

**THE PRESIDENT'S INTERNATIONAL AFFAIRS
REQUEST FOR FISCAL YEAR 2005**

HEARING
BEFORE THE
**COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES**
ONE HUNDRED EIGHTH CONGRESS

SECOND SESSION

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FEBRUARY 11, 2004
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THE PRESIDENT'S INTERNATIONAL AFFAIRS REQUEST FOR FISCAL YEAR 2005

WEDNESDAY, FEBRUARY 11, 2004

HOUSE OF REPRESENTATIVES,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Committee met, pursuant to call, at 12:05 p.m., in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order.

Mr. Secretary, welcome to the Committee on International Relations. We are eager to hear your testimony, but before that I would like to offer a few thoughts and ask then my distinguished Ranking Member, Mr. Lantos, to offer remarks of his own. And any Member wishing to make a statement may submit it for the record to allow as much time as possible for questions.

The Administration is facing an onslaught of criticism regarding the pre-war intelligence concerning weapons of mass destruction in Iraq. Some eagerly proclaim in unflattering haste a more sweeping pronouncement: That the entire conflict was a mistake, an opinion curiously put forward by many, including some Members in this House, whose prior support was accompanied by few, if any, qualifications.

But the political season is upon us and, as in war, truth is often the first casualty.

The role of intelligence in the decision to go to war, the costs and benefits of that conflict, and many other facets are the subject matter of legitimate contention. But those originally opposed, and those belatedly discovering their doubts, equate failure to find these weapons—that is, to find a loaded gun aimed directly at our head—with failure of the enterprise as a whole. At its core, their criticism is that the President took action to defend this country instead of just sitting there.

A principal mistake arises for both critics and defenders in viewing the conflict in Iraq as a thing in itself. However, instead of its depiction as a lone adventure of questionable wisdom, a more reasoned view is that our actions in Iraq must be judged in a larger context. Our actions there are in fact part of an incredible success story, one that is still unfolding and one that is due almost entirely to the foresight and determination to act that is a refreshing characteristic of this Administration.

Over the years, I have found myself in ever-greater agreement with former Senator Sam Nunn, who has incessantly warned us of the threat of the proliferation of weapons of mass destruction being

placed into the waiting hands of our enemies. The Bush Administration has transformed our entire approach to this staggering challenge by crafting and implementing an unprecedented multi-faceted global and—this is key—action-oriented effort, of which Iraq is an integral part.

I need not rehearse the arguments regarding weapons of mass destruction in Iraq, other than to point out that every intelligence agency, along with the United Nations, Saddam's own generals and even the majority of today's critics, believed that those weapons existed.

In our vulnerable world, to wait until compelling evidence of a threat is leisurely compiled is to wait for our destruction, to err on the side of annihilation. It is a mistake, or evidence of an alarming naivete, to talk of intelligence failures as shocking surprises, as though these estimates and extrapolated predictions could ever be more than imperfect.

A far more serious intelligence failure than the one currently in the spotlight became evident in 1991 when, in the aftermath of the Gulf War, we uncovered Iraq's massive weapons of mass destruction programs, including the bonechilling discovery that Saddam was only an estimated 6 months away from an operational nuclear device. Was not that failure of prediction and the inaction if encouraged of greater consequence than the recent conclusion that he still possessed vast arsenals of WMDs, a deception he himself cultivated? We had valuable but incomplete intelligence preceding September 11th and largely ignored it. Is that the model to which critics of our actions in Iraq would have us adhere? When is it wise to risk the safety of the American people? Because that is the outcome that a demand for certainty will guarantee.

Now making the rounds is the view that the United States has lost credibility around the world due to its failure to find evidence of weapons of mass destruction in Iraq. I suggest the exact opposite is true. We have in fact gained enormous, immensely valuable, even decisive credibility from our actions. For the next time the U.S. or at least this President, warns some foreign despot to cease actions we believe are threatening to our security, my hunch is that he will listen and listen carefully. The fact that we went into Iraq virtually alone, excepting our courageous partner Great Britain, not only without the sanction of the international community but in blunt defiance of its strenuous efforts to stop us, is far from the ruinous negative it is often portrayed as. In fact it is all to the good, for it is unambiguous proof that absolutely nothing will deter us, that the entire world arrayed against us cannot stop us. The message to those on the receiving end could not be clearer, and unless they are suicidal they will understand that their options have been radically narrowed.

This is not theory. Already, the Administration has won another victory in Muammar Khaddafi's decision to surrender his weapons of mass destruction programs as a direct consequence—a direct consequence of our actions in Iraq. He himself has said that the example of Iraq was the determining factor in his decision. And it is a powerful precedent, for it is the first time that a state has surrendered these weapons without a regime change. If he makes good on his promise, and if we can in confidence readmit him fully to

the international community, the effects on others cannot but be salutary. We can then offer offenders a stark choice of the sword or the olive branch, of destruction or the rewards of cooperation, with all ambiguity torn away and thereby refocus their cold calculations of self-interest away from ambition and toward survival.

Our intervention in Iraq has made this seminal message both possible and credible for the first time. Can anyone cognizant of the threats we face doubt its value?

The benefits of this new mode of interaction are evident in the current standoff with Iran. The recent and unexpected exposure of Iran's massive nuclear weapons program has startled that regime into a hastily constructed policy of stalling and superficial cooperation. Only a fool would believe that the Iranians will voluntarily abandon their nuclear ambitions, but their coerced cooperation has been helpfully motivated by their fear of United States action against them. And in truth, they should be afraid. Imagine the view from Tehran. Iran battled Iraq for a decade with the loss of hundreds of thousands of men, the end result being a return to their respective starting positions. Yet twice the U.S. has easily demolished their menacing neighbor. Iran would be a much different challenge, but no Iranian leader can truthfully say once the regime was targeted that his sleep would remain undisturbed and, should sleep come, dreams of the Taliban's fate would invade his fitful slumber.

Here as well Iran's adherence to the deal it cut with Britain, France and Germany for a suspension of its programs has been made more likely by the United States stance, a pressure on Tehran that even the Europeans privately acknowledge to be useful. That situation is far from resolved but does anyone actually believe that the possibility of halting Iran's march would exist without Saddam's sobering example?

None of this has been lost on the North Korean regime. Our demonstrated willingness to use force to remove a threat, paired with the possibility of reward for cooperation, provides the decision makers in Pyongyang with useful instruction in the rules of this new world. Once again, this bracketing of the regime's options was made possible by our actions in Iraq.

To this Administration must go the credit for many other long-delayed but indispensable actions to reverse our slide toward the chasm. The Proliferation Security Initiative, the cooperation arrangement among countries concerned about WMDs and determined to do something concrete about them, is a muscular enhancement of our ability to halt trafficking in the components of these weapons.

Despite the program's infancy, there have already been notable successes. It was the interception of a vessel loaded with nuclear components for Libya that helped convince Khaddafi that the days of his undisturbed accumulation of the instruments of destruction were over.

I will cite two more praiseworthy innovations in this area by the Bush Administration. The first is a surprisingly successful effort to persuade the leader of Pakistan to interrupt the proliferation of nuclear materials and assistance that has metastasized unchecked from within that country for many years. The revelations in Paki-

stan, combined with those emerging from Libya, are beginning to expose the international black market in nuclear technology and know-how, which prior to this inside information had only been sketchily understood. We are now in the process of unraveling that network and eliminating the horrors its commerce would otherwise help bring into being.

Here again, action long dreamed of is finally being taken. We are no longer bystanders wringing our hands and hoping that our intelligence will be good enough to somehow uncover it all, no longer waiting for some international court to issue a reluctant warrant or grudging permission to allow us to take measures to protect ourselves.

Taken together, these many elements constitute an extraordinary effort by this Administration to put in place a far-seeing, comprehensive, and action-oriented policy focused on preempting our annihilation. Of course, we inherited some very valuable initiatives, such as the Nunn-Lugar program that continues the long-term effort to secure the vast arsenal left in the wreckage of the Soviet empire. But it is simply beyond credibility and simple decency to dispute that this Administration has aggressively pursued a vastly increased effort against weapons of mass destruction and their proliferation, that it has drawn bright and unmistakable lines of warning, has recruited committed allies, and has conducted a direct assault on a seemingly impregnable fortress.

The work is not done. We must make up for decades of stillborn plans, of whining excuses, of wishful thinking, of irresponsible passivity. This President has begun to lay the foundation for a comprehensive, multilayered, root-and-branch approach to the mortal danger of the proliferating instruments of our destruction. A global system of overlapping levels of international, multilateral and unilateral measures is being erected, each using different tools and methods but all sharing a common purpose. Each and all are needed. For even a single gap might well prove fatal, the hole through which our future is bled away.

We are only at the beginning, but it is an extraordinary beginning. Everyone in this room, everyone in this country, owes this Administration their thanks for the fact that this ultimate of threats is not only being battled, but battled successfully.

That is the true context in which our actions in Iraq should be judged.

We were not born to suffer a fate molded by our enemies. We cannot be made victims without our consent. If unmet, the terrors of this century will overwhelm us.

But although we may at times be uncertain of our path, we have never failed ourselves.

Are we safer now? Measured in this ultimate context, in the successes our actions in Iraq and elsewhere have made possible, in this contest on which our survival rests, the answer cannot be other than yes. And I am grateful that this President has carried out his duty.

[The prepared statement of Mr. Hyde follows:]

PREPARED STATEMENT OF THE HONORABLE HENRY J. HYDE, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF ILLINOIS, AND CHAIRMAN, COMMITTEE ON INTER-
NATIONAL RELATIONS

DELIVERING OURSELVES FROM EVIL

Mr. Secretary, welcome to the Committee on International Relations.

We are eager to hear your testimony, but before that, I would like to offer a few thoughts. I would then ask the distinguished Ranking Member, Mr. Lantos, to offer remarks of his own.

The Administration is facing an onslaught of criticism regarding the pre-war intelligence concerning weapons of mass destruction in Iraq. Some eagerly proclaim in unflattering haste a more sweeping pronouncement, that the entire conflict was a mistake, an opinion curiously put forward by many—including some members in this House—whose prior support was accompanied by few, if any, qualifications.

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A far more serious intelligence failure than the one currently in the spotlight became evident in 1991 when, in the aftermath of the Gulf War, we uncovered Iraq's massive WMD programs, including the bone-chilling discovery that Saddam was only an estimated six months away from an operational nuclear device. Was not that failure of prediction and the inaction it encouraged of greater consequence than the recent conclusion that he still possessed WMDs, a deception he himself cultivated? We had valuable, but incomplete intelligence preceding 9/11 and largely ignored it. Is that the model to which critics of our actions in Iraq would have us adhere? When is it wise to risk the safety of the American people? Because that is the outcome that a demand for certainty will guarantee.

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Chairman HYDE. I now turn to my esteemed colleague and friend, Tom Lantos, for any remarks he may choose to make.

Mr. LANTOS. Thank you very much, Mr. Chairman. I would like to begin by expressing my continued appreciation for the strong and effective manner in which you have run this Committee since assuming the Chairmanship. As a result of your stewardship and willingness to work across party lines, last year we passed two critical bills creating the new Millennium Challenge Account and authorizing a landmark global HIV/AIDS initiative that will help save the lives of hundreds of thousands of men, women and children in the developing world.

This time, I want to issue a very special welcome to our distinguished Secretary of State. He is always welcome here, but following your operation, we are delighted to see you in such wonderful and robust condition.

Mr. Secretary, it is once again a great pleasure to have you before this Committee. Neither the global HIV/AIDS bill nor the Millennium Challenge Account would have happened without you and your hard work. We are deeply grateful for your leadership of the Department of State.

Mr. Secretary, it is gratifying that the United States has just taken the historic step of officially stationing an American diplomat in Libya, a preliminary move toward establishing a full-fledged Embassy and normalizing our relations with that country.

As I found during my visit to Tripoli 2 weeks ago, the government there is eager to demonstrate its commitment to its December 19th announcement that it is dismantling its programs to produce weapons of mass destruction and taking all other steps to rejoin the international community.

I would particularly like to thank you, Mr. Secretary, for the support for my trip provided by the Department of State. I am pleased to report that we are seeing in Libya something that was previously unthinkable: A country with weapons of mass destruction has made the affirmative decision, peacefully, to give up its weapons of mass destruction programs.

In an hour and a half meeting, Colonel Ghadafi made it clear to me that his nation is committed to a 180-degree turn and that Libya intends verifiably—I underscore verifiably—to eliminate weapons of mass destruction and all weapons related programs. The facts, Mr. Secretary, speak for themselves. The Libyans have loaded sensitive nuclear designs and other nuclear related equipment on U.S. military aircraft bound for the United States. They have welcomed the technical assistance of American and British experts.

Based on my meetings in Tripoli, it is clear that Colonel Ghadafi made this historic decision because he and his advisers realized that Libya could no longer afford to be a pariah nation. Libya's pursuit of weapons of mass destruction was enormously expensive and has drained its oil wealth. All the while, United States and international sanctions were a stranglehold on the Libyan economy.

Libya's growing economic problems can only be solved by a redirection of its resources and its reintegration into the global economy. But given Libya's past outrageous record, over 3 decades, including the tragic Pan Am 103 bombing, we must tread very carefully. We must be skeptical of Libya's actions at every turn and we must be relentless in verifying their destruction of weapons of mass destruction programs.

American actions to normalize relations must be matched every step of the way by verifiable Libyan actions. In light of Libya's actions since December 19th, we should immediately lift the ban on travel by Americans to Libya and we should establish a full-fledged American diplomatic presence in Tripoli. But removal of Libya from the terrorist list and the complete elimination of United States sanctions should only occur after Libya has totally dismantled its weapons of mass destruction program and agreed to long-term monitoring procedures and after it has fully satisfied our officials that its links to terrorism have been severed once and for all.

As I told Colonel Ghadafi, it is not only insufficient for them to terminate their past terrorist ties, they need to cooperate with us in fighting global terrorism, particularly in Africa.

A public apology for the Pan Am 103 bombing and a significant improvement in the human rights situation would also help pave the way for normal relations between our two countries. As you know, Mr. Secretary, there are several Bulgarian nurses who have been imprisoned for many years and whose release is long overdue.

Mr. Secretary, American policy under Republican and Democratic Administrations was a critical factor in Libya's dramatic about face. The economic, political, and diplomatic sanctions imposed against Tripoli were the result of bipartisan agreement involving our last three Presidents and it involved cooperation with the British government and some of our other allies.

This clearly indicates that firm and consistent international cooperation against rogue nations does produce significant positive results.

Information that has come out of Libyan WMD programs in the past few weeks is providing our country and the international community with critical insights to proliferation of illicit weapons programs. And looking at the larger picture, Libya has established a

model that other countries, North Korea, Iran, and Syria, ought to follow. It is profoundly disappointing that following your visit and my much less important visit to Damascus some months ago, Syria's President has yet to respond affirmatively to our suggestions. And I hope that President Assad will look more carefully at the dramatic policy shift of Colonel Ghadafi.

While much remains to be done, I am convinced that we are on the verge of a new chapter in United States-Libyan relations. When the American flag flies over the American Embassy in Tripoli once more and the Libyan flag over the Embassy here in Washington, it will be a wonderful symbol that historic changes can be wrought by peaceful means, America's preferred alternative.

Mr. Chairman, I thank you for calling today's hearing and I look forward to hearing the Secretary's observations.

Chairman HYDE. Thank you, Mr. Lantos. And we salute you for your initiative in your recent historic trip to Libya. I am encouraged by reports that Libya is taking significant steps to end its support for international terrorism and divest itself of weapons of mass destruction. I am also hopeful that cautious re-engagement with Libya, conditioned on continued and verifiable continued cooperation, will provide incentives for responsible behavior not only in Libya but other rogue nations as well.

I am pleased to announce this Committee will convene a public hearing the week of February 23rd to hear from Assistant Secretaries of State Burns and DeSutter on the future of United States-Libyan relations. In this hearing we will carefully examine the possibility of a restoration of travel links and the encouragement of educational, health and other exchanges with Libya. We also will examine the extent to which re-engagement should be linked to Libya's fulfillment of pledges to cease support for terrorism, to dismantle weapons of mass destruction programs, and support further investigations into the bombing of Pan Am Flight 103. We are encouraged by Libya's actions of late, but I concur with my esteemed Ranking Member, we must trust but verify.

And now at long last we come to the main attraction. Secretary of State Colin Powell has a long and distinguished career of public service and is too well-known, and justifiably so, to require my recounting today. But we want to thank you, Mr. Secretary, for your public service, for your work with Members of this Committee, and for your appearance here today. Please proceed with your statement and then we will ask some questions.

**STATEMENT OF THE HONORABLE COLIN L. POWELL,
SECRETARY, U.S. DEPARTMENT OF STATE**

Secretary POWELL. Thank you very much, Mr. Chairman. It is a great pleasure to appear before the Committee. I thank you for your warm welcome. Mr. Lantos, I thank you for your welcome and for the two opening statements.

Mr. Chairman, I do have a prepared statement for the record which I would like to submit and then summarize the statement with a few opening comments.

Chairman HYDE. Without objection, so ordered.

Secretary POWELL. Mr. Chairman, before I begin responding to your comments and Mr. Lantos' opening comments and then get-

ting into the body of my statement, let me say to all the Members of the Committee how much I appreciate the support you have provided to me personally, but, more importantly, to the members of the Department of State over the last 3 years that I have been privileged to lead these wonderful men and women.

We have accomplished a lot with the Congress over the last 3 years. We have started hiring again in significant numbers. You ought to see the great young people who are stepping forward to become members of the State Department, Foreign Service, Civil Service, or Foreign Service Management Specialists and Technicians. We are giving the Foreign Service exam to more people in a single year than we have ever done before. The results are showing up, as I watch youngsters we recruited a year or two ago go out to their missions and bring such energy and life and the American value system out to our missions around the world.

We wouldn't have been able to do it if you hadn't supported our diplomatic readiness initiative. And I hope you will continue to do so as we move forward in the future. Technology: We have 44,250 Internet-capable broadband computers on every desk in the State Department. We only had a couple hundred a few years ago. My staff at the staff meeting yesterday morning handed me a plaque showing that, finally, 2 months ago we got rid of the last Wang computer in the State Department. It took some doing, but we couldn't have done it without the support of Members of Congress and especially without the strong support of this Committee.

We have our building plan under control. We are putting up Embassies at less cost and meeting all of the standards that the Congress had put upon us. We are trying to lead and manage the department in a very effective way so that we will always be seen as good stewards of the people's monies. I hope, Mr. Chairman, that you will consider that to be the case and will support the President's budget request, which I will get to in a few moments.

