedly vary so that no uniform pattern of employment or operation is evident. It is likely that agents will be used in combinations so that the disease symptoms will confuse diagnosis and interfere with proper treatment. It is also probable that biological agents would be used in heavy concentrations to insure a high percentage of infection in the target area. The use of such concentrations could result in the breakdown of

individual immunity because the large number of micro-organisms entering the body could overwhelm the natural body defenses.

#### Types of biological agents

Different antipersonnel agents require varying periods of time before they take effect, and the periods of time for which they will incapacitate a person also vary. Most of the diseases having antipersonnel employment potential are found among group of diseases that are naturally transmitted between animals and man. Mankind is highly vulnerable to them since he has little contact with animals in today's urban society. The micro-organisms of possible use in warfare are found in four naturally occurring groups—the fungi, bacteria, rickettsiae, and viruses.

a. Fungi. Fungi occur in many forms and are found almost everywhere. They range in size from a single cell, such as yeast, to multicellular forms, such as mushrooms and puffballs. Their greatest employment potential is against plants, although some forms cause disease in man. A fungus causes the disease coccidioidomycosis in man. Other common infections caused by Fungi include ringworm and "athletes foot."

b. Bacteria. Bacteria comprise a large and varied group of organisms. They occur in varying shapes, such as rods, spheres, and spirals, but they are all one-celled plants. Some bacteria can assume a resistant structure called a spore, which enables them to resist adverse environmental conditions. Others may produce poisonous substances called toxins. Examples of human disease caused by bacteria are anthrax, brucellosis, tularemia, staphylococcus, and streptococcus.

c. Rickettsiae. Rickettsiae organisms have the physical appearances of bacteria and the growth characteristics of viruses. Members of this group must have living tissue for growth and reproduction, whereas most fungi and bacteria can be grown on artificial material. Another characteristic of rickettsiae is that most diseases caused by this group are transmitted by the bite of an insect, such as the mosquito, mite, or tick. Rocky Mountain Spotted Fever, Q fever, and typhus are diseases of mankind caused by rickettsiae.

d. Virus. The smallest living things known to mankind are viruses. Viruses are so small that an electron microscope is required to see them. Viruses cannot be grown in the absence of living tissue. Diseases which are caused by viruses cannot normally be treated with antibiotics. Viruses cause yellow fever, rabies, and poliomyelitis.

#### Dissemination of biological agents

a. Aerosol. Biological agents may be disseminated on, or over, the target by many means, such as aircraft, missiles, and explosive munitions. These devices produce a biological aerosol, and, if antipersonnel biological agents are ever used, they will probably be disseminated in the form of biological mists or aerosols. This method of dissemination would be extremely effective because the micro-organisms would be drawn into the lungs as a person breathes, and there they would be rapidly absorbed into the blood stream. *The hours from dusk until dawn appear to be the best time for dissemination of biological agents. The weather conditions are most favorable for these agents at night, since sunlight will destroy many of them. In field trials, using harmless biological aerosols, area coverages of thousands of square miles have been accomplished. The aerosol particles were carried for long distances by air currents.* (emphasis added)

b. Living Hosts. Personnel may be infected by disease carrying vectors, such as insects, rats, or other animals. Mosquitos may

spread malaria, yellow fever, or encephalitis; rats spread plague (any mammal may carry rabies). Militarily, specific vectors may be selected, infected as required, and then released in the target area to seek out their human victims and pass on the disease. Since infection is transmitted through a bite in the skin, protective masks offer no protection. A vectorborne agent may remain in the target area for as long as there are live hosts; thus, a major disadvantage results. The vectorborne agent can become a permanent hazard in the area as the host infects others of his species.

c. Food and Water Contamination. Biological agents could also be delivered to target personnel by placing the agent in food and water supplies (sabotage). This type of attack would probably be directed against small targets, such as industrial complexes, headquarters, or specific individuals. The methods of delivering the attack are many and varied.

#### Defensive Measures

The United States carries out research aimed at improved means of detection of biological agents and treatment and immunization of personnel. Both of these are essential to biological defense.

a. Before an Attack. The inability of the individual to detect a biological attack is perhaps the greatest problem. Contributing factors are the delay experienced before the onset of symptoms and the time required to identify specific agents. Without an adequate means of detection, complete defensive measures may not be taken since an attack must first be detected before you can defend against it. Diseases caused by biological agents do not appear until a few days to weeks after contact with the agent. Personnel are protected against biological agents in aerosol form by the protective mask. Ordinary clothing protects the skin from contamination by biological agents. Other means of protection include immunizations; quarantining contaminated areas; cleanliness of the body, clothing, and living quarters; stringent rodent and pest control; proper care of cuts and wounds; and education of troops to eat and drink only from approved sources.

b. After an Attack: *After a biological agent attack has occurred, it will be necessary to identify the agent used in the attack so that proper medical treatment may be given to exposed personnel. To perform this identification, it is necessary to collect samples or objects from the contaminated area and send them to a laboratory or suitable facility for processing. Samples may be taken from the air, from contaminated surfaces, or from contaminated water. After the sample is taken, laboratory time will be required to identify the suspected biological agent. The length of time for identification is being significantly shortened through the use of new medical and laboratory techniques. Proper defensive actions taken during a biological attack depend upon the rapid detection of the attack. Biological defense is continuous. You must always be prepared for the employment of these weapons.* (emphasis added)

Mr. BYRD. Mr. President, I thank the Chair and I thank all Members.