But before getting into that part of the statement, let me respond directly to two statements that were made, one by you, Mr. Chairman, and one by Mr. Lantos. Mr. Chairman, you said at the end of your introductory remarks concerning Iraq: Are we safer now? The answer is yes. Mr. Lantos, you ended by saying: Peaceful means, America's preference. Both of these are absolutely true statements. America seeks peace, not war. America always tries to solve problems through political and diplomatic means before we take on the burden of war because we know lives will be lost. But a time comes when that may be the only way to solve the problem that is before us. And America must never be unwilling to go to war if that is what is required to protect our Nation, to protect our allies, and to protect our interests around the world.

With respect to Iraq, yes, we are safer. A dictator is gone. A tyrant is gone. Not only are we safer, the people of Iraq are safer. The region is safer. We can debate weapons of mass destruction all we want about what was there in the past, but know they will be an issue there in the future. Did the President do the right thing? He absolutely did. Did he get the best advice that was available to him, political, policy and intelligence advice? Yes, he did.

As the President went through this process, and as we all went through the process with the President, I think I brought a unique

perspective to the debate because I was Chairman of the Joint Chiefs of Staff, as you all know, in the first Gulf War. I will never forget that on the eve of that war and getting ready for the ground portion of that war, I wondered whether the young men and women who would be crossing the line of departure would be struck by chemical weapons. We knew they had them and had used them before. We knew they had every intention of using them to affect the outcome of the mother of all battles, as Saddam Hussein called it. Our youngsters went across that line of departure fully equipped in chemical gear because they thought they would be struck.

Fortunately, they were not struck with chemical weapons, but not because the Iraqis did not have them. They did have them, and we found them. It was not a figment of anyone's imagination. Those weapons were on the battlefield in the winter of 1991. And it was as a result of discovering those weapons that we had proof, evidence of what Saddam Hussein was still carrying in his inventories.

I watched this situation for the remainder of my time as Chairman of the Joint Chiefs of Staff. I watched it in my retirement, and I watched it beginning day one after I was confirmed Secretary of State. And as we determined what kind of a threat the region and the Nation was facing as a result of Saddam Hussein and his continued ignoring of Security Council resolutions, we had to look at it as a threat by examining the intent of an opponent and the capability that opponent has. You put those two together, and it equals a threat.

Intent: There was never any doubt in anyone's mind and no intelligence agency, past, present or future, will ever demonstrate that Saddam Hussein gave up the intent to have such weapons. And we know he has used them in the past, willingly, against his own people and against Iran, I have been to Halabjah where those weapons were used, and I saw the graves of 5,000 people who were gassed in 1988 by Saddam Hussein. There was no question that he did have the intent, and he never lost that intent to have such weapons. He has demonstrated that if it came to it that he would use such weapons if he had no other choice or wasn't stopped in the use of such weapons. The intent never went away, and there was no question about that from any of the President's political advisers or any intelligence agency that was involved in this matter.

The question is then did he have the capability? Capability comes in many forms. Do you have the intellectual ability? Do you have the people who can make these kinds of weapons? The answer is yes, he did. He had the people. Second level is did he have the infrastructure, the wherewithal? Yes, he did. There is no question in the intelligence community. Dr. Kay confirms it. Other intelligence agencies, and other nations confirm it. The U.N. confirmed it over a period of years of investigation from 1991 to 1998 before the inspectors left. President Clinton's experts and the analyses that he went through led him to believe that this capability was there—the infrastructure, the knowledge, the know-how, people who could do it. Did he have factories that could be of a dual use nature that could produce this kind of material? Yes, he did. Did

he have just-in-time capability, and was he developing it? Yes, he was.

The one question that there is a dispute about is what was the stockpile level that might be there or not be there? I can assure you that as we went through this analysis and we looked at all these levels of capability, when it came to stockpiles, the preponderance of all information available to us, available to our many intelligence agencies, available to British intelligence, and intelligence agencies of other nations made it clear that the correct answer was: Yes, he had such weapons. He had such stockpiles. There was no doubt in my mind.

A year and a few days ago when I was representing my country before the United Nations to make the case, I spent days out with the best of our analysts, with Director Tenet, and with Deputy Director McLaughlin at the CIA going over the case, making sure that everything I was going to say to the entire world that could be challenged immediately, that everything I said was supported by multisource intelligence that would back it up.

That information was there. There wasn't a word that was in that presentation that did not represent the consensus view of the intelligence community. There might have been objections on a point or another by one or other or more intelligence agencies, but, overall, the Director of Central Intelligence, who has the responsibility to break ties and make an informed judgment when there is a disagreement, and his analysts supported every word in that presentation, and I took it with great confidence into the United Nations. It was also the same information that was in the National Intelligence Estimate that was provided in the months before, I think it was November 2002, to Members of Congress and was the basis for the resolution that was correctly, rightfully passed by the Congress supporting the President and his actions.

Now, we subsequently have learned that stockpiles have not been found. The work continues. The Iraqi Survey Group will continue its work under Mr. Duelfer. Dr. Kay has made a number of statements, and he has presented his impressions and findings to the world through Committee appearances, meeting with the President, and his public appearances. And he says he does not think the stockpiles are there. He has also said that there was no question about intent, no question about capability, no question about infrastructure, and no question in his mind that Saddam Hussein was in material breach of his obligations as contained in 12 years of U.N. resolutions. There was no question in Dr. Kay's mind, just as there was no question in my mind or in that of the other President's advisers, that this was something that had to be dealt with, was dealt with, and Dr. Kay said it was the right thing to do because this country under that leader was a greater threat than anyone might have imagined.

The question of stockpiles is yet to be determined, as the work of the ISG continues. There is no question about whether the President had the right basis of information upon which to take the decisions that he took. He had the right basis. If any of those elements in the equation had changed, if Saddam Hussein had demonstrated having no intentions, which is most unlikely, but he was given that opportunity in the U.N. Resolution 1441. Give us an

honest declaration. Tell us the truth and the U.N. would have responded in a different way. We might have responded in a different way.

But he did not do that, and it is absolutely clear to me that the President made the right decision. It is also clear to those nations that joined us in the coalition that succeeded in putting this regime into the history books.

We also saw that, as a result of our action, we have a dictator who will no longer be filling mass graves, a dictator who will no longer be using the money that has been given to him through the natural resource of his country, oil, to build weapons of mass destruction or to suppress one part of a population or another. Now we are faced with a situation where we are working hard with the new leadership of Iraq to put in place a government that will be representative of the people.

We are looking forward to transferring sovereignty at the end of June, if all goes well, and we are pressing to that end. We have a difficult security program, as you can see today, as manifested by a terrible explosion, an explosion done by terrorists and other elements of the regime who do not recognize that their day is over and their day is gone. Their day will ultimately be totally gone as the security forces of Iraq gain in strength and capability and are able to defend their people from this kind of attack. These attacks are directed more against Iraq and Iraq's bright future than they are against U.S. forces. They will be defeated and we will succeed.

I believe that as we move forward we will have more and more nations join us. We are working with the United Nations now to give it a vital role to play. We are working with our European colleagues who had a difference of view about this a year ago, who are now meeting with us and talking about what NATO and other countries might be able to do as we move forward. We should be proud of what we have done as a Nation to free the people of Iraq and give them hope for a better future, and we shouldn't allow debates over one part of this complex equation that I mentioned distract us from the reality that we did the right thing. We should be proud.

As was noted by you, Mr. Chairman, it has had an effect in other parts of the region and other parts of the world. Libya has decided to give up its weapons of mass destruction, and it has been noted those materials are now flowing out of the country under our control. Libya did it for a variety of reasons. I will not put myself in Mr. Ghadafi's mind. But he looked around, he saw that the United States and the international community of like-minded nations would take action, and he also took a look and said: What am I getting for all of this? All I have gotten is I have wasted a lot of money and a lot of junk in the desert I cannot use, and I have made myself a pariah on the world stage. He took the right decision. We hope that others will examine that same kind of situation, run their calculus and come to the same conclusion. And we hope that Iran, North Korea, Syria, and anyone else who is so inclined will take a hard look at this. We are working with the international community in all of these matters, working with the IAEA, with the United Nations on another resolution on proliferation activities, working with Pakistan.

I have been talking to President Musharraf almost every week now for a long period of time about the Abdul Khan situation. The President has been deeply involved, and we now have seen a breakthrough where A.Q. Khan has now come forward and described what he has done. And President Musharraf, when I spoke to him over the weekend, has assured me that he would not stop the investigation until the whole thing is pulled up—as was said, root and branch—and we know everything about what A.Q. Khan was doing all around the world, and we roll this network up in its entirety and help President Musharraf get through this very difficult period.

We will continue to support initiatives like Nunn-Lugar, and I will say a few words about this later when I talk about the President's speech that he will be giving in the next hour or so.

If I might linger for a moment on Mr. Lantos' comments, I want to thank you for your support of the Millennium Challenge Account, now also manifested in the Millennium Challenge Corporation. I am proud to be the Chairman, and we had the first meeting of the Millennium Challenge Corporation last week, now that we have the legislation. We have already provided to the Congress the 63 countries that are initially eligible under the law to be candidates for Millennium Challenge Account funding. We are moving with this program. It is an exciting program, and I will say more about it in a moment.

Thank you, also, ladies and gentlemen, for what you have done with the HIV/AIDS program. Now that it is funded, you will see us move out quickly. Andy Tobias, the head of the office, will be announcing awards now that we have made notification to Congress, and over \$300 million of awards will be going out. We want to move quickly.

On Libya, Mr. Chairman, we have had a terrific success. Mr. Lantos, I thank you and congratulate you on the historic moment that took place when you landed in Tripoli, the first Member of Congress to do so in decades. And I thank you for the message you conveyed to Colonel Ghadafi and for the op-ed you wrote when you came back and the communications and information you have given us.

We said to Libya, if you do the right thing you will see the right response from us. Assistant Secretary Burns met with Libyan officials last week, and we have laid out to them—you have seen it in the press—some of the things that we are prepared to do with respect to the lifting of travel restrictions, with respect to other matters of this nature. We want to help them with their most urgent needs. Hospitalization and medical care is one of their most immediate needs. We can help them with that and do that quickly. But we are laying out for them in a sensible, phased way what we are prepared to do as we verify the materials that have come out and make sure that we have gotten it all, and it has all come up, root and branch.

We are also not unmindful, Mr. Lantos, of the nature of this regime, even after they have taken care of all of these matters. It is still not quite our full cup of tea, if I can put it that way. And we will be on guard, and we will make sure that they meet the stand-

ards that are expected of a nation that wants to join the international community.

We will press this with Iran, with North Korea and Syria as examples of how you can just put yourself in a much better place in this world if you get rid of these foolish weapons that will do nothing for you except to bring the condemnation of the world, to bring you financial ruin and not put one plate of food in front of any citizen in your country. These kinds of weapons for these kinds of countries are nothing more than fool's gold.

With regard to North Korea, we will start another round of discussions on the 25th of February in the six-nation format and hope for progress, more progress than we have seen previously. And I am encouraged by the response of all of the other members of the six-party format.

Mr. Chairman, I have taken a little bit longer than I thought I would with my extemporaneous remarks, so I will go rapidly through this shortened set of prepared remarks just to say that the President's international affairs budget for 2005 totals \$31.5 billion, broken down as foreign ops, \$21.3 billion; state ops, \$8.4 billion; P.L. 480 food aid, \$1.2 billion; international broadcasting, \$569 million; and the Institute For Peace, \$22 million.

The top priority reflected in this budget submission is winning the war on terrorism. Winning on the battlefield with our superb military forces is just one step in this effort. To eradicate terrorism altogether the United States must help create stable governments in nations that once supported terrorism, nations like Iraq and Afghanistan, and we must go after the terrorist support mechanisms as well as the terrorist themselves.

We must help alleviate conditions in the world that enable terrorists to bring in new recruits to find fertile ground for their efforts. To these ends in 2005 our foreign affairs agencies will continue to focus on the reconstruction efforts in Iraq and the Afghanistan. We will continue to support our coalition partners to further counterterrorism, law enforcement, and intelligence cooperation, and we will continue to expand democracy and help generate prosperity, especially in the Middle East.

Forty-eight percent of the President's budget for foreign affairs supports the war on terrorism; \$1.2 billion supports Afghan reconstruction security and democracy building activities; \$5.7 billion provides assistance to countries around the world that have joined us in the war of terrorism; \$3.5 billion indirectly supports the war on terrorism by strengthening our ability to respond to emergencies and to conflict situations; and, finally, \$190 million is aimed at expanding democracy in the greater Middle East, which is crucial if we are to attack successfully the motivation for terrorism.

Two of the greatest challenges facing us, of course, are Iraq and Afghanistan. I think I have touched on Iraq. I must add a word or two just to say that the Coalition Provisional Authority and the Iraqi Governing Council are working hard to bring the 15 November agreement into place, and I am pleased that the U.N. is now over there working with us.

A lot is being done with respect to building up the Iraqi army, the Iraqi self defense forces, and the Iraqi police forces. Thousands of brave Americans, both in uniform and in mufti, are in Iraq now

working tirelessly along with their military colleagues. Members of USAID, State Department and departments all across our government are working together to implement infrastructure democracy building, education, and health and economic development programs.

You do not hear enough about these programs. You hear about a bomb going off, and that is news. You cannot ignore it or push it aside. But there are so many good things that are happening. Town councils are forming. PTAs are forming; civil society is working. And all of these efforts will really pay off as the people of Iraq realize that they will be in charge of their country, and they will decide how they are going to be governed in the future.

Afghanistan is another high priority. The United States is committed to helping build a stable and democratic Afghanistan that is free from terror and no longer harbors threats to our security.

After we and our coalition partners defeated the Taliban, we faced the daunting task of helping the Afghan people to rebuild their country. We have demonstrated our commitment to this effort by providing over \$3.7 billion in economic and security assistance to Afghanistan since 2001. Through our assistance and the assistance of the international community, the government of Afghanistan is successfully navigating the transition that began in October 2001. We saw that when the Afghan people adopted a constitution last month, and they have now turned their attention to preparing for national elections in June.

Since 2001 the United States has rehabilitated 205 schools, 140 health clinics, and we have done so many other things with respect to rebuilding the infrastructure in Afghanistan. The Kabul-to-Kandahar highway has now been completed—one of the President's highest priorities. We have a lot more to do in Afghanistan, but I think we should see that we should be, once again as in Iraq, very proud of what we have been able to accomplish.

We are making good progress and I would like to thank our coalition partners for all that they have done to bring us to this point of success.

Mr. Chairman, we have a lot of other items in the program, including \$700 million for Pakistan to help in regional efforts there, \$461 million for Jordan to increase economic opportunities for Jordanian communities and to strengthen Jordan's ability to secure its borders, and \$577 million for Colombia to support President Uribe's unified campaign against drugs and terrorism. We are helping all of those countries who wish to help themselves.

The Millennium Challenge Account is going to do so much as a historic change in the way in which we provide development assistance. The greatest killer in the world today is HIV/AIDS, and no nation is as forward-leaning and doing as much as the United States to fight this terrible scourge on the face of humankind.

In a few moments President Bush will be speaking at the National Defense University, and he will outline the Administration's approach to another danger that continues to grow. Men and women of our own and other intelligence services have done superb and often dangerous work to unveil, to take the curtain down around some of these proliferating activities we have seen, including the proliferating activities of Mr. Abdul Khan in Pakistan.

Now we and our friends can do more, working around the clock to get all the details of this network out and shut it down. And to do more, President Bush will be proposing new measures in his speech to strengthen the world's efforts to prevent the spread of weapons of mass destruction, expanding the Proliferation Security Initiative to address more shipments and transfers, and to take direct action against proliferation networks. We are going to call on all nations to strengthen international controls that govern proliferation, expand our efforts to keep cold war weapons and other dangerous materials out of the hands of terrorists, close loopholes that exist in the Nuclear Non-Proliferation Treaty and, finally, disallow countries under investigation from participating fully in the leadership of the IAEA.

As the President will point out in his speech, the nexus of terrorists and weapons of mass destruction is a new and unique threat. It comes not with ships and fighters and tanks and divisions, but clandestinely in the dark of night, and the consequences are devastating. No President can afford to ignore such a threat, and this President will not ignore such a threat.

Mr. Chairman, I am going to close my presentation now. There are so many other things that we could talk about. We are involved in so many things and so many different parts of the world. I am so proud of the diplomats that are serving in so many parts of the world. Ambassador John Blaney, our Ambassador in Liberia, came into the President's office yesterday to describe what he is doing to bring Liberia back into the column of nations that believe in democracy. When you think of where we were just a few months ago, Mr. Payne and others who were so interested in this issue, it was very, very moving to see Chairman Bryant, the new leader of the transitional government of Liberia, meet with the President.

I think of how close we are to the solution in the Sudan brought about by political and diplomatic efforts. We need only a little bit more work to be done. I see what we are doing with free trade agreements around the world as we expand the opportunity for trade to nations who would never would have dreamed of it a few years ago. I see all of these things happening, Mr. Chairman, and I get a good feeling because it says that America is being a leader in the world, whether it has to do with opening trade or ending proliferation, whether it has to do with fighting terrorists, whether it has to do with just sharing our values with the rest of the world.

America is performing its leadership role of destiny, and I am pleased that the men and women of the State Department are playing their role. Moreover, I am very pleased to appear before this Committee, which has been so instrumental in providing us with the support and the wherewithal needed to play that role. Thank you, Mr. Chairman.

[The prepared statement of Secretary Powell follows:]

PREPARED STATEMENT OF THE HONORABLE COLIN L. POWELL, SECRETARY, U.S.
DEPARTMENT OF STATE

Mr. Chairman, members of the committee, thank you for the opportunity to testify on the State Department's portion of the President's Budget Request for Fiscal Year 2005.

The President's FY2005 International Affairs Budget for the Department of State, USAID, and other foreign affairs agencies totals \$31.5 billion, broken down as follows:

- Foreign Operations—\$21.3 billion
- State Operations—\$8.4 billion
- P.L. 480 Food Aid—\$1.2 billion
- International Broadcasting—\$569 million
- U.S. Institute of Peace—\$22 million

Mr. Chairman, the President's top foreign policy priority is winning the war on terrorism. Forty-eight percent of the President's budget for foreign affairs directly supports that priority by assisting our allies and strengthening the United States' diplomatic posture. For example: \$1.2 billion supports Afghanistan reconstruction, security and democracy building, and more than \$5.7 billion is provided for assistance to countries around the world that have joined us in the war on terrorism, and \$3.5 billion indirectly supports the war on terrorism by strengthening our ability to respond to emergencies and conflict situations. Moreover, \$190 million is aimed at expanding democracy in the Greater Middle East, in part to help alleviate the conditions that spawn terrorists.

In addition, \$5.3 billion is targeted for the President's bold initiatives to fight HIV/AIDS and create the Millennium Challenge Corporation, both of which will support stability and improve the quality of life for the world's poor—and, again, help to relieve conditions that cause resentment and despair.

Mr. Chairman, let me elaborate a bit on how some of these dollars will be spent.

WINNING THE WAR ON TERRORISM

Winning on the battlefield with our superb military forces is just one step in defeating terrorism. To eradicate terrorism, the United States must help create stable governments in nations that once supported terrorism, go after terrorist support mechanisms as well as the terrorists themselves, and help alleviate conditions in the world that enable terrorists to bring in new recruits. To this end, in FY2005 the State Department and USAID will continue to focus on the reconstruction of Iraq and Afghanistan, support our coalition partners to further our counterterrorism, law enforcement and intelligence cooperation, and expand democracy and help generate prosperity, especially in the Middle East.

Building a Free and Prosperous Iraq

The United States faces one of its greatest challenges in developing a secure, free and prosperous Iraq. The USG is contributing almost \$21 billion in reconstruction funds and humanitarian assistance to this effort. The World Bank and the International Monetary Fund are expected to provide another \$4 to 8 billion in loans and grants over the next three years. These resources, coupled with the growing assistance of international donors, will ease the transition from dictatorship to democracy and lay the foundation for a market economy and a political system that respects human rights and represents the voices of all Iraqis.

The Coalition Provisional Authority (CPA) and the Iraqi Governing Council (IGC) have made great strides in the areas of security, economic stability and growth, and democratization. Iraqi security forces now comprise more than half of the total security forces in the country. In addition, the CPA has established a New Iraqi Army, issued a new currency and refurbished and equipped schools and hospitals. And, as you know, the CPA is taking steps to return sovereignty to the Iraqi people this summer.

Much work remains to be done. Working with our coalition partners, we will continue to train Iraqi police, border guards, the Civil Defense Corps and the Army in order to ensure the country's security as we effect a timely transition to democratic self-governance and a stable future.

At the same time, we are helping provide critical infrastructure, including clean water, electricity and reliable telecommunications systems which are essential for meeting basic human needs as well as for economic and democratic development. Thousands of brave Americans, in uniform and in mufti, are in Iraq now working tirelessly to help Iraqis succeed in this historic effort. Alongside their military colleagues, USAID, State Department and the Departments of the Treasury and Commerce are working to implement infrastructure, democracy building, education, health and economic development programs. These efforts are producing real progress in Iraq.

Winning the Peace in Afghanistan

Mr. Chairman, Afghanistan is another high priority for this Administration. The U.S. is committed to helping build a stable and democratic Afghanistan that is free from terror and no longer harbors threats to our security. After we and our coalition partners defeated the Taliban government, we faced the daunting task of helping the Afghan people rebuild their country. We have demonstrated our commitment to this effort by providing over \$3.7 billion in economic and security assistance to Afghanistan since 2001.

Through our assistance and the assistance of the international community, the government of Afghanistan is successfully navigating the transition that began in October 2001. Afghanistan adopted a constitution last month and is preparing for democratic national elections in June. With technical assistance from the U.S., Afghanistan successfully introduced a new stable currency in October 2002 and is working to improve revenue collection in the provinces. The lives of women and girls are improving as women pursue economic and political opportunities and girls return to school. Since 2001, the United States has rehabilitated 205 schools and 140 health clinics and trained thirteen battalions of the Afghan National Army (ANA). Also, President Bush's commitment to de-mine and repave the entire stretch of the Kabul-Kandahar highway was fulfilled. The road had not been functional for over 20 years. What was once a 30-hour journey can now be accomplished in 5 or 6 hours.

While the Afghanistan of today is very different from the Afghanistan of September 2001, there is still much left to accomplish. In the near-term, the United States will assist the government of Afghanistan in its preparations for elections in June to ensure that they are free and fair. To demonstrate tangible benefits to the Afghan people, we will continue to implement assistance on an accelerated basis. The FY2005 Budget contains \$1.2 billion in assistance for Afghanistan that will be focused on education, health, infrastructure, and assistance to the ANA, including drawdown authority and Department of Defense "train and equip". For example, U.S. assistance efforts will concentrate on rehabilitation and construction of an additional 275 schools and 150 health clinics by June 2004, and complete training and equipping of fifteen army battalions. The U.S. will also extend the Kabul-Kandahar road to Herat so that people and commerce will be linked East and West across Afghanistan with a ground transportation link between three of the largest cities.

Support for Our Coalition Partners

As part of the war on terrorism, President Bush established a clear policy to work with other nations to meet the challenges of defeating terror networks with global reach. This commitment extends to the front-line states that have joined us in the war on terrorism and to those nations that are key to successful transitions to democracy in Iraq and Afghanistan.

Our assistance enables countries cooperating closely with the United States to prevent future attacks, improve counter-terrorism capabilities and tighten border controls. As I indicated earlier, the FY2005 Budget for International Affairs provides more than \$5.7 billion for assistance to countries around the world that have joined us in the war on terrorism, including Turkey, Jordan, Afghanistan, Pakistan, Indonesia and the Philippines.

U.S. assistance has also resulted in unparalleled law enforcement and intelligence cooperation that has destroyed terrorist cells, disrupted terrorist operations and prevented attacks. There are many counterterrorism successes in cooperating countries and international organizations. For example:

- Pakistan has apprehended more than 500 al Qaeda terrorists and members of the Taliban through the leadership of President Musharraf, stronger border security measures and law enforcement cooperation throughout the country.
- Jordan continues its strong counterterrorism efforts, including arresting two individuals with links to al Qaeda who admitted responsibility for the October 2002 murder of USAID Foreign Service officer Lawrence Foley in Amman.
- The North Atlantic Treaty Organization has endorsed an ambitious transformation agenda designed to enhance its capabilities by increasing deployment speed and agility to address new threats of terrorism.
- Colombia has developed a democratic security strategy as a blueprint for waging a unified, aggressive counterterror-counter-narcotics campaign against designated foreign terrorist organizations and other illegal, armed groups.

The U.S. and its Southeast Asian allies and friends have made significant advances against the regional terrorist organization Jemaah Islamiyah which was responsible for the Bali attack in 2002 that killed more than 200 people. In early Au-

gust 2003, an Indonesian court convicted and sentenced to death a key figure in that bombing.

Since September 11, 2001, 173 countries have issued orders to freeze the assets of terrorists. As a result, terror networks have lost access to nearly \$200 million in more than 1,400 terrorist-related accounts around the world. The World Bank, International Monetary Fund and other multilateral development banks have also played an important role in this fight by strengthening international defenses against terrorist finance.

While progress has been made attacking terrorist organizations both globally and regionally, much work remains to be done. The FY2005 President's Budget strengthens our financial commitment to our coalition partners to wage the global war on terror. Highlights of the President's request include \$700 million for Pakistan to help advance security and economic opportunity for Pakistan's citizens, including a multi-year educational support program; \$461 million for Jordan to increase economic opportunities for Jordanian communities and strengthen Jordan's ability to secure its borders; and \$577 million for Colombia to support President Uribe's unified campaign against drugs and terrorism.

In September 2003, at the United Nations, President Bush said: "All governments that support terror are complicit in a war against civilization. No government should ignore the threat of terror, because to look the other way gives terrorists the chance to regroup and recruit and prepare. And all nations that fight terror, as if the lives of their own people depend on it, will earn the favorable judgment of history." We are helping countries to that judgment.

Expansion of Democracy in the Middle East

We believe that expanding democracy in the Middle East is critical to eradicating international terrorism. But in many nations of the Middle East, democracy is at best an unwelcome guest and at worst a total stranger. The U.S. continues to increase its diplomatic and assistance activities in the Middle East to promote democratic voices—focusing particularly on women—in the political process, support increased accountability in government, assist local efforts to strengthen respect for the rule of law, assist independent media, and invest in the next generation of leaders.

As the President emphasized in his speech last November at the National Endowment for Democracy (NED), reform in the Middle East is of vital importance to the future of peace and stability in that region as well as to the national security of the United States. As long as freedom and democracy do not flourish in the Middle East, resentment and despair will continue to grow—and the region will serve as an exporter of violence and terror to free nations. For the United States, promoting democracy and freedom in the Middle East is a difficult, yet essential calling.

There are promising developments upon which to build. The government of Jordan, for example, is committed to accelerating reform. Results include free and fair elections, three women holding Cabinet Minister positions for the first time in Jordan's history, and major investments in education. Positive developments also can be found in Morocco, which held parliamentary elections last year that were acclaimed as free, fair and transparent.

In April 2003, the Administration launched the Middle East Partnership Initiative (MEPI), an intensive inter-agency effort to support political and education reform and economic development in the region. The President continues his commitment by providing \$150 million in FY2005 for these efforts.

To enhance this USG effort with a key NGO, the President has doubled the NED budget to \$80 million specifically to create a Greater Middle East Leadership and Democracy Initiative. NED is a leader in efforts to strengthen democracy and tolerance around the world through its work with civil society. We want that work to flourish.

As President Bush said in his November speech at NED: "The United States has adopted a new policy, a forward strategy of freedom in the Middle East. This strategy requires the same persistence and energy and idealism we have shown before. And it will yield the same results. As in Europe, as in Asia, as in every region of the world, the advance of freedom leads to peace."

Public Diplomacy in the Middle East

And the advance of freedom is aided decisively by the words of freedom.

Democracy flourishes with freedom of information and exposure to diverse ideas. The President's FY2005 Budget promotes expansion of democracy in the Middle East by providing public access to information through exchange programs and the Middle East Television Network.

New public diplomacy efforts including the Partnerships for Learning (P4L) and Youth Exchange and Study (YES) initiatives have been created to reach a younger and more diverse audience through academic and professional exchange programs. In FY2005, the P4L and the YES programs, funded at \$61 million, will focus more on youth of the Muslim world, specifically targeting non-traditional, non-elite, often female and non-English speaking youth.

U.S. broadcasting initiatives in the Middle East encourage the development of a free press in the American tradition and provide Middle Eastern viewers and listeners access to a variety of ideas. The U.S. revamped its Arabic radio broadcasts in 2002 with the introduction of Radio Sawa, which broadcasts to the region twenty-four hours a day. As a result, audience size for our Arabic broadcasting increased from under 2 percent in 2001 to over 30 percent in 2003. Based on this successful model, the U.S. introduced Radio Farda to broadcast to Iran around the clock. Building on this success, the FY2005 President's Budget Request provides over \$70 million for Arabic and Persian radio and television broadcasts to the Middle East. In early 2004, the United States will launch the Middle East Television Network, an Arabic language satellite network that will have the capability of reaching millions of viewers and will provide a means for Middle Easterners to better understand democracy and free market policies, as well as the U.S. and its people.

OUR NEW APPROACH TO GLOBAL PROSPERITY

President Bush's approach to global economic growth emphasizes proven American values: governing justly, investing in people, and encouraging economic freedom. President Bush has pledged to increase economic engagement with and support for countries that commit to these goals through an ambitious trade agenda and new approaches to development assistance focusing on country performance and measurable results.

The Millennium Challenge Account (MCA)

In February of 2003, we sent the Congress a budget request for the MCA and legislation to authorize the creation of the Millennium Challenge Corporation (MCC), the agency designed to support innovative development strategies and to ensure accountability for results.

The MCC will fund only proposals for grants that have clear, measurable objectives, a sound financial plan and indicators for assessing progress.

The Congress appropriated \$1 billion for MCA for FY2004. The FY2005 Budget request of \$2.5 billion makes a significant second year increase to the MCA and paves the way to reaching the President's commitment of \$5 billion in FY2006.

Trade Promotion Authority (TPA)

President Bush recognizes that the fastest, surest way to move from poverty to prosperity is through expanded and freer trade. America and the world benefit from free trade. For this reason, one of his first actions upon taking office in 2001 was to seek TPA, allowing him to negotiate market-opening agreements with other countries. The President aims to continue vigorously to pursue his free trade agenda in order to lift developing countries out of poverty, while creating high-paying job opportunities for America's workers, businesses, farmers and ranchers and benefiting all Americans through lower prices and wider choices. As the President said in April, 2001 at the Organization of American States: "Open trade fuels the engines of economic growth that creates new jobs and new income. It applies the power of markets to the needs of the poor. It spurs the process of economic and legal reform. It helps dismantle protectionist bureaucracies that stifle incentive and invite corruption. And open trade reinforces the habits of liberty that sustain democracy over the long term."

Since receiving TPA in 2002, the President has made good on his promise, completing free trade agreements with Chile and Singapore, which were quickly approved by Congress and went into effect on January 1. We have recently completed negotiations with five Central American countries on the Central America Free Trade Agreement (CAFTA) and are working to bring the Dominican Republic into that agreement. Earlier this week, we announced the conclusion of an agreement with Australia. Negotiations are ongoing with Morocco, the Southern African Customs Union (SACU), Bahrain, and on the Free Trade Agreement of the Americas (FTAA). We are concluding comprehensive agreements that include market access for goods and services, strong intellectual property and investment provisions, and include commitments for strong environmental and labor protections by our partners. These arrangements benefit Americans and our trading partners.

Building on this significant progress, the President intends to launch free trade negotiations with Thailand, Panama, and the Andean countries of Colombia, Ecua-

dor, Bolivia and Peru. The President has also stated his vision for a Middle East Free Trade Area by 2013, to ignite economic growth and expand opportunity in this critical region. Finally, the President is committed to wrapping up successfully the World Trade Organization's Doha agenda. The United States has taken the lead in re-energizing these negotiations following the Cancun Ministerial.

CARING FOR THE WORLD'S MOST VULNERABLE CITIZENS

Emergency Plan for AIDS Relief

When President Bush took office in January 2001, the HIV/AIDS pandemic was at an all time high, with the estimated number of adults and children living with HIV/AIDS globally at 37 million, with 68 percent of those individuals living in sub-Saharan Africa. From fiscal years 1993 to 2001 the total U.S. Government global AIDS budget was about \$1.9 billion. As part of the Emergency Plan for AIDS Relief, the President proposed \$2 billion in fiscal year 2004 as the first installment of a five-year, \$15 billion initiative, surpassing nine years of funding in a single year. The President's Emergency Plan for AIDS Relief represents the single largest international public health initiative ever attempted to defeat a disease. The President's Plan targets an unprecedented level of assistance to the 14 most afflicted countries in Africa and the Caribbean to wage and win the war against HIV/AIDS. In addition, programs will continue in 75 other countries.

By 2008, we believe the President's Plan will prevent seven million new infections, treat two million HIV-infected people, and care for 10 million HIV-infected individuals and those orphaned by AIDS in Botswana, Cote d'Ivoire, Ethiopia, Guyana, Haiti, Kenya, Mozambique, Namibia, Nigeria, Rwanda, South Africa, Tanzania, Uganda and Zambia.

Announced during President Bush's State of the Union address on January 28, 2003, the Emergency Plan provides \$15 billion over five years for those countries hardest hit by the pandemic, including \$1 billion for the Global Fund to Fight AIDS, Tuberculosis and Malaria. The FY2005 Budget provides \$2.8 billion from State, USAID, and the Department of Health and Human Services (HHS) to combat global AIDS, more than tripling funding for international HIV/AIDS since the President took office.

Over the past year, we have worked with the Congress to pass legislation laying the groundwork for this effort and to appoint a senior official at the State Department to coordinate all U.S. Government international HIV/AIDS activities. Ambassador Randall Tobias has been confirmed by Congress and has now taken steps to assure immediate relief to the selected countries. He announced mechanisms to initiate services in five key areas, such as care for orphans and vulnerable children as well as care and antiretroviral treatment for HIV-infected adults.

As a crucial next step, the FY2005 Budget Request expands on the Emergency Plan. By working together as a highly collaborative team, and placing primary ownership of these efforts in the hands of the countries that we are helping—just as you will recall the Marshall Plan did so successfully in post-WWII Europe—the Department of State, USAID and HHS can use significantly increased resources quickly and effectively to achieve the President's ambitious goals in the fight against global AIDS.

Mr. Chairman, President Bush summed it up this way in April of last year, "There are only two possible responses to suffering on this scale. We can turn our eyes away in resignation and despair, or we can take decisive, historic action to turn the tide against this disease and give the hope of life to millions who need our help now. The United States of America chooses the path of action and the path of hope." These dollars put us squarely on that path.

Emergency Humanitarian Assistance—Helping Others in Need

The President's Budget Request reflects a continued commitment to humanitarian assistance. The request maintains U.S. leadership in providing food and non-food assistance to refugees, internally displaced persons, and other vulnerable people in all corners of the world. In addition, the budget reflects the findings of the Program Assessment Rating Tool (PART) evaluations completed for the United Nations High Commissioner for Refugees and for USAID's Public Law 480 Title II international food assistance, which confirmed a clear purpose for these programs.

In 2003, the Administration provided funding to several international and non-governmental organizations to assist nearly 200,000 Angolan refugees and internally displaced persons return home after decades of civil war.

In an Ethiopia enveloped by drought, the Administration led international efforts to prevent widespread famine among 13 million vulnerable people, providing over one million metric tons of emergency food aid (valued at nearly half a billion dollars)

to the World Food Program and NGOs, funding immunizations for weakened children, and supplying emergency seeds to farmers.

In Sudan, the Administration worked with the United Nations and the Government of Sudan so that vital assistance could be delivered to the Sudanese people. This year the U.S. will provide about \$210 million in vital assistance to the people in the south, including approximately 125,000 metric tons (valued at nearly \$115 million) in food aid, as well as non-food assistance, such as sanitation and water. We anticipate that a comprehensive peace agreement in Sudan will allow us to expand significantly our development assistance to help the Sudanese people in effecting a long-awaited recovery following decades of civil war. The FY2005 Budget includes \$436 million in humanitarian and development, economic, and security assistance funding, much of which will be contingent upon a peace settlement between the government and the south.

The FY2005 Budget ensures that the Administration can continue to respond quickly and appropriately to victims of conflict and natural disasters and to help those in greatest need of food, shelter, health care and other essential assistance, including those in areas starting to recover from conflict and war, such as Liberia. In particular, the budget requests funding for a flexible account to give the President the ability to respond to unforeseen emergency needs, the Emergency Fund for Complex Foreign Crises, funded at \$100 million.

KEEPING AMERICANS SAFE AT HOME AND ABROAD

Mr. Chairman, we also have a sacred responsibility to look to the security of our citizens, here and overseas, when that security is a part of our responsibility.

Capital Security Cost Sharing Program

The State Department has the responsibility to protect more than 60,000 U.S. Government employees who work in embassies and consulates abroad. Since the 1998 bombings of two U.S. embassies in East Africa, the State Department has improved physical security overseas; however, as many of you are well aware, many posts are still not secure enough to withstand terrorist attacks and other dangers. To correct this problem, in 1999, the State Department launched a security upgrade and construction program to begin to address requirements in our more than 260 embassies and consulates.