#### RUSSIAN DEMOCRACY ACT OF 2002

Mr. BYRD. Mr. President, by request of the majority leader, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar Order No. 543, H.R. 2121.

The PRESIDING OFFICER. The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 2121) to make available funds under the Foreign Assistance Act of 1961 to expand democracy, good governance, and anti-corruption programs in the Russian Federation in order to promote society in that country and to support independent media.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

[This Act may be cited as the "Russian Democracy Act of 2001".]

#### SEC. 2. FINDINGS AND PURPOSES.

[(a) FINDINGS.—Congress makes the following findings:

[(1) Since the dissolution of the Soviet Union, the leadership of the Russian Federation has publicly committed itself to building—

[(A) a society with democratic political institutions and practices, the observance of universally recognized standards of human rights, and religious and press freedom; and

[(B) a market economy based on internationally accepted principles of transparency, accountability, and the rule of law.

[(2) In order to facilitate this transition, the international community has provided multilateral and bilateral technical assistance, and the United States' contribution to these efforts has played an important role in developing new institutions built on democratic and liberal economic foundations and the rule of law.

[(3)(A) Since 1992, United States Government democratic reform programs and public diplomacy programs, including training, small grants, and technical assistance to independent television, radio, and print media across the Russian Federation, have strengthened nongovernment-owned media, provided access to and training in the use of the Internet, brought nearly 40,000 Russian citizens to the United States, and have led to the establishment of over 65,000 nongovernmental organizations, thousands of vibrant independent media outlets, and numerous political parties.

[(B) These efforts contributed to the substantially free and fair Russian parliamentary elections in 1995 and 1999 and Presidential elections in 1996 and 2000.

[(4) The United States has assisted Russian efforts to replace its centrally planned, state-controlled economy with a market economy and helped create institutions and infrastructure for a market economy by encouraging the transparent privatization of state-owned enterprises. Approximately two-thirds of the Russian Federation's gross domestic product is now generated by the private sector.

[(5)(A) The United States fostered grassroots entrepreneurship in the Russian Federation by focusing United States economic assistance on small- and medium-sized businesses and by providing training, consulting services, and small loans to more than 250,000 Russian entrepreneurs.

[(B) There are now more than 900,000 small businesses in the Russian Federation, producing 12 to 15 percent of the gross domestic product of the Russian Federation.

[(C) United States-funded programs help to fight corruption and financial crime, such as money laundering, by helping to—

[(i) establish a commercial legal infrastructure;

[(ii) develop an independent judiciary;

[(iii) support the drafting of a new criminal code, civil code, and bankruptcy law;

[(iv) develop a legal and regulatory framework for the Russian Federation's equivalent of the United States Securities and Exchange Commission;

[(v) support Russian law schools;

[(vi) create legal aid clinics; and

[(vii) bolster law-related activities of non-governmental organizations.

[(6) Because the capability of Russian democratic forces and the civil society to organize and defend democratic gains without international support is uncertain, and because the gradual integration of the Russian Federation into the global order of free-market, democratic nations will further enhance Russian cooperation with the United States on a wide-range of political, economic, and security issues, the success of democracy in Russia is in the national security interest of the United States, and the United States Government should develop a far-reaching and flexible strategy aimed at strengthening Russian society's support for democracy and a market economy, particularly by enhancing Russian democratic institutions and education, promoting the rule of law, and supporting Russia's independent media.

[(7) Since the tragic events of September 11, 2001, the Russian Federation has stood with the United States and the civilized world in the struggle against terrorism and has cooperated in the war in Afghanistan by sharing intelligence and through other means.

[(b) PURPOSES.—The purposes of this Act are—

[(1) to strengthen and advance institutions of democratic government and of a free and independent media and to sustain the development of an independent civil society in the Russian Federation based on religious and ethnic tolerance, internationally recognized human rights, and an internationally recognized rule of law; and

[(2) to focus United States foreign assistance programs on using local expertise and giving local organizations a greater role in designing and implementing such programs, while maintaining appropriate oversight and monitoring.

#### SEC. 3. UNITED STATES POLICY TOWARD THE RUSSIAN FEDERATION.

[(a) SENSE OF CONGRESS.—It is the sense of Congress that the United States Government should—

[(1) recognize that a democratic and economically stable Russian Federation is inherently less confrontational and destabilizing in its foreign policy and therefore that the promotion of democracy in Russia is in the national security interests of the United States; and

[(2) continue and increase assistance to the democratic forces in the Russian Federation, including the independent media, regional administrations, democratic political parties, and nongovernmental organizations.

[(b) STATEMENT OF POLICY.—It shall be the policy of the United States—

[(1) to facilitate Russia's integration into the Western community of nations, including supporting the establishment of a stable democracy and a market economy, and also including Russia's membership in the appropriate international institutions;

[(2) to engage the Government of Russian Federation and Russian society in order to