Working with the Congress, President Bush has accelerated the pace of improving and building new secure facilities. Moreover, we have reorganized the Overseas Buildings Office to manage the effort with speed, efficiency, and effectiveness. Within the budget, we are launching a plan to replace the remaining 150 embassies and consulates that do not meet current security standards over the next 14 years, for a total cost of \$17.5 billion. To fund construction of these new embassy compounds, we will begin the Capital Security Cost Sharing (CSCS) Program in FY2005. We will implement this program in phases over the next five years.

Each agency with staff overseas will contribute annually towards construction of the new facilities based on the number of positions and the type of space they occupy. We arrived at the cost shares in the FY2005 President's Budget Request in consultations with each agency and the State Department's Overseas Buildings Office.

CSCS is also a major component of the President's Management Agenda Initiative on Rightsizing. Along with securing facilities, we have focused on assuring that overseas staffing is deployed where they are most needed to serve U.S. interests. As agencies assess the real cost of maintaining staff overseas, they will adjust their overseas staffing levels. In this way, new embassies will be built to suit appropriate staffing levels. The program is already producing rightsizing results. Agencies are taking steps to eliminate unfilled positions from their books to reduce any unnecessary CSCS charges, which in turn is leading to smaller embassy construction requirements.

Border Security

Prior to September 11, 2001, the State Department's consular officers focused primarily on screening applicants based on whether they intended to work or reside legally in the United States. In deciding who should receive a visa, consular officers relied on State Department information systems as the primary basis for identifying potential terrorists. The State Department gave overseas consular officers the discretion to determine the level of scrutiny that should be applied to visa applications and encouraged the streamlining of procedures.

Today, Consular Affairs at the State Department, working with both Customs and Border Protection and the Bureau of Citizenship and Immigration Services at the

Department of Homeland Security, are cooperating to achieve our goals more effectively by sharing information and integrating information systems.

The Department of State has invested substantial time, money, and effort in re-vamping its visa and passport process as well as its provision of American Citizen Services. The Department has more than doubled its database holdings on individuals who should not be issued visas, increased training for all consular officers, established special programs to vet applications more comprehensively, increased the number of skilled, American staff working in consular sections overseas, and improved data-sharing among agencies. The State Department, along with the Department of Homeland Security, is currently developing biometrics, such as fingerprints, digital photographs or iris scans, for both visas and passports in order to fulfill requirements of the Patriot and Border Security Acts and the International Civil Aviation Organization.

As a part of the State Department's efforts to screen visa applicants more effectively, and in particular to ensure that a suspected terrorist does not receive a visa to enter the United States, we will be an active partner in the Terrorist Screening Center (TSC). The TSC, established in December 2003, will maintain a single, consolidated watchlist of terrorist suspects to be shared with Federal, state, local and private entities in accordance with applicable law. The Department of State will also participate in the Terrorist Threat Integration Center (TTIC), a joint-effort aimed at reducing the potential of intelligence gaps domestically and abroad.

To achieve our goal of secure borders and open doors, in FY2005 the State Department plans to expand the use of biometrics to improve security in the visa and passport processes; more effectively fill gaps worldwide by hiring people with specific skills including language expertise; improve and maintain all consular systems; and more broadly expand data sharing with all agencies with border control or immigration related responsibilities. The budget in FY2005 includes \$175 million for biometric projects including photographs and fingerprints to comply with Border Security and Patriot Acts.

The Border Security program underwent a PART analysis in the development of the FY2004 and FY2005 budgets and this budget request reflects the results of those analyses. The Department is moving ahead on program management improvements that clearly link to the Department of Homeland Security goals related to visa policy.

THE CRITICAL IMPORTANCE OF DIPLOMATIC READINESS

We created the Diplomatic Readiness Initiative (DRI) in 2002 to address staffing and training gaps that had become very adverse to the conduct of America's diplomacy. The goal of DRI was to hire 1,158 new foreign and civil service employees over a three-year period. These new hires, the first over-attrition hires in years, would allow us to provide training opportunities for our people and greatly improve the Department's ability to respond to crises and emerging priorities overseas and at critical domestic locations. To bring these new people on board—and to select the best men and women possible—we significantly improved Department hiring processes, to include recruiting personnel from more diverse experience and cultural backgrounds and people who could fill critical skill gaps. In the process, we broke records in recruiting and thus had the best and the brightest from which to select. The Department of State will be reaping the benefits from this process for many years to come. We also created new mandatory leadership and management training, enhanced public diplomacy and consular training, and made significant increases in the amount of language training available for new Foreign Service Officers. DRI hiring has supported the Department's efforts in responding to crises since September 11th and provided the additional resources necessary to staff overseas locations that truly represent the front line in the war on terrorism.

Some of these positions, however, are being diverted to support new requirements not envisioned by DRI, such as permanently staffing new embassies in Afghanistan, Iraq, Sudan, and possibly in Tripoli. Because of this, the FY2005 Budget Request provides additional resources to continue our DRI commitment.

DRI has allowed the Department to focus on recruiting, training and retaining a high quality work force, sized to requirements that can respond more flexibly to the dynamic and demanding world in which we live. We need to continue it.

USAID has begun a similar effort to address gaps in staffing in technical skills, calling it the Development Readiness Initiative. USAID plans to hire approximately 40 Foreign Service Officers in FY2004 under this initiative. This Budget Request includes authority for USAID to hire up to 50 additional Foreign Service Officers in FY2005, in order to fill critical skill gaps identified through a comprehensive workforce analysis.

Mr. Chairman, I have focussed your attention for long enough. There is more in the President's Budget Request for FY2005; but what I have outlined above represents the top priorities for the State Department. I will be pleased to answer any questions you have about these priorities or about any other portion of the budget request in which you are interested. If I cannot answer the question myself, I have a Department full of great people who can; and I will get you an answer for the record.

Thank you.

Chairman HYDE. Thank you, Mr. Secretary. As much praise as I have for the Administration on fighting the proliferation of weapons of mass destruction, I must take this opportunity to express my concerns about our policies with regard to defense, trade and export controls. In continuing to give weapons of mass destruction and long-range missiles our urgent priority, we must also not overlook the fact that all of the casualties to date inflicted on us and our friends and allies by foreign terrorists have come from their use of conventional munitions and dual-use technologies. These areas demand our continued vigilance.

And you and I have worked together on several export control issues, including the QRS-11 issue and license-free defense exports for the UK and Australia. Despite some procedural fumbling, we did reach a successful resolution on the QRS-11.

This morning I provided to you a letter outlining our views in some detail on the ITAR waivers. Mr. Secretary, as you know, we have differences of opinion on the merits of the Administration's proposal. We feel expanded cooperation with the UK and Australia should occur without subjecting our interests to increased risk. We hope you will take into consideration our concerns and modify your proposals.

Given our interaction on those issues, I think you appreciate that Mr. Lantos and I both have strongly held views about the need to uphold the principles contained in the Arms Export Control Act and we would be very concerned with more proposals to relax export controls over U.S. weapons and dual use technology in the midst of a war on terror. The Committee understands that the Administration is very close to announcing a new presidential policy directive on export controls for U.S. weapons and technology, and this new policy has apparently been developed in response to a review which the Administration announced was under way in November 2002. I think you will find the same level of concern in the Armed Services Committee from Chairman Hunter, as well as in Homeland Security under Chairman Cox.

But nothing has been said to any of us about the new policy that will be coming out soon. In that regard, I would appreciate very much, before this new policy is announced, that you or Dr. Rice brief the leadership of these Committees in advance of any announcement, and I would be happy to host such a meeting if we could bring that about.

And now at long last, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. I want to thank you, Mr. Secretary, for your outstanding statement.

I would like to ask a series of interrelated questions about Libya. So if you will bear with me for a minute, they will all relate to Libya, but they are all very important, different facets of our relationship.

First, Mr. Secretary, how would you assess the progress Libya has made in fulfilling its pledge of ridding itself of weapons of mass destruction and the means to deliver them? Is there any evidence of backsliding by the Libyan regime? Once Libya has met its WMD commitments, what mechanism will be put in place to ensure that Libya does not restart these programs?

Secondly, has the Administration developed a road map for normalization with Libya? Do you plan to lift all the sanctions once Libya has fulfilled its commitments on WMD and terrorism, or do you foresee an extended period of defining Libyan intentions even after Libya meets its weapons of mass destruction commitments?

Will the establishment of full diplomatic relations be tied to issues other than WMD and terrorism, such as human rights or an apology for the Pan Am 103 atrocity?

What is the current state of Libya's involvement with terrorism, if any? What more must it do to achieve removal from the list of state sponsors of terrorism? What steps, Mr. Secretary, is the Administration taking to prepare to integrate Libyan scientists and technicians into the international scientific community through retraining, collaborative research and academic exchanges?

I understand the Department of State funds nongovernmental organizations with expertise in engaging former weapons scientists overseas with United States scientists. I would encourage you to utilize the expertise of such organizations. Such activities would help ensure that scientists and technicians who would otherwise be left unemployed as Libya divests itself of WMD are engaged only in peaceful activities. And there are few tasks more urgent if we are to ensure that the authors of Libya's WMD programs do not use their highly coveted knowledge to create new problems in Libya or elsewhere in the region.

Likewise, Mr. Secretary, I am particularly eager to hear about your plans for preparing to bring Libyan students to the United States and to send American professors to Libya, once Libya has been removed from the list of state sponsors of terrorism.

I know from my contacts in Libya that the Libyans place the highest possible priority, both on retraining their scientists and on student exchanges, and I urge you to begin laying the groundwork for such programs as soon as possible. I assure you this Committee will be fully supportive of your efforts.

Thank you, Mr. Secretary.

Secretary POWELL. Thank you very much, Mr. Lantos. Almost everything you mentioned on your list is a work in progress and is somewhere on a roadmap going forward. With regard to Pan Am 103, an arrangement has been struck between the families and Libya which resolved that matter with respect to compensation to the families

As we go down our roadmap, more compensation becomes available to the families under the terms of the agreement that the families have with Libya. I would always consider it appropriate for Libya to do more if they could with respect to Pan Am 103 than is contained within this settlement between the families, such as acknowledging fully their responsibility at the highest levels of the government. We are not, however, making that a barrier to our ability to go forward

On the very first question you raise, though, how are they doing with respect to what they said they would do, the answer is very, very—well, almost astonishing to an old warrior who had to pull out of the Soviet Union one warhead at a time. In the case of the Libyans, I had to retrain myself and some of the old timers on the staff that this situation is not like the Soviet Union.

They are pushing material at us. And they have been forthcoming. We went in there with the IAEA. People thought we would have a blowup with the IAEA. We didn't. IAEA personnel and inspectors are working alongside American and UK inspectors in a good spirit of cooperation. No problems, no fights. Material is coming out well. They are exceeding my expectations as to what they would do.

And they have shown no indication so far that they are going to try, frankly, to hide something. We will be vigilant, and we will follow everything we know, every lead we have, and make sure we bring it up as has been said, "root and branch."

Once we have reached that point, then we will have to make judgments as to whether monitoring remains the thing to do or is the appropriate thing to do. What is it we are monitoring if there are no more chemical stocks we are aware of, and if the facilities that could have been used for illicit purposes are gone? What then is the appropriate monitoring regime if one is necessary? We have experts looking at that.

The roadmap has been developed. You are familiar with it. Ambassador Burns started to explore it with the Libyans last week, as I mentioned, and, as they perform satisfactorily, which they have done so far, then we will start to take steps, such as letting people visit. That then ultimately leads to student visits. We do have programs to retrain scientists. We will be looking at that. We have always had an interest section in Tripoli, in the Belgian Embassy. We now have sent American diplomats to be in that interest section, and in due course, we will have our own facility in place, which we hope will grow into an Embassy and have normal relations as this whole thing unfolds. We think the wisest course right now is to proceed in a deliberate way with some haste, but not so much haste that we fail to make sure that we have verified everything that they said that they were going to do, and they have done these things to our satisfaction.

I think, Mr. Lantos, that you will be pleased at the plans we are putting together, and I hope it unfolds the way we have seen it unfold in the last several weeks.

Mr. LANTOS. Thank you, Mr. Secretary

Chairman HYDE. Mr. Secretary, all Congressional retirements aren't equal, and some deserve a pause for reflection. And since the last time the gentleman from Nebraska, Mr. Bereuter, was in this room in a public session, he has announced his retirement, and indeed his early departure from the House. No one on this Committee is more respected than Doug Bereuter for his involvement in our work and for his sober judgment. His contribution has been sustained and substantive. The Asia Foundation is indeed lucky to have him as its next President, and we all sincerely wish him a long and successful tenure there. He will certainly be missed by

those of us who are privileged to work with him in the past, and we wish the very best to you, Doug.

Mr. LANTOS. Mr. Chairman, my colleagues on the Democratic side fully identify ourselves with your comments of praise and recognition for our friend Doug Bereuter, his enormous contributions to the work of this Committee, and indeed the Congress, and Doug will be sorely missed by all of us.

Chairman HYDE. Thank you, Tom.

Mr. Bereuter is recognized for a question period.

Mr. BEREUTER. Thank you, Mr. Chairman, and thank you, Mr. Lantos, for your kind remarks. As a matter of fact, I think I had recommendations from both sides of the aisle that I leave the Congress and take the Asia Foundation position. I think it is a national treasure, and I look forward to working with this Committee as soon as the ethics rules allow.

Mr. Secretary, it is good to see you here, and thank you for your exceptional leadership. I still have responsibilities in Europe, so I am not going to ask a question on Asia today, although the temptation is there.

As you know, Mr. Secretary, Senator Biden and Senator Lugar advanced a resolution which suggested strongly that NATO take a larger role in Iraq and that in fact those assets and the programs of the United Nations that could be used would be asked to be used by the United States and coalition partners, and that passed by overwhelming vote unanimously. And I took that exact language and added it without dissent to another bill, neither of which have become law, but I think they are a clear indication to the Administration that this is the direction the Congress thinks that the Administration and the coalition should take. I note with great interest and appreciation that some of our allies that were vocally in dissent in February of last year, and before that in the Security Council, seem to have moderated their views and perhaps are moving in that direction.

And the effort that NATO supports, the so-called Polish units supported by several other countries, I understand, may well be something in which NATO directly takes a larger role in the future.

Mr. Secretary, would you advance your thoughts and what you know about this subject and what the prospects are for us to have a larger NATO and a larger appropriate role in transformation reconstruction by the United Nations?

Secretary POWELL. Thank you very much, Mr. Bereuter. If I may start my reply by also congratulating you for your service here. I look forward to working with you at the Asia Foundation.

Mr. BEREUTER. Thank you.

Secretary POWELL. We will have even more to do together than we have had in this particular relationship. I wrote a letter to you yesterday, and I hope it gets delivered in the very near future. Congratulations to you, sir.

Mr. BEREUTER. We go through a variety of cleansing processes on our mail here.

Secretary POWELL. I know. There is nothing in the envelope, sir. When you see Secretary of State, please don't be worried.

I believe NATO can play an important role in Iraq, and I had been conveying to my colleagues in NATO that they should give this serious consideration. I started that last spring, just as the war was coming into its final phase of active combat operations, and Saddam Hussein had been dispatched into hiding. To my great surprise, no nation would speak against it to say we are not for it. Now, not everybody was ready to commit troops to it, but no nation was prepared to stop it, because the pitch we made was we had a big fight over whether there should be a war, but we had a war, and a bad guy was really gone. Now we have to come together as the NATO alliance, the United States, the EU, within the United Nations to support the reconstruction of Iraq, and part of that includes security.

Since then, since last spring and up to the meeting this last weekend, there has been sometimes slow, sometimes fast—depending on different countries—but there has been increasing acceptance that NATO does have a role to play. Even the Germans, as you may have noticed in weekend reporting, said we don't think we would send troops, but we wouldn't object to NATO playing a role.

What role should NATO play? Most of NATO's countries are there now. It is somewhere between 17 and 19 of the 26 that have troops there now. It is not as if there is a huge reservoir of troops that suddenly becomes available when it shifts to a NATO mission, but you do get NATO headquarters, you do get NATO involvement and the alliance involved. And that is important, even if it doesn't generate many more troops on the ground, although it could.

I think the easiest way to start this would be for NATO to assume responsibility for the zone that you described, where the Poles and the Spaniards and the UK and others are working. That would plug right into our troops. And if it should all take place at the time that sovereignty is transferred, then you would have NATO working with a sovereign government, which I also think is a nice visual for the whole thing as well as a proper policy outcome. We are encouraging our NATO allies to look at this.

The Secretary General of NATO—the new Secretary General, Jaap De Hoop Scheffer, was here last week, and we talked about this in considerable detail. He is supportive of it. He cautions, however, that Afghanistan has to come first for NATO. They are now in Afghanistan. They have to make sure they have that right, and they do that well. But he is already thinking about what NATO can do in Iraq, and we will be pursuing this in the spring. We might be ready to make the appropriate decisions at the Istanbul NATO summit at the end of June if, perhaps, not before. If we can do it before, fine, but at least ratify it when all the heads of State are together in Istanbul.

The U.N. would certainly be interested in what these arrangements are. Right now, I don't expect to see the U.N. playing a significant role in security arrangements, even though under the current U.N. Resolution 1511, it is a multinational force that is there, not just a U.S. and coalition force.

We are working through all of these issues, but working in the direction that you suggested, Mr. Bereuter, and that is for NATO to play a role.

Mr. BEREUTER. Thank you, Mr. Secretary. Thank you, Mr. Chairman.

Chairman HYDE. Mr. Berman.

Mr. BERMAN. Thank you, Mr. Secretary. Thank you for being here. As you were speaking earlier, it occurred to me, particularly in the context of both Libya and Pakistan, maybe one day in the context of Iran, there is tension between our different interests, and I would be curious if you would be willing to speak your thoughts on how one balances those tensions. As a general rule, underlying U.S. foreign policy is a fundamental belief that universal human conditions are better and our national security is better when people get to participate in their own governance through the democratic process in one variation or another, when there is respect for individual rights, when the concepts of an acceptance of pluralism is inculcated and institutionalized in different regimes.

And the President spoke really quite forcefully on this in the context of the Middle East recently. The vision for what Iraq would hopefully become certainly reflects those values.

At the same time, September 11th, terrorism, weapons of mass destruction and their relationship should be, I think, fairly obvious to everyone, and the importance for our security interests and that of our allies and friends around the world who deal with that also requires us to give great attention to those issues.

In the case of Pakistan and in the case of Libya, we talk about what we hope might happen. We have such important interests in Pakistan in terms of helping with the areas under Pakistan sovereignty where al-Qaeda still may be harbored, in terms of promoting negotiations with the Indians on Kashmir and stopping support for the terrorists there, and in terms of getting rid of Pakistan's really stunning role as proliferator of weapons of mass destruction and technology.

At the same time, Musharraf is not a democrat. In a sense, the corruption of some of the institutional processes there and the military and the intelligence services is pretty well known. How one works through a sensible bilateral relationship in the context of that, the same could apply to Libya as you talked about that, and I am curious how you would work through those. And with Iran, there are doubts about whether they are even committed to their agreement that they made with the European leaders. Their continued support for terrorism is obvious; and, of course, we have this stunning situation where what is happening to those people who stand for reform and change in Iran in terms of the upcoming election, and the unwillingness apparently of the elected leadership of Iran to confront the guardians and this council that is knocking people out of the election contests draws the point there.

How do we relate to Iran in all these different facets? I am curious how you work through balancing these.

Secretary POWELL. It is what I spend most of my day doing, Mr. Berman. I have to play the cards that I am dealt, and I play those cards in accordance with the President's direction. His direction starts out with our belief in our value system, and we believe that our value system is more than just for Americans. It is universal freedom, democracy, and individual rights of men and women. We take these values to every country that we have relations with,

whether they are in sync with us and believe as we do, or whether they don't. I can give the same sermon about these values, and it almost comes down to a sermon. I can give it just as easily in Pakistan as I can in India.

And if I ever get to Tripoli, I will give them the same sermon, and the reason I can do this is because I believe in these universal values. But even more important than that, they lead to a system that works in the 21st century. Democracy and open economic systems and letting people pursue their own dreams and ambition, this is what works, and more and more nations are discovering it. And more and more nations are shifting over to the democratic column. Look at Eastern Europe. Look at our own hemisphere. More and more nations are realizing what they have to move away from. They have to move away from forms of government that do not allow people to be represented fully, but it doesn't happen overnight. Diplomacy isn't like combat action, as I have discovered. It isn't something that is resolved overnight. It takes time. It takes persuasion, and you have to be considerate of the pace at which a particular country can move.

When I go back to Pakistan, let me take Pakistan as an example, on the evening of the 13th of September 2001—or the morning of the 14th, 2 days after 9/11, I placed a phone call to President Musharraf. This was after my deputy, Mr. Armitage, had sent a list of demands and suggestions and recommendations as to what Pakistan should do. At that point there was no parliament functioning. General Musharraf was General Musharraf. The regime was supporting the Taliban. We told him it is time to start changing, and he did. And here it is now a couple of years later.

He is still the President, but there is a parliament that is functioning, and there is a Prime Minister. He still has ultimate power. We talked to him about changing his education system. He is doing that. We talked to him about open trade, and he is moving in that direction. We talked to him about A.Q. Khan, and we talked to him about the problems that we saw in that man and his institutions, and now he has moved on that.

I think we have seen the kind of progress we like to see going in the right direction, keeping in mind that during a large part of the last couple of years with Pakistan, we have also worried about a major war breaking out that could have been nuclear between India and Pakistan. We worked all of that. There was no war. There was no nuclear exchange. Those two countries are now talking to one another. They are exchanging high commissioners, and trade is starting to go across the border. They have met with each other, and now the A.Q. Khan situation has been dealt with. There is more to do but matters have certainly been dealt with in the first instance, and we are making progress in a place like Pakistan. But I can't hold it yet to the standard that you and I would expect to see in our own country, or among our western European friends, a country of one of our western European allies.

What we do is we never step back from our value system. We never fail to preach to them. The Congress has given me a number of tools to work with, human rights tools, trafficking in person tools, other requirements that you gave me to make sure that I am applying this value system in our foreign policy activities.

We have good relations with China—the best relations we have had with China in 30 years, I would submit—good economic relations, good cooperation on regional issues. But at the same time we preach to them, we let them know there are consequences if they don't obey the standards having to do with the World Trade Organization requirements that they entered into on human rights, or religious freedom, or tolerance of other points of view. China hasn't become a full democracy overnight, but it is certainly not where it was 20 years ago.

The value system that you started out with, Mr. Berman, is the foundation stone for the President's foreign policy. It is what we spend an enormous amount of our time in the department doing. Balancing this value system against what a particular country is doing and then determining what should we do with that country to keep it moving, not just to serve a particular interest we have in a moment in time, but to keep it moving so that it slowly but surely moves in the direction. Not because we want them to, but because we think it is best for them to move in that direction in order to create a more peaceful environment in their part of the world, a more peaceful world and to have them join a community of nations that believes in democracy and believes in the individual dignity of men and women and believes in open economic systems.

Chairman HYDE. Mr. Chris Smith.

Mr. SMITH OF NEW JERSEY. Thank you very much, Mr. Chairman, and Mr. Secretary, thank you for the extraordinary job that you, President Bush and John Miller and so many others are doing on the human slave and trafficking-in-persons effort.

As I think you would agree, smart sanctions do work. When the threat of those sanctions hung over Israel, Turkey, Greece and South Korea, they did an enormous amount of work to get off of the list, the tier 3 list, as we call it, and more importantly, to make reforms to mitigate and hopefully end trafficking within their own country.

I would just ask you one of the new tools as you mentioned a moment ago that we have given to the department is the whole idea of the watch list, and I hope that that watch list, which the President just signed into law, is part of a whole package of new tools will be used very, very rigorously. There are countries like Russia where we are still waiting for and holding our breath and hopefully soon we will see the necessary legislation get enacted.

Take a look, if you would, Mr. Secretary, at the Netherlands. A recent rapporteur report suggested that something on the order of 80 percent of the women who are being bought and sold every day in the Netherlands are foreigners, a significant portion of which have been trafficked, yet they are tier 1. I would hope that they would be looked at with some real scrutiny.

Just in the ongoing, one of the tier 3 countries—and this deserves I think a real look—Uzbekistan's President's daughter, Gulnara Karimova, has been linked to trafficking, and there are others who are very high up in government that whenever this information comes forward, we ought to be following it up very rigorously.

On religious freedom, Mr. Secretary, yesterday the U.S. Commission on International Religious Freedom testified that they think

there ought to be at least 11 countries on the CPC list, the countries of particular concern, including Vietnam, and I would encourage you to look at those countries. John Hanford, our U.S. Special Ambassador for Religious Affairs, said that it is under a very, very active review, and it seems to me looking at what is going on in Vietnam, including the renunciation of faith that the government is imposing on some religious believers, warrants, I think, CPC designation.

Thirdly, you mentioned China briefly, but China continues to be a basket case when it comes to human rights issues. They continue to repress all dissidents. The one-child-per-couple policy remains one of the worst assaults in human history, I should say, on women and children, as well as on families where children are illegal if they are not explicitly authorized by the state, and of course, that is enforced by forced abortion and forced sterilization.

And finally, as you know, I chair the Helsinki Commission, and I continually hear criticisms of what goes on at Guantanamo. I have gone there, with others, and didn't find any of the torture that was being talked about by our friends and allies in Europe. But why don't we have, in Europe, the same kind of expression of angst and opposition to what goes on right across the borderline, and that is to say what goes on in Havana with Fidel Castro?

As we all know, he recently rounded up some of the best and the brightest and the bravest in Cuba, including Dr. Roscer Bassett and others, and has meted out 25-, 26-, 27-year prison terms for aspiring to democracy and for speaking the truth to power.

I would hope that our European allies—they did initially, a few of them—would speak out against these atrocities that are going on in Cuba today. Thank you, Mr. Secretary.

Secretary POWELL. Thank you very much, Mr. Smith. With respect to trafficking in persons, I think you know how aggressively the department is pursuing this issue and how much we appreciate the support and the nudge Congress has given us over the years. I have participated in television shows, including a *Dateline* show a few weeks ago that I thought was very moving in describing what goes on in trafficking of children, and some of the horrific scenes that the *Dateline* crews came up with which should shock all civilized people. And you can count on this department and this President following up on this as much as we can.

When I was in Russia 2 weeks ago, I met with President Putin. I met with a lot of people, but as part of my trip, I visited a conference on trafficking in persons with civil leaders, with government leaders, and with all sorts of people who have come together to begin talking about this problem in Russia. I addressed that conference. I am aware of the Netherlands problem. We continue to call that to the attention of our colleagues in the Netherlands.

On China, we are not holding back on that. We have told the Chinese that we have seen backsliding over the last year, not progress, and that this is of concern to us.

With respect to Guantanamo, there is no question that we are treating all of the detainees down there in a proper manner, consistent with our international obligations. I did a television interview earlier today on Spanish television to announce that the Spanish detainee will be released in the next day or so. You will

see in the next couple of weeks that the interrogation and other procedures that have been in place to make sure we knew who we were dealing with down there have been expedited, so that more and more people who we have no reason to be detained will be released and sent back to their countries.

But for those who are bad guys—and we have every reason to detain because they could go right back out on the streets and attack us—we are going to retain. We will make the case to the international community and the human rights organization as to why it is necessary for us to do that to protect our citizens.

I think even my European colleagues finally are starting to realize that you look over the fence at Guantanamo, and there is Cuba, and it is the worst offender, and I found it much easier to make that case to European Union colleagues in recent months as a result of continued, horrible misbehavior on the part of the Cuban government.

Mr. BEREUTER [presiding]. Thank you, Mr. Smith. The gentleman from New York, Mr. Ackerman, is recognized for 5 minutes.

Mr. ACKERMAN. Thank you, Mr. Chairman. Mr. Secretary, thank you for being with us today, and I am glad to see you are looking so robust, and thank you for the great work that you are doing for us all over the world.

Mr. Secretary, a year ago you appeared before the United Nations Security Council and brilliantly detailed the case against Saddam Hussein and his regime. Your presentation that day was the apogee of a larger campaign by the President and his senior advisers to make the public case for going to war and removing Saddam Hussein and his government from power.

I want to be clear, Mr. Secretary. I supported the decision to go to war. I voted for the resolution authorizing the President to use force as a last resort, and I would have voted for it for the right reasons. I would have voted for it for the honest reasons. They would have been sufficient for me.

But I also believed in the Administration and I believed their case and the case that they were making. But in the aftermath of the war, finding no weapons of mass destruction and no plans in a decade thereto, and with shifting justifications from the war coming from the President who refuses to take personal responsibility for what is, at best, an intelligence disaster, or at worst, massaging the intelligence books, I can't help but feel the same unease that my constituents feel, that we were sold a bill of goods and that the buck will stop somewhere short of the President's desk.

While no one in a policy making position in the Administration ever publicly said the word "imminent," everything that was said to convince the public and the Congress suggested that we needed to take immediate action, immediate, if not sooner. The President said we would not live at the mercy of Iraq's dictator.

Dr. Rice said:

"We don't want the smoking gun—I will underline it, the smoking gun to turn out to be a mushroom cloud."

We know what makes mushroom clouds. And in case there was anyone who didn't get the picture that was being painted, the Vice President said:

“Simply put, there is no doubt that Saddam Hussein now has weapons of mass destruction.”

That kind of language amounts to a case for imminence, even if no one actually said that word.

The distinguished Chairman of this Committee cited in his remarks the adage that truth is the first casualty of war. I would contend that the truth was murdered before a shot was fired.

Now unable to discover the stockpiles of weapons that Vice President Cheney asserted were absolutely there and that Secretary Rumsfeld claimed to know the exact location of, we find ourselves with a big problem. Not that our failure to find the weapons is not a big problem or that al-Qaeda forces are sneaking into Iraq to attack our troops is not a big problem or that rebuilding a nation the size of California is not a big problem, the real problem is much bigger. The problem is an utter lack of credibility. This Administration lacks credibility with Congress, the American people and the international community.

The credibility gap is not just about the reasons we went to war in Iraq, but extends to the plans for what we would do after the war. I was one of those in Congress who agreed that, by comparison, winning the war would be easy and winning the peace would be hard. We won the war. The Secretary of War makes good war. And for the peace we were assured, the American people were assured, that there was a plan; and in fact there was a plan. It was produced by the State Department, and I suspect at your direction. It fills 13 volumes and occupies a shelf in our Committee’s office.

It is very detailed and discusses all the issues that we have now confronted since the very first day of the occupation; yet, this plan was deliberately shoved aside and its chief architect summarily removed from our reconstruction efforts in Iraq. How are the American people to believe the current plan to hand over power to Iraqis on June 30th, ready or not, come hell or high water, will actually work, when all the expertise the United States Government could muster has been summarily ignored? I have concluded the Administration’s plan to get us into the war was bait and switch, and the plan to get us out looks very much like cut and run.

Mr. BEREUTER. Mr. Ackerman, you’re time is expired. To keep on track for everyone, we really need to stop at this point.

Mr. LANTOS. Mr. Chairman, I request unanimous consent that the gentleman have a minute to conclude his statement.

Mr. BEREUTER. Is there an objection?

Mr. ROHRBACHER. I object, Mr. Chairman, because all of us are waiting for time as well.

Mr. BEREUTER. The objection is heard. Mr. Secretary—

Mr. ACKERMAN. If I could just conclude.

Mr. BEREUTER. I need to use the gavel, Mr. Ackerman, because your 30 seconds is over and an objection was heard.

Mr. ACKERMAN. It is your gavel, Mr. Chairman.

Mr. BEREUTER. Mr. Secretary, you can respond.

Secretary POWELL. If I could respond briefly—first, the truth was not murdered, Mr. Ackerman. The information that we were presented by the intelligence community was carefully examined. Nobody shaped it. Nobody told the intelligence community what to say. When I made my presentation to the U.N. last year, on Feb-

ruary the 5th, I knew that I was going before a world audience, and I knew that I had to have it right. And "right" meant I had the considered total views of the intelligence community, and where there was a difference of opinion or a difference of view, I had to take that into account and ask the DCI, Mr. Tenet, to resolve it. And if it wasn't resolvable, I had to make note of it in my presentation, which I did.

In my presentation, I laid out clearly the intent, the history of Mr. Saddam Hussein's behavior. I laid out the programs that he had. I laid out all the gaps in knowledge that we had and asked him to answer those gaps, as he was required today to do under 1441. I went into that briefing believing that there were stockpiles, that there were weapons there. We expected to find them. We all believed that, because all of the intelligence data we had suggested that there were stockpiles. It was derived from 12 years of examination, 8 years of which included U.N. inspectors on the ground. All the intelligence that was available to us was available to other agencies in other governments.

There is not a question of whether we knew nothing was there and we lied about it; what we did was present the facts that our intelligence community provided to us. Nothing more, nothing less. And I did not go before the U.N. and tell anything but the truth, as we knew it at the time that we presented it. With respect to—

Mr. ACKERMAN. Your presentation was impeccable before the U.N., and I did not mean to impute that, Mr. Secretary.

Secretary POWELL. Beg your pardon.

Mr. ACKERMAN. I said your presentation at the U.N. was impeccable.

Secretary POWELL. It reflected the intelligence community's view, and it reflected the information that was in the NIE that was presented to the Congress. And it was the definitive U.S. Government statement presented before the world body. On the aftermath, the information in the 13 volumes was made available to the Department of Defense which had responsibility, appropriately so, for the immediate aftermath. We were still at war. It was a war zone, and our experience in Japan and Germany and elsewhere is that the Defense Department has to run it.

No other department has that kind of capacity. One can question the decisions and judgments that were made, but I think we are on a good track now with the Coalition Provisional Authority under the leadership of Ambassador Bremer. I have started a transition process in the department where State Department officials will, appropriately so, as we get closer to the transition take more and more responsibility until the transition comes. An Ambassador running a normal, but very large, Embassy will become responsible for our interests and presence in Iraq.

Mr. BEREUTER. The gentlelady from Florida, Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Thank you so much, Mr. Chairman. Mr. Secretary, it is always a pleasure to see you. It is not a quickie, it is a little longer, but your performance is always great. I have a few questions on Cuba, human rights, Israel and the Middle East partnership initiative, all rolled into one.

Just last night, I received a letter from the human rights activist that my colleague, Congressman Smith, was speaking about, Dr.

Oscar Elias Biscet, one of the many prisoners of conscience languishing in Castro's Gulag, and in that letter that I would like to submit for the record, Dr. Biscet says:

"There is no doubt that existing evil and injustice in our country is made up of the structure well designed to repress."

Mr. Secretary, I would like to ask what your department is doing to underscore the threat of Fidel Castro internationally, what are we doing to try to secure the release of Dr. Biscet and, as Mr. Smith pointed out, almost 80 other human rights activists who were arrested and sentenced last spring, merely for speaking out on behalf of democracy. Are we getting international support calling for their release?

And on the subject of human rights, we have the upcoming session of the United Nations Commission on Human Rights, and I would like to ask you what is the department's strategy regarding country-specific resolutions? Which oppressive regimes will the U.S. be focusing on at this year's session? Of particular interest is a response from you on efforts to prevent anti-Semitic, slanderous attacks against one of our staunchest allies, our friend and partner, Israel. What are we doing to prevent the Commission from being hijacked as it has so many times by extremist elements?

Similarly, could you update us on the department's efforts concerning the International Court of Justice and Israel's security fence? I am very pleased that the Administration chose to file a brief with the court on the U.S. views. Just this morning, Mr. Secretary, I received a response regarding Israel from your department, and I thank you for that, and the letter states the Administration's strong support for Israel. It says:

"The United States has always supported Israel's security needs and its right to defend itself. We believe that there can be no excuse for the violence and terrorist attacks against the Israeli people, that they have been forced to endure, and we have made it clear to the Palestinians that a Palestinian state will not be established on a foundation of terror."

We thank you and President Bush for your strong stand.

So lastly, how would you assess the performance of the Palestinian Prime Minister to date? Do you believe that he has succeeded in limiting the ability of Arafat to run the show and control terrorist attacks against Israel? And if you have a minute to spare, elaborate on the programs of the countries that will be the focus of the Middle East Partnership Initiative. We thank you for your progress on that great program. Thank you, Mr. Secretary.

Secretary POWELL. Thank you very much, Congresswoman. I will run down some of these very briefly. With respect to the Doctor, we share your concern for him and for the other 80 who were incarcerated in that manner, and we raise this issue with our European Union friends at every opportunity. I wish I could snap a finger and free them all, but that is, of course, not possible.

I think by these terrible actions, Fidel Castro has isolated himself more and more, and there are fewer and fewer people willing to stand up and defend him or his regime.

With respect to the Human Rights Commission and what we are looking at, we are still examining the various resolutions that might be put forward, but certainly the Cuban resolution will be one of those that we would put forward to try to generate support. We will work with our European Union colleagues.

With respect to anti-Semitic actions, we participated in an anti-Semitic conference last year under the auspices of the OSCE, and we are going to do so again this year. I am pleased that a number of my European Union colleagues realize that this is an issue that they can't just ignore and pretend it isn't real. It is real, and they have to deal with it. We are participating in the conferences that are dealing with it.

With respect to the ICJ, we were pleased to file a brief that said we don't believe this issue has standing before the ICJ. I am not satisfied with everything that Prime Minister Abu Ala has done. I have conveyed to the Palestinian side repeatedly that they have to do more with respect to security, and we won't be able to get anywhere until they do more and wrest control of these security forces from Yasser Arafat. There is just no question about that.

With respect to the Middle East Partnership Initiative, which will grow into the Greater Middle East Initiative, we are examining now how far that should extend. Should it stop at the Gulf? Should it continue over to Afghanistan and Pakistan? How wide should we consider the Middle East region to be as we think about this for the G-8, NATO and EU meetings that are coming up later this year?

The Middle East Partnership Initiative was essentially for the western part of that wide region.

Ms. ROS-LEHTINEN. Thank you very much.

Mr. BEREUTER. The gentleman from American Samoa, Mr. Faleomavaega, is recognized for 5 minutes.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. Mr. Secretary, I want to offer my compliments to you for your outstanding leadership and commitment, and especially for the tremendous services that you are rendering to our country.

It is not easy to be constantly faced with serious events and conflicts that might either require that we instantly respond or that we do nothing. Our Nation is now in the middle of a highly politically-charged atmosphere, where the people of our Nation will decide who should represent their interests, both domestically and to the world.

As our Chairman has stated clearly, truth becomes the first casualty of war in an atmosphere where partisan politics consumes our appetite. As human nature would have it, we want not only to be heard, but to be given the power to make decisions that will control the lives of the people of our country.

Mr. Secretary, 30 years ago, India exploded its first nuclear device in 1974 and thereby immediately, as I recall, Prime Minister Rajiv Gandhi pleaded before the United Nations General Assembly that there should be a worldwide ban of nuclear weapons altogether, and that India would be among the first to voluntarily submit to the destruction of nuclear weapons.

The reaction of France, Great Britain, China, our country, and Russia, the 5 permanent members of the Security Council who pos-

sesses to this day nuclear weapons, was that we did nothing. The point that India has been advocating for the past 30 years, Mr. Secretary, is simply this. What gives our Nation, Russia, the United Kingdom, China and France the right to tell the rest of the world not to produce nuclear weapons, or even prevent third world countries from producing nuclear weapons, when these 5 nations should be setting the example by destroying their own supply of nuclear weapons?

Common sense would dictate that Pakistan, which borders India, has every right as a Nation to also produce nuclear weapons to protect itself from possible threat of a nuclear attack by India.

Mr. Secretary, that is the best example of proliferation. Pakistan's security is threatened by India, and India's security is threatened by Pakistan and China. And it goes on and on, and all this because 5 nuclear nations refuse to set the example by getting rid of their nuclear weapons themselves. And with the recent pardoning by President Musharraf of Pakistan of Mr. Khan for his charges of exportation of nuclear technology to Iran, Libya and North Korea, how will this impact again the issue of nonproliferation of nuclear weapons among countries who have them and other countries that do not have them, but maybe hope to possess them?

And of course, there is the question of nuclear testings in the Marshall Islands. In our own nuclear testing program in the Marshall Islands, hundreds of Marshallese were directly affected, and thousands of Tahitians were directly affected by nuclear contamination, by the French nuclear testing program that took place for some 30 years in the South Pacific. And some 2 million people in Kazakhstan were also exposed to nuclear testing by the Soviet Union.

So there is nothing pretty about the whole question of nuclear weapons, and I just wanted to ask where we are now. It just makes the whole question of nonproliferation irrelevant if countries that do possess these weapons are not committed to nonproliferation. A commitment to retaining one's nuclear weapons invites terrorists and rogue nations to obtain nuclear weapons of their own.

So I wonder, Mr. Secretary, if you would respond to that.

Secretary POWELL. I would love to see the day when there are no nuclear weapons anywhere, but they are there, and history produced those first five, from the aftermath of the end of World War II and the few years after the World War. Since then other nations have joined that party, but I think we now have the opportunity to keep the club from growing. We certainly have gotten Iraq out of the club. Libya said, "We don't know why we asked for membership in the first place." I hope we can convince Korea—and frankly Korea says it is willing to give them up—but it is placing conditions with a price tag on it. Hopefully they can be persuaded not to become a member of the club.

I think with the breaking up of the A.Q. Khan network, we have succeeded in making it less likely for this kind of material going to nonstate actors and terrorist organizations. I am less worried about it getting out of our inventory or British or French or Chinese or even Russian inventories. But A.Q. Khan was another matter, and now we have dealt with that.

Our proliferation activities are bearing fruit. We have had nations who have forgotten about it altogether—South Africa, Argentina, Brazil, and others that were looking at it over the years. Forget it.

With respect to our own Nation, I have often told the story, and I have probably done so here before, that when I became Chairman of the Joint Chiefs of Staff in October 1989, while the cold war was still on, I had responsibility for the stockpile that had 28,000 nuclear weapons. When I left 4 years later, it was heading down to under 15,000, and we have just concluded yet another treaty with Moscow that will bring it to an even lower number. I hope we can find ways to make that even lower, until a point is reached where both sides say enough, and get rid of them and set an example for the rest of the world.

I think we are moving in the right direction now. There is no testing taking place to expose people, on the Islands or anywhere else to this kind of danger. I think we have got it moving in the right direction, and we have to stay on it until we reach that day when there are no nuclear weapons left on the face of the earth.

Mr. BEREUTER. Thank you, Mr. Secretary. We have a vote on the Floor and we need to go, and without objection, the entire statements of Mr. Ackerman and Ms. Ros-Lehtinen will be made a part of the record. That will be the order, as we are only recessing.

Mr. Wexler?

Mr. WEXLER. If some of us are willing to stay, is that amenable to the Chair?

Mr. BEREUTER. We are going to have a very brief recess, and so I would say perhaps as little as 5 minutes, perhaps as much as 10, but we need to recess. The Committee is in recess.

[Recess.]

Chairman HYDE [presiding]. Mr. Rohrabacher of California.

Mr. ROHRABACHER. Thank you very much, Mr. Chairman. First and foremost, let me congratulate you, Mr. Secretary, and our President for doing a magnificent job making this world a safer place and making sure that the United States of America is more secure than it was when you took over.

Three years ago when this Administration took over, radical Islam was on a course that looked like it was going to basically threaten the entire planet, and radical Islam and other forces of evil on this planet had not been dealt with by the last Administration in a way to alleviate that threat. And today you sit here before us, as our President is before us, and yes, you have had to take arrows and slings that often have political motivation. But you have made our country safer and you have made the world a better place, and you have opened up new avenues for people around the world, especially new options for young people to who grow up in Muslim countries, so that now radical Islam is not just the option, but instead democracy and freedom are the option, whether it is in Iraq or Iran or Afghanistan.

So thank you very much. This rhetoric that you have seen as an intelligence disaster and bait and switch and cut and run, this is so much political nonsense that it does not reflect at all the gratitude the American people will have once your time in office is over

and they can analyze the historic changes that have been made for the betterment of this world. So thank you very much.

I have a couple of issues that I would like to bring up. First of all, I would like to compliment you on something that I am sure is not at your attention. There is a family in my Congressional district in Orange County, a well-thought-of family that is an immigrant family from Africa, the Brahami family. They had their property confiscated by the Ethiopian government, which is still refusing to give it back, and OPEC under your leadership, Mr. Secretary, has decided to cut off business with Ethiopia until these American citizens are dealt with fairly. I think that it is a wonderful thing that finally some of the financial decisions that are being made are taking the American citizens into consideration like this, and I congratulate you for that. And I hope if Ethiopia doesn't reach some sort of a just compensation or give back these people's property, that they will face some more pressure from the Administration. But thanks for what you have already done.

A note of disagreement here, and that is in your remarks you noted, as I just pointed out, what is in America's interest is certainly part of the decision-making process, but human rights are also an important part of the decision-making process.

I have noted that in your material, it says that Burma is eligible to receive up to \$30 million in a program, the Economic Support Fund. I do not understand why we would ever want to give money to Burma while they are under the current dictatorship. And that is my first question.

The second one is, didn't China have something to do with Pakistan's acquisition of its nuclear capability and thus has to share some of the responsibility for the proliferation?

Secretary POWELL. I am glad we were able to help with the family, and I will follow up with our folks to make sure we are watching carefully to see that it plays out the way it is supposed to play out, Mr. Rohrabacher.

On human rights, as you know, we have been very tough on Burma, to make it clear that we find their political and human rights actions to be deplorable, especially with respect to Aung San Suu Kyi, and we will continue to say so.

I will look into the specific item you mentioned about the ESF funding. It may relate to some humanitarian or other programs that are in our interest to fund. But I will get you a detailed answer for the record on that if I may.

With respect to Chinese and Pakistani cooperation, I would have to yield to my intelligence colleagues to see what substance there might be to the question you raise, and I would prefer for them to answer it than me.

Mr. ROHRABACHER. Thank you very much.

Secretary POWELL. My staff has handed me a note—Burma, regarding the \$7 million—it is information technology. It is for democracy building.

Mr. ROHRABACHER. That is good. Thank you very much, Mr. Secretary.

Chairman HYDE. Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman. Mr. Secretary, thank you for coming before us today. I have two sets of issues to raise with you.

First, as the Ranking Democrat on the Subcommittee on the Western Hemisphere, I am outraged that the Latin American budget has been slashed. I hear the President say that Latin America is a priority, but when we look at the facts it is different. In this budget Latin American development programs are cut by nearly 11 percent as compared to 2004 in active levels. Child survival and health programs are cut by almost 12 percent. Latin America is the only region in the world, the only region to be cut in both total economic and development aid and total narcotics and military aid.

And if one tries to make the argument that the NCA will take care of Latin America, I think we need to get our facts straight, because even if we include all the five countries eligible based on income levels, for which there of course is no guarantee, a maximum 7.2 percent of Latin America's poor would benefit from the NCA. So so much for us being "un amigo."

And then I would like to turn to Iraq. It is clear now to me and to many Americans that we went into this war under false premises. And Mr. Secretary, I respect loyalty to the President. I even respect more your loyalty to the American people when you have made comments that sometimes were honest and out of what may be seen as the mainstream, when in that *Washington Post* article you honestly said that you are not sure you would have recommended going to war if you knew that Saddam did not have stockpiles of banned weapons. And it is also clear to many of us that Saddam's actual stockpiles that have not been found were not expanding but they were contracting, and that was not the case made to the American people.

If one looks at, for example, the report by the Carnegie Endowment For International Peace, Weapons of Mass Destruction in Iraq, and looks at the key to their findings where they say with respect to nuclear and chemical weapons, the threat was largely known, and it says Iraq's nuclear program had been dismantled and there was no convincing evidence of its reconstitution; that regarding chemical weapons, UNSCOM discovered that Iraq's nerve agents had lost most of their lethality as early as 1991, and all of the subsequent operations, Desert Storm and Desert Fox and U.N. Inspections and sanctions effectively destroyed Iraq's large scale chemical weapon production capabilities.

When they say that it is unlikely that Iraq could have destroyed, hidden, or sent out of the country the hundreds of tons of chemical and biological weapons, dozens of SCUD missiles and facilities engaged in the ongoing production of chemical and biological weapons that officials claimed were present without the United States detecting some sign of this activity before, during, or after the major combat period of war. That prior to 2002, the intelligence community appears to have overestimated the chemical and biological weapons in Iraq. That the dramatic shift between prior intelligence assessments and the October 2002 National Intelligence Estimate together with the creation of an independent intelligence entity at the Pentagon and other steps suggest that the intelligence community began to be unduly influenced by policymakers' views some

time in 2002. That there was and is no solid evidence of a cooperative relationship between Saddam's government and al-Qaeda. That there was no evidence to support the claim that Iraq would have transferred weapons of mass destruction to al-Qaeda, and much evidence to counter it. And to their conclusion that Administration officials systematically misrepresented the threat from Iraq's weapons of mass destruction and ballistic missile programs beyond the intelligence failures noted above, and they say that by treating nuclear, chemical and biological weapons as a single weapons of mass destruction threat, that the conflation of these three threats, very different in the danger that they posed, distorted the cost-benefit analysis of the war. That insisting without evidence, yet treating as a given truth, that Saddam Hussein would give whatever weapons of mass destruction he possessed to terrorists. That routinely dropping caveats, probabilities and expressions of uncertainty present in intelligence assessments from public statements, and by misrepresenting inspectors' findings in ways that turned threats from minor to dire.

That is the nature of where we find ourselves. So I simply close by saying I don't understand how we still to this day can have a process where we have no exit strategy, where we are nation building, which I have heard my colleagues oppose, where we want to have an election in a way in which the majority of the Iraqi population says they are not supportive of, and we have made this timetable without seeing if it will in fact work.

And lastly our status of forces agreement. How is it that we are going to keep our troops there under what set of circumstances? We do not have negotiations with the Iraqis on this issue. When will they be resumed and with whom? What will be the purpose of those troops that will stay there? When will they be home? When will they be—where will be their mission? Will they be there to deter an invasion from outside forces? Will they be there at the service of a new Iraqi government? How long are they staying in power after? Those are all questions that we would like to have answered.

Chairman HYDE. The gentleman's time has long since expired.

Mr. MENENDEZ. I thank the Chairman.

Secretary POWELL. Thank you, Mr. Menendez. With respect to Latin America, we have reduced the overall amount of funding there because we had higher priorities that we had to deal with of a more serious nature than some of these programs in other parts of the world. It is one of those tradeoffs that we make that I wish we did not have to do, but with a limited funding stream these are the kinds of choices that we do have to make. I hope it will be offset, to some extent, by the Millennium Challenge Account funding as it starts to flow, but recognizing it will probably not make up the complete difference. But we will not know until we actually do the Millennium Challenge Account funding.

With respect to Iraq and what you attribute to be my difference of opinion in *The Washington Post* interview, let me say that the information that the President based his decision upon and the information that I used to make my presentation to the United Nations reflected the judgment of the intelligence community. It wasn't shaped. I did not spin it. I did not add anything to it. Every

word in that presentation reflected the decision of the Director of Central Intelligence, after examining all of the information available to him and the different points of view. We sat at the CIA for several nights debating and arguing every point in that presentation.

It wasn't that we did not present the truth. We presented what we believed the truth to be at that time and we had every basis for believing that it was the case.

As I said, intent, there is no question. Delivery systems? I did not linger on that earlier in my presentation, but Saddam Hussein was developing longer range delivery systems and not to deliver popcorn. Delivery systems were under development. There was clearly an intention to keep these programs alive. The part of the equation that is still an unknown, because the research continues and the work of the Iraqi Survey Group continues, has to do with stockpiles. In the 30 minutes that I discussed this issue with *The Washington Post* and all of their reporters, I spent 29½ minutes describing how we came to the conclusion that we came to, and why this was the right conclusion. And then I was asked, "Well, suppose the CIA had said something entirely different about this for that whole period of time? What would the recommendations have been?" And I said, "Well, that changes the equation, so I don't know what I would have recommended." But based on everything else that was in the equation at the time, I would have recommended or said to the President, we have got to go anyway. I was giving an honest answer at that time. I did not duck the answer. I didn't hide behind "It is a hypothetical question." I told the truth, as I always did to the best of my knowledge and belief—not shaping, not spinning. But it caused some members of the press to go hysterical over the answer, and so be it. That is the way it is in this town.

The President had the correct basis upon which to make the decision that he made. He got solid intelligence information that reflected the judgment of the intelligence community, and the intelligence communities of many other nations. It reflected our best estimate of what Iraq had. It has been established that they had the intent, and they had the capability in a variety of areas. It remains to be seen whether or not we come across any stockpiles or not. Dr. Kay says he does not think we will. Dr. Kay also said they were clearly in material breach of their obligations and the President did the right thing, as Dr. Kay said, even in the absence of information at this point with respect to the stockpiles.

I don't think we have anything to be apologetic about, and under no set of circumstances do I believe that anybody in America should think that the President cooked the books or in some way tried to mislead them. The President took this to the United Nations and said to the United Nations here is a problem we are trying to solve. It could have been solved peacefully. Saddam Hussein was given the opportunity to resolve it peacefully. If the President did not intend that he would not have taken it to the United Nations. Saddam Hussein did not take the opportunity that was given to him. He demonstrated that he continued to have the intent. He demonstrated that he continued to keep the capability to play hide and seek with us on. He paid the consequences.

The American people are going to see that in this difficult process ahead of putting in place a government, of putting in place a democracy, there will be challenges ahead. Regrettably, lives will be lost. It will cost us a great deal of money. But when we are through, we will not have to worry about weapons of mass destruction and we will not have to worry about dictators. We will have a country that we can be proud of.

We are working on all the issues that you mentioned with respect to timetables and with respect to the security agreement with the new transitional government and the permanent government that will follow. We understand those challenges, and we do not think we have seen a challenge that we do not know how to deal with or meet. It will be difficult, but what we need is the support of the Congress and the continued support of the American people to get this job done.

Chairman HYDE. Thank you very much, Mr. Secretary. Mr. Chabot.

Mr. CHABOT. Thank you, Mr. Chairman. Let me thank you for your leadership on the issue of international child abduction. You are very familiar with one of the most egregious cases involving Carina Sylvester, an American citizen who when barely a year old was kidnapped by her mother and taken to Austria, where she lives today. She is now 9 years old and during the last 8 years, her American father, Tom Sylvester of my district, Cincinnati, has seen his daughter only occasionally and under strict supervision.

During that period, the child's mother has refused to comply with American and Austrian court orders. She has ignored appellate decisions and has lived in a continual violation of the Hague Convention. All the while, the Austrian government has failed to enforce the Hague Convention return order.

In April of last year, the European Court of Human Rights ruled that Austria violated the human rights of both Tom and his daughter, Carina, when it failed to enforce an order entered by the Austrian courts that Carina be returned to the United States under the Hague Convention in 1995. The decision of the seven-judge panel was unanimous.

Mr. Secretary, you have been a great ally in this case and you have been willing to help us whenever we have asked, and Ambassador Harty has been steadfast in her efforts to bring about a resolution of this case and we very much appreciate her help. As I understand it, whenever a meeting involving representatives of our government and the government of Austria takes place, the Sylvester case is raised. Unfortunately, the Austrian government remains unwilling to cooperate. It is clear that they have allowed the mother of the child, the kidnapper, to flout the law and deny the American father the right to have a life with his daughter. As you can understand, this case continues to frustrate all of us.

At this point I am wondering what further steps we can take to bring a resolution to this unbelievably painful situation. I am considering bringing a resolution before the House that would spell out the intransigence of the Austrian government in this fundamental human rights case, but I would hope that would not be necessary. It would be unfortunate because, unlike some other countries whom we would consider to be at least nominal allies, Aus-

trian's record on Hague Convention cases has been for the most part good. That is why it is so frustrating to deal with this particular case and why it is so hard to understand why the Austrian government would not want to resolve this case before emotional damage is done to the father and the child.

I know we can count on you and your good offices, Mr. Secretary, to continue to help us in this fight. And you have my thanks and also the thanks of this left-behind parent.

Now, at risk of offending another European country, let me move for a moment to France. Please keep in mind that I am a legislator and I am not a diplomat, so I am going to be very frank with you.

Secretary POWELL. They are not always inconsistent.

Mr. CHABOT. Certainly not in your case. Last year, when you were here, we were discussing French opposition to our efforts to bring to an end the brutal murderous regime of Saddam Hussein and liberate the Iraqi people. I made the comment that as one with a French surname, Chabot, or as the French pronounce it, Chabeau, I was troubled that the French of all people seem to forget about the high price of appeasement.

The next day a Paris newspaper reported that I was ashamed of my name, which then caused the leader of the French Senate named Chabot, or Chabeau as he pronounces it, to engage me in a spirited trans-Atlantic colloquy. I told him I was not the least bit ashamed of my name; it was the French Government that I was ashamed of. That went over really big in France.

Now the French are at it again. It is widely known that they are willing to sell military components to just about anybody with a checkbook. Last month France led an effort within the European Union to lift a 14-year ban on weapons sales to China. This comes at a time when China has nearly 500 missiles aimed at Taiwan, less than 100 miles away. After actually turning the lights on Eiffel Tower a fitting red in honor of a visit by Chinese President Hu, President Chirac curried further favor with the Communist dictator by calling Taiwan's March referendum on cross-strait relations "a grave mistake." Although it is uncertain whether his comments while in the company of Asia's biggest neighborhood bully were of interest to anybody else, including the Taiwanese, as schoolchildren we all learned about the special relationship between France and the United States, and the battles against tyranny—

Chairman HYDE. Mr. Chabot, your time is—

Mr. CHABOT. Unanimous consent for an additional minute, I will wrap up, Mr. Chairman.

Chairman HYDE. Oui, oui.

Mr. ACKERMAN. Mr. Chairman, I have no objection.

Mr. CHABOT. Our children, too, have learned about that history. My concern is that our grandchildren will grow up with a different view, not of the Revolutionary War and the Statue of Liberty and the battle of Normandy, but of a nation that no longer shares our values and continually works to undermine our interests and those of free countries around the world. Mr. Secretary, I know that time is limited here today, but is there any future? What should we be concerned about our relationships with France at this time?

Secretary POWELL. Forgive me, Steve. The Chairman and I were having a private inside joke for a moment that only he and I understand.

Regarding the Sylvester case, it is tragic and, as you know, I have spent a lot of time on the case. I have met with Mr. Sylvester, and I know how difficult this one is for him. We are working on it. And as is the case with so many of these child abduction cases, they are not easy to resolve. Our laws are sometimes different from the laws of the other country. We cannot impose our decrees there. They have their own set of decrees. We have a family that just finds ways to hide within the law of the other country, and that really brings us to a gridlock.

All I can say, sir, is that we are trying very hard. Assistant Secretary Maura Harty is doing a tremendous job. She has resolved 180 cases in the last year and a half. We have been able to solve the problem for parents and for the benefit of the child. She has been holding hometown meetings with people all the around the country who are in this situation. As a programmatic and policy matter, we are working as hard as we can on this. And I will never ignore the Sylvester case until they get it resolved to the satisfaction of the child principally.

Mr. CHABOT. I appreciate that very much, Mr. Secretary.

Secretary POWELL. With respect to France, I raised the issue of European Union sales to China and sales of military equipment with the French Foreign Minister last Friday at lunch. He understands the sensitivity with which we feel about this issue, in light of the missiles arrayed against Taiwan and the Taiwan referendum that is coming up. It is a very sensitive time. Why start changing this policy? China's human rights activity. Why start thinking about changing this policy?

I had the same conversation this morning with the Foreign Minister of Ireland, Mr. Brian Cowen, who is also the President of the European Union. I have been talking to all of my European Union colleagues—Mr. Straw of the United Kingdom last week, Mr. Fischer of Germany—to say that this is something they really need to give long and hard thought about and not do.

As you know, the EU met on it about 2 weeks ago and have tabled it for the time being, but it will be coming back up. We will be pressing our European Union colleagues not to abandon this policy.

Chairman HYDE. Mr. Brown.

Mr. BROWN. I thank you, Mr. Chairman. Mr. Secretary, thank you for the work that you are doing on international HIV/AIDS and TB. I wish the rest of the Administration were as committed as you are, and I thank you for that.

I sent you a dated January 20th letter about Haiti, the situation there, which you have not answered yet, and I would ask that you ask your staff to answer as quickly as possible. It is certainly a complicated issue, but especially about our involvement there.

One quick question and then I want to talk about something else. The Taiwanese President Chen Shiu-bien is moving forward with plans for two national referenda to take place the same day as the presidential election. Is the Administration supporting either or both of those referenda?

Secretary POWELL. Forgive me, Mr. Brown? I was distracted.

Mr. BROWN. Chen Shiu-bien is, the day of his election for President, reelection or defeat, there are two referenda.

Secretary POWELL. Right.

Mr. BROWN. Is the Administration supporting one or both of those referenda?

Secretary POWELL. On the first point of Haiti, I believe that Assistant Secretary Kelly has answered your letter. Haiti is a very difficult issue right now. We are monitoring it very closely. If I could just talk about the overall—

Mr. BROWN. Briefly, because I really want to get to another issue. Let's put Haiti aside. Just what are we doing to the referenda?

Secretary POWELL. With respect to the referenda, we don't really see a need for these referenda, but Taiwan is a democratic place and if they choose to have referenda, they can have referenda. We made it clear to them, however, that we do not want to see these actions lead in any way to a change in the situation.

We still are fully supportive and totally committed to our one-China policy based on the three communiques and the Taiwan Relations Act, which gives us certain obligations with respect to the security of Taiwan. We do not believe any action should be taken in the region that would unilaterally change the situation. Both sides have to work together to eventually find a way of reconciling their different points of views and interests. We are not expressing support for either of the referenda.

Mr. BROWN. Okay. Thank you for that. Americans are still very confused about President Bush's reasons to launch a preemptive strike about Iraq, and I think the media is certainly showing that now. I hope you can clear it up. I want to recount a bit of history. Maybe that can enable you to clear it up for us better than the media have and Administration officials have in the past.

In February 2001, you said of Saddam Hussein: I think we ought to declare our policy a success. We have kept him contained, kept him in his box. Saddam is unable to project conventional power against his neighbors. He threatens not the United States.

Condoleezza Rice said in July 2001, again, before September 11th: We are able to keep arms from Saddam. His military forces have not been rebuilt.

Right after September 11th, the Vice President said: Saddam Hussein is bottled up. On January 2003, the Bureau of Intelligence and Research, the State Department's in-house analysis unit, warned that during the preparation for your U.N. speech some analysts were not persuaded that the aluminum tubes the Administration was citing could be used to enrich uranium.

In February 2003, you testified: Our conservative estimate is that Iraq today has a stockpile between 100 and 500 tons of chemical weapons. You then stated that Saddam has chemical weapons, that Iraq's weapons posed a real and present danger to the region and the world.

On May 4th, 2003, you were asked by *Meet the Press* if the rationale to go to war was to find weapons of mass destruction, when we have not found them yet. You answered:

“We will, I am absolutely sure that there are weapons of mass destruction. The evidence will be forthcoming.”

A report since then has stated Iraq’s nuclear program has really been dismantled. There is no convincing evidence of its reconstitution. Operations Desert Storm and Desert Fox and U.N. inspections effectively destroyed Iraq’s large scale chemical weapons production capabilities. The War College stated in its report:

“The Administration unnecessarily expanded the war on terror by launching a preemptive war against a state that was not at war with the United States. It posed no direct or imminent threat to the United States.”

“Imminent,” a word that the Vice President had used several time as the Secretary of Defense did.

Former weapons inspector and presidential appointee, David Kay, now says Iraq probably did not have WMD before the war. The Administration’s case was predicated on the supposed threat Iraq’s WMD posed to Americans. On February 3rd, the interview you have talked about, the *Post* reported you did not know whether you would have recommended an invasion of Iraq. When they asked a specific question, if you would have recommended an invasion knowing Iraq had no prohibited weapons, you replied:

“I don’t know because it was the stockpile that presented the final little piece that made it more of a real and present danger and threat to the region and to the world. The absence . . .”

still your words,

“. . . of a stockpile changes the political calculus. It changes the answer you get.”

The next day, after remarks coordinated with the White House, you quickly retreated and said that the President made the right decision. Now, Mr. Secretary, we count on you. You are one of the very few people in this Administration who understands war. We have a President who may have been AWOL. A Vice President who—

Chairman HYDE. The gentleman’s time has expired.

Mr. BROWN. May I have an additional minute as Mr. Chabot did, Mr. Chairman.

Chairman HYDE. Pardon?

Mr. BROWN. May I have an additional minute as Mr. Chabot did.

Chairman HYDE. You certainly may, by unanimous consent.

Mr. BROWN. Thank you, Mr. Chairman. We count on you. The President may have been AWOL. The Vice President said he had other priorities during Vietnam. Other high Administration officials never served. You understand war. We absolutely count on you and I think a lot of us wonder what happened between that *Post* interview and your statement the next day when you said the President made the right decision.

Secretary POWELL. First of all, Mr. Brown, I will not dignify your comments about the President because you don’t know what you are talking about. Second, let me get to the points that you were raising.

Mr. BROWN. I'm sorry? I don't know what you mean, Mr. Secretary.

Secretary POWELL. You made reference to the President—

Mr. BROWN. I said he may have been AWOL.

Secretary POWELL. Mr. Brown, let's not go there. Let's just not go there. Let's not go there in this hearing. If you want to have a political fight on this matter that is very controversial, and I think is being dealt with by the White House, fine. But let's not go there. Let's talk about what is the guts of your question with respect to what I said on weapons of mass destruction.

What I presented in 2001, at the very beginning of this Administration, was the view that at that time, based on what we knew, Saddam Hussein was contained. What I was working hard at this time to do was to get the sanctions reaffirmed and made into smart sanctions so that we could keep control of the money that he was getting at that point. Everybody was working to bust out of those sanctions, so Saddam Hussein could get more money to do anything he wanted to do, and not funnel through the Oil for Food program.

That was a fair statement, but things changed. Things changed with 9/11. Things changed as we learned more and more from our intelligence community as to what their belief was with respect to what he was doing. And when I made my presentation last February, it was based on the best intelligence available to me, to the President, to Secretary Rumsfeld, to the Vice President, and to Condoleezza Rice—to all of us. We did not make it up. It was information that reflected the views of the analysts in all of our various agencies.

Were there different points of view? Regarding aluminum tubes? Yes, there were. But it was the Director of Central Intelligence's judgment—and he is the one who has to make these calls—that the tubes were for centrifuge purposes and that is why I presented them that way.

When I was at *The Washington Post*, I spoke for almost 28½ minutes or so about why the case was right, and why what we did was right. And if you read the whole story, most of the story is about that. When I was asked a hypothetical question, I did not duck it. I said if the facts were different, I would have to consider whether I would make the same recommendation. I do not find that startling. I find that admission a fairly candid admission.

The next day I went out to make sure people did not forget what I said for most of the time in that interview: That the President did the right thing and he made the right decision based on the information he had and based on the intelligence community's view and the intelligence community's judgment. If the intelligence community had said something entirely different about intent and the various levels of capability, then everybody would have had to take a look at what we were doing. But they did not.

The information that was given to the President and that was available to me I used to make sure that I had the best, most objective presentation I could give to the world at the United Nations. I went and lived at the CIA for about 4 days to make sure that nothing was being—are you shaking your head for something,

young man? Back there? Are you part of these proceedings? Thank you.

I wanted to make sure that I had the very best information I had. I sat there with the Director of Central Intelligence and his people and went over all of these items one by one by one and every word was cleared, not by political people, but by the Central Intelligence Agency, representing the views of the community.

With respect to the Army War College report, it is a report by an individual that does not represent the views of the Army War College, but represents the views of the individual, who had it published in a document at the Army War College, where they allow lots of points of view to exist.

Mr. Kay, yes, he said based on his analysis, they did not have any stockpiles. But when Mr. Kay went into the job 8 months ago to begin his work, he thought they did have stockpiles, and he was no rookie. He had the same access to intelligence all the rest of us did, and he thought the stockpiles were there. He does not know what happened to them, but he does not think they are there now.

He was also convinced that the intent and capability never went away and that the President did absolutely the right thing; that Saddam Hussein and his regime were probably a greater problem and a greater threat than even we had anticipated before we went in, and that he was in total and material breach of his obligations to the U.N. Dr. Kay has no second guesses, no second questions, no doubt that the President did the right thing. The question is why were we off, if we were off. The work continues to see if we were off with respect to the stockpiles.

That is why Mr. Duelfer has been appointed to replace Dr. Kay and to finish the work that Dr. Kay was undertaking.

Mr. BROWN. Thank you for your candor. Mr. Chairman, I have never heard a witness reprimand a staff person in the middle of a question.

Secretary POWELL. I seldom come to a meeting where I am talking to Congressmen and I have people aligned behind you giving editorial comment by head shakes.

Mr. BROWN. I think people have opinions.

Mr. ROHRABACHER. I think the Secretary is owed an apology for that.

Mr. ACKERMAN. Point of order, Mr. Chairman. Has that gentleman who is speaking been recognized?

Chairman HYDE. The Chair will announce that we have been doing swimmingly until now and we are on a very emotional subject, and I think it is in the interest of truth and getting to the end of the Secretary's testimony—his time is valuable—that we calm down and that I ask Mr. Royce for his questions.

Mr. ROYCE. Thank you, Mr. Chairman. I hope we can all agree that we have a critical interest in having America succeed in Iraq. I wanted to open up on another front, because our Secretary of State has been the architect of an innovative plan, maybe not that original since Theodore Roosevelt set up and helped enact the National Parks Systems in the United States. But the Secretary has been one of the architects of a system to develop in Africa a national parks system which would save the white rhino, the silver backed gorilla, and many species that are in danger of extinction.

Last week this Congress sent to the President's desk an authorization bill for the Congo Basin Forest Partnership, which I managed in the House, and I know that our Secretary of State has visited this program to conserve critical forests and wildlife in Central Africa. I think the Administration and I think you, Mr. Secretary, deserve kudos for this conservation effort. It is my understanding that this program is fully funded in this budget.

I also wanted to take an opportunity to speak briefly on the African Growth and Opportunity Act. As you know, this has been a great success. In a very few short years it has attracted hundreds of millions of dollars of investment to a continent in a desperate fight to join the global economy. I have had the opportunity to visit several of these investment sites which are giving needed employment to tens of thousands of Africans. It has been a win for Africa and America.

Much of this progress is in jeopardy because there is an expiration of a key provision in this bill, the third country fabric provision, which runs out in September. We are informed that many of these jobs could leave Africa and go to China; that is what my office is hearing from United States retailers doing business in Africa. Several of us, including Congressman Payne, are working on AGOA III, which extends this provision and has many other provisions to promote trade and investment in Africa. We do not have much time to act on this bill. So the Administration's vigorous support here would be appreciated.

I just wanted to mention Liberia. Reports suggest that you are pressing the U.N. Security Council at this point, Mr. Secretary, to impose an asset freeze on Charles Taylor, who is the former Liberian President now exiled in Nigeria. I was going to ask you if that is accurate and what is the Administration's position on bringing Taylor before the United States-backed special court in Sierra Leone, where he has been indicted for war crimes for the forced amputations on civilians in Sierra Leone.

Secretary POWELL. First, on the Congo Basin Initiative, sir, you know how proud we are of that initiative, and it will be fully funded. I will never forget the memorable afternoon I spent in Gabon seeing what we could do in that part of the world to preserve that gift that has been given to us by the Almighty. This is one that we are proud of and behind.

With respect to AGOA, we certainly support the extension, AGOA III. Anything we can do to help it along, we would certainly do so. With respect to Liberia and Mr. Taylor, we are pleased with the progress we have made in Liberia. As I mentioned, Chairman Bryant was in to see the President and we had a very successful donors conference in New York on Friday, raising over \$500 million. I am proud of the United States contributing \$200 million out of the supplemental that the Congress gave us for 2004. We have another \$245 million for peacekeeping activities in Liberia from the United Nations.

With respect to Charles Taylor, I think he is safely ensconced in Nigeria and not a factor. Anything that could be done to recover his ill-gotten assets, we should support. With respect to the international tribunal, the deal that was struck to get him out of the country was that if he went to Nigeria there would not be pressure

on Nigeria to turn him over. It is still a matter between Charles Taylor and the tribunal. We believe he is still answerable to that tribunal, and we hope that circumstances will one day have him stand before the tribunal to give the answers, but we are not pressuring Nigeria on that matter right now. It was one of those compromises that was necessary to end the killing and end the horrible situation that existed in Liberia at the time.

Mr. ROYCE. I hope justice will not be delayed too long and that Charles Taylor does not go back to Liberia as a consequence.

Chairman HYDE. I am sorry to announce that the Secretary must leave at 3 o'clock, and so if we can be a little more concise with our questions, maybe we can get to more Members before the Secretary must leave.

Mr. Sherman.

Mr. SHERMAN. Mr. Secretary, I have got some questions I will submit for the record, but I will focus on the fact that, given that Azerbaijan walked away from the Key West peace talks, is it really a good idea to have Azerbaijan getting a lot more military foreign aid than Armenia when our practice in the past has been to keep parity in military aid.

But knowing your time is scarce, I would like to focus on the fence that Israel is building. We are the country of Robert Frost, who said that good fences made good neighbors. We have the largest barrier in the world manned by American forces; namely, the DMZ. Whether that saved only dozens of American lives or whether it has prevented a war that would have saved hundreds of thousands of deaths, we can only conjecture. But DMZ, good idea.

India is building a barrier and it is my understanding that we support that barrier. They are of course subject to cross-border terrorism. Putting aside the exact route that Israel is building this fence, and knowing that in fact there will be several routes for several different barriers, why wouldn't we strongly support the idea of having something to impede terrorists moving into Israel from the West Bank?

It is my understanding that we never opposed the building of a barrier between Israel and the Gaza Strip and that that barrier has been successful in deterring terrorism.

Secretary POWELL. I don't think, sir, we have never said that we oppose the building of the fence. The expression the President used, when he spoke about this with Mr. Sharon some time ago, is that we have a problem with the fence, and the problem is the route of the fence. It is an insignificant issue if the fence follows along, generally, what is accepted to be the green line. But when the fence started to go deeply into territories occupied by Palestinians, and disrupted communities, disrupted access to go back and forth to jobs and other places, that is what caused the problem. We wish there was not a need for the fence.

Mr. SHERMAN. I thank you for that clarification, and I would point out that if the fence saves one life, that more than counterbalances a few diplomatic or even economic problems caused by the fence.

Secretary POWELL. Sir, these are not just a few diplomatic problems. This is a significant—

Mr. SHERMAN. Weigh that against one life.

Secretary POWELL. I have to weigh these things all the time.

Mr. SHERMAN. I would like to shift to another area of the world. We are all concerned about Iran developing nuclear weapons. We see that many people in Iran are pressing their government to do what is in that country's economic interest, and yet we have ignored opportunities to impose economic pressure on this government to prevent them from developing nuclear weapons.

Today, we import their caviar and their carpets, things that we might be able to survive without. Why do we continue the Clinton Administration policy of opening our markets to Iran's non-energy exports? And why did we do so little to prevent the loan of about a quarter billion dollars from the World Bank to the Iranian regime? I mean if this was all in return for really stopping their nuclear program, I would understand, but I don't think you or I believe that Iran's nuclear ambitions are blocked at the present time.

Secretary POWELL. No, I wouldn't agree that they have been blocked. I would have to say, however, that in light of their signing of an additional protocol and some of the progress that has been made by European foreign ministers, we have seen some change in attitude. But we have no reason to believe that their ambitions have suddenly, totally disappeared or gone away.

Our European friends and other friends in the international community do not have the same policy toward Iran that we do and do not see it in the same terms that we do. We try to persuade them they should, but it is not the case.

With respect to the items of import that are allowed, I would have to go back and review that for the record with my colleagues elsewhere in the Administration.

[The information referred to follows:]

COPY OF LETTER FROM THE HONORABLE PAUL V. KELLY, ASSISTANT SECRETARY, LEGISLATIVE AFFAIRS, U.S. DEPARTMENT OF STATE, ADDRESSED TO THE HONORABLE BRAD SHERMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA, RECEIVED BY THE COMMITTEE ON INTERNATIONAL RELATIONS ON FEBRUARY 27, 2004, IN RESPONSE TO QUESTIONS DIRECTED TO SECRETARY COLIN POWELL DURING THE HEARING



United States Department of State

Washington, D.C. 20520

FEB 27 2004

Dear Mr. Sherman:

I am writing in response to your questions during the February 11 HIRC Hearing, in which you expressed concern that the Administration is allowing the importation of caviar, carpets, and other non-energy products from Iran, and permitting World Bank lending to the Iranian regime at a time of rising concern over WMD.

Because Iran is designated a state sponsor of terrorism, most trade, investment, and provision of services to Iran are prohibited. Nonetheless, in March 2000, the USG eased sanctions on Iran to permit imports of carpets and foodstuffs to "demonstrate goodwill" to the Iranian people. This decision followed a lengthy debate on limiting the impact of economic sanctions on innocent and vulnerable people by permitting U.S. exports of bulk agricultural commodities, medicine, and medical equipment to Iran and other embargoed countries.

This easing of sanctions has remained in place since that time and to some degree was codified by passage and implementation of the Trade Sanctions Reform and Export Enhancement Act of 2000 (TSRA), which was designed to facilitate U.S. agricultural and medical exports to Iran. According to U.S. Census data, the United States imported about \$161 million worth of Iranian goods and exported to Iran about \$99 million worth of U.S. goods in 2003.

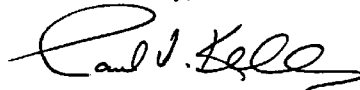
The Honorable
Brad Sherman,
House of Representatives.

Concerning World Bank lending to Iran, it is important to note that although the U.S. is the largest single shareholder in the World Bank, we do not own a controlling interest in the institution or a veto on specific lending decisions. However, we were able to form a coalition that blocked all World Bank lending to Iran from July 1993 - May 2000 on the shared grounds that not engaging with Iran was the appropriate policy stance. This coalition split in May 2000. Despite our ongoing efforts to persuade other World Bank shareholders not to support further lending to Iran, lending to Iran has resumed, but primarily targets basic human needs cases. We continue to vote in opposition to these loans and to actively engage other Executive Directors to do the same.

The USG is extremely concerned about the growing number of reports and information on weapons of mass destruction in Iran and is pursuing these reports rigorously. These concerns reaffirm the importance of the sanctions we currently have in place on Iran, sanctions that are among the toughest we have anywhere. That said, current agricultural trade and extremely limited trade in goods relates more to humanitarian relations with the Iranian people than to issues of WMD. Nevertheless, I assure you that the serious and growing concerns we have with Iranian WMD will all have an important bearing on the future of all aspects of our relationship with Iran.

I appreciate your interest in this important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul V. Kelly". The signature is fluid and cursive, with a long horizontal stroke at the end.

Paul V. Kelly
Assistant Secretary
Legislative Affairs

Mr. SHERMAN. I would point out that the Clinton Administration announced in 2000 that they were going to let these in and they were hoping for a rapprochement with Iran, and instead the Foreign Minister of Iran figuratively kicked your predecessor in her teeth as a "thank you" for this \$150 million market for goods that they would have difficulty exporting to another country. So it was a failed opening that has been allowed to be open, I believe, because of some economic and political pressures on your department that hopefully will be overridden by good policy.

Secretary POWELL. Thank you, Mr. Sherman.

Chairman HYDE. Mr. Tancredo.

Mr. TANCREDO. Thank you, Mr. Chairman. Mr. Secretary, certainly there have been times that I have been in disagreement even with the President and with you on various issues. That has never stopped me, and my affiliation with the Republican Party has never stopped me from expressing those differences of opinion. But at some time in this business, as you are certainly well aware, there comes a point at which you look at all of the information, all the empirical evidence that is available to you and then you make a decision based on that and what you believe to be the integrity of the people making the case. And I have got to tell you, sir, with all of my heart that to a great extent, the case for me was made to cast my vote as I did based upon what I believed to be the comment you made, the testimony you provided here and to the world in the United Nations, because I believe with all my heart that you are a man of great integrity, as I do the President of the United States, and I do not believe that he or you would mislead us to take us into a war for some frivolous reason. I believe it was done with every amount of deliberation necessary to make a decision of that nature.

So I just want to assure you that I feel that way, and I know a majority of my colleagues do and I believe that a majority of Americans do, and I want to thank you for helping restore that degree of integrity to the office that I think may have not been present in past Administrations.

Secretary POWELL. Thank you, sir.

Mr. TANCREDO. I notice in the bill that you are putting forward, in the operations bill, actually it was in the supplemental, there was a significant amount of money, \$1.15 billion, appropriated for Pakistan, Jordan and other key cooperating nations to compensate them for logistical and military support in United States efforts in Afghanistan.

There is a great deal of money also in the President's budget to continue this activity, and I am just thinking that is an enormous amount of money. I am wondering first of all how we are monitoring that expenditure, how we know that when—especially because we know a great deal of it, \$900 million of it, I believe, went to Pakistan, how we know how that money is being spent. And also if you think we can use it if we have any greater leverage now in talking to Pakistan about some other issues. The madrasas that they support or that they allow to actually exist—I will not say support, necessarily, but allow to exist. Treatment of the Sindhi people is another issue that I have also had some concern about for

some time. And I wonder if we could leverage that in any way, and if you think it is advisable to do so.

Secondly, I know I have communicated with you in the past about another issue, and that is something I find very disconcerting about what keeps happening on our southern border. As recently as the 24th of January, according to reports in the Arizona newspapers, we had another incursion into the United States of Mexican military forces. Contingencies of the Mexican military crossed into the United States. There were pictures on the front page of the newspaper there.

Shortly thereafter, as I understand it, a drug shipment came through in an area relatively close to where this happened. We know that these incursions happen as a result of the fact that the Mexican military is providing some cover essentially for the movement of drugs across the line. And I just wonder—I see also in your budget \$71.5 million for Mexico, and I wonder if we can't use some leverage to get them to do something about the fact that we have had, in the last 5 years, over 200 incursions into the United States by Mexican military forces that were not simply because they got lost and just wandered in. It was purposeful and sometimes shots were fired. This is very, very dangerous stuff.

Secretary POWELL. Once again, sir, thank you for your earlier words of support. With respect to Pakistan, the amount you mentioned is really reimbursement for services they have provided to our military. DoD gets a bill from them and DoD responds to that bill—then DoD audits the bill and makes sure they are paying for services that were received, fuel or other support for the operation of our forces. I think we are in pretty good shape there.

With respect to other funds that might go to Pakistan through my accounts, they flow through our Embassy and our chief of mission there, and we do everything that we can to make sure that the funds are going to the intended purposes, and that they are accounted for. My own Inspector General and financial people, as well as those in USAID, follow up on that.

We do have, I think, leverage over Pakistan as a result of not just financial support, but the relationship we have been able to develop with President Musharraf over the last several years. As a result, I think the A.Q. Khan outcome that we have seen in recent days is evidence of that. President Bush and President Musharraf have spoken a number of times about the madrasas, and the evidence is that President Musharraf has under way to make sure that these schools start to return to a public school format where they are teaching youngsters and not indoctrinating youngsters. That is going to be a long-term process that President Musharraf is committed to, and we are committed to help with funding as these schools are converted back to their real purposes.

I am not that familiar with this particular newspaper article, but I am concerned about any incursions on our southern border. We certainly should use the \$71.5 million as leverage to make it clear to the Mexicans that this kind of activity is unacceptable.

Mr. TANCREDO. Thank you, Mr. Secretary.

Chairman HYDE. Mr. Wexler.

Mr. WEXLER. Thank you, Mr. Chairman. Mr. Secretary, on each of the occasions that you have come before this Committee, I have

tried to always express my heartfelt belief that the men and women that make up the State Department are in fact America's unsung heroes. They are our finest Ambassadors in the world, and the morale in the State Department since you and your leadership team have taken over the State Department I think has been remarkably tremendous and that is a credit to you and your leadership team. Although you are probably way too humble to acknowledge it, for me, I will speak for myself, but I think there are probably several Members on this side of the aisle that would concur, and I know an overwhelming number of my constituents feel as I do, you are the credible voice in this Administration.

When you reached the conclusion that Iraq presented a clear and present danger to America, that was important to me. Extremely important. And I not only take you at your word, I believe you. I do not question your credibility or your integrity or your honestly held belief that everything you said reflected the best evidence given to you. I do not question that.

But the facts as we now know them suggest that there was a part of the story that was in fact not told. You have referred to Dr. Kay on several occasions today. Fairly so. But what has not been stated today is that Dr. Kay said we were all wrong. We were all wrong for the basis of why we went to war.

And taking the emotions, as the Chairman I think referred to it earlier, out of it, I know you have to agree that it is not only fair for Members of this Committee and this Congress, but it is our obligation to as strictly as we possibly can question the basis of why we went to war. And today you presented an argument regarding the intent of Saddam Hussein. And as persuasive as that argument may be regarding the intent, I find a remarkably low threshold that we are now talking about a dictator's intent relative to America's veracity and ability and credibility in going to war.

So the question I would like to ask you, which I believe and I hope you feel is a fair one—and it is not a hypothetical question like *The Washington Post* asked you—but knowing what you know today, do you believe that Iraq presented a real and present danger? Do you believe that Iraq presented an imminent threat?

Secretary POWELL. Iraq presented a real and present danger. The President never used the specific word "imminent," nor did I. Intent is important. Capability is important. We examine capability at every level. Did he have the wherewithal? Did he have dual use programs? Did he have dual use facilities that could make chemical and biological weapons? Yes, yes, yes, yes. Did he have delivery systems and was he trying to improve them? Yes. Did he have stockpiles? Our belief, based on the evidence that was available to us, was yes. It was also Dr. Kay's belief.

It is not a question of, gee, if there are no stockpiles now, why did you tell us there were stockpiles then? The reason is because we believed there were stockpiles then. We believed there were stockpiles then, when I said so before the United Nations on the 5th of February last year. We believed there were stockpiles when Dr. Kay went in. We believed there were stockpiles when our forces went in, and we were surprised that they did not find them right away. We were surprised Dr. Kay did not find them.

It was not because we knew they were not there, and now we are pulling a bait and switch. We believed it at the time, and we believed it not just because we wanted to believe it to start a war. We believed it because the intelligence information available to us said the stockpiles were there.

You can roll up all of these elements—intent, delivery systems, infrastructure, previous use, belief in other intelligence organizations in other countries that were going on the same basis that we were, the National Intelligence Estimate that was presented to Members of Congress, presented to a broad community, the work of the U.N., my own experience knowing that they had them and had used them before, and they had stockpiles after the war. Should we suddenly believe they have all gone? The preponderance of evidence was that they had stockpiles, and that was the basis upon which all other elements of evidence—intent, delivery systems, infrastructure hiding—all suggested that the case was clear—that there was a clear violation of international obligation, and a clear material breach of their obligation under the U.N. resolution. Dr. Kay said that we were wrong. Dr. Kay said we were wrong with respect to the stockpiles. That is his right. We will let Mr. Duelfer finish the work and see if any other evidence comes forward. The work is not done yet.

But what Dr. Kay also said, I have to say in context. He also said we were right in taking out this threat because all of these elements were present. There was no doubt in Dr. Kay's mind that the President acted correctly in the presence of Iraq's failure to meet its obligation to the U.N. and Iraq's ability to have these weapons at a time and place of their choosing once they got rid of the problem of international pressure and international sanctions.

And the one thing that has always tossed me over the line so that I believed in what I was saying and I believed in the evidence that I was being presented—I would ask myself the question—if the U.N. did not act now or we did not act now and he was released from the pressure of sanctions, and there was no other pressure on him and he had gotten away with it—and he would have gotten away with it if he had gone through another year of U.N. meetings and resolutions and nothing happening—would he have said at that point, gee, I got away with it, so I will give up all of this infrastructure, and I will no longer pursue this? The only answer I could come to is, no, he would not have done that. Since he would not have done that, the President decided this was the time to act. He decided properly. He decided correctly, and we are better off without Saddam Hussein.

Chairman HYDE. Mr. Paul.

Mr. PAUL. Thank you, Mr. Chairman. I have two brief comments and then a question dealing with the Intelligence Committee investigation. First off, I found it interesting that there is a change in policy in Libya and a movement toward normalization, which is something that I could support, but it also raises questions—because you know here we have had a bad guy and he was a friend one time and then he became an enemy and there were sanctions against him, now he is going to be a good guy again. I just wonder what is going on, and in asking some around here what it was,

somebody suggested that it might have something to do with natural gas.

But, anyway, I would suggest that in the eighties we did this with Saddam Hussein. He was on the terrorist list. We remove him and we gave him subsidies disguised as loans. He became an ally and we helped him fight a war and look what became of it. Normalization to me means we should trade with them, but not giving them subsidies and not paying them so much of our taxpayers' money to benefit.

My other comment has to do with the casualties. Along with Senator Hagel, I have been anxious to find out how much this war is really costing us. And we really don't get the answers. I know this is probably more in the Department of Defense, but we do not get it from Defense. There was an Assistant Secretary of Defense for Health Affairs in January who said there were probably 10,000, and qualified it by saying this was the worst casualty rate ever in our history. Our official numbers that you get on occasion are lower, but the other numbers are much higher, so we really do not have that answer, and I hope some day that we will.

But the question I want to ask is dealing with how politicized this investigation has become. I am in favor of the investigation. There was a failure; and we need to look into it and I am all for that. I like to think of myself as a nonpartisan, and sometimes not partisan enough. But the nonpartisan approach to me would be that we set ourselves up for the fingerpointing. All of the sudden, the way we went into this mess meant that it was decided in a way that I challenged at the time.

In 2002, in October I came to the conclusion that we were not threatened by Saddam Hussein. I felt strongly about that. And also that the al-Qaeda was not involved. I think so far the facts have borne that out to be correct. But I argued that going to war is a very, very solemn decision-making process, and we went to war the wrong way. And we cannot argue that this was not a war—130,000 troops, 500 men killed and thousands wounded. We occupy a land.

We went to war by this Congress giving the authority and power to the President to decide when and if he goes to war, and we all know that it was to enforce U.N. resolutions. My suggestion is why should we have given up on the constitutional approach to war where this body would have been doing the debating back in October, not now, sorting out all of these facts and then the country coming together, the people coming together, making a decision instead of transferring the power and saying, Mr. President, make your decision any way you want. And, then, it does not go well and they jump on him.

I think it is unfair to have given him the authority, then all the sudden say, oh, now we are going to get you for political reasons. I think we could have prevented a lot of problems by having this debate that we are having now in the media and in these Committee investigations a long time ago. And I would ask you, is there any reason why we cannot consider going to war in a more precise manner rather than allowing our Executive Branch to make the final decision?

Secretary POWELL. War should always be considered in all seriousness. It should be a matter that is discussed if it is not a sud-

den attack that you have to respond to, time permitting, between the Congress and the President and the American people.

I think that discussion was held over a period of time in the fall of 2002, and Members of Congress were asking for an opportunity to hear from the President and the intelligence community, and to express a view through a resolution.

It could be done other ways with the Congress determining that a resolution for war at the time of the war is required. It has been done in different ways over the course of our history, Mr. Paul, and I would not presume to tell the Congress how to discharge its constitutional obligations. But I would certainly agree with you that as one is approaching the possibility of war, there should be the broadest national conversation between the people, the President, and the Congress in its collective and individual capacities with the citizens of the United States.

Mr. PAUL. Do you think this process might have prevented this politicizing that is going on and the fingerprinting? I think that is what it would have prevented.

Secretary POWELL. It could well be the case. The intelligence information that was available to the Congress as they were considering that resolution was the same intelligence information that was available to the President and was available to me. There was no other body of intelligence that I was using. It was what was made available to the Congress for its deliberation.

Mr. PAUL. Thank you.

Secretary POWELL. I cannot comment on the issue of casualties, Mr. Paul.

Mr. PAUL. On what?

Secretary POWELL. You made reference to casualties. That is beyond my competence to talk about.

Chairman HYDE. The last questioner, Mr. Engel.

Mr. ENGEL. Thank you, Mr. Chairman, I should say last but not least, I hope. Mr. Secretary, I have a couple of questions. As you know, I was the author and main sponsor of the Syria Accountability Act, which has strong bipartisan support in both Houses of Congress, passed overwhelmingly, and the President signed into law; and yet the Administration has not yet implemented the Syria Accountability Act. In the newspapers we have accounts, foreign fighters continue to come into Iraq, most of them from Syria, military officials said.

Syria is supplying Hizballah, the terrorist group in the south of Lebanon, Israel's northern border. There are all kinds of credible reports that when the Syrians went into Iran to give earthquake aid, the planes that came back were resupplying Hizballah.

So I would like to ask you in light of all that, they still occupy Lebanon, they still obviously have weapons of mass destruction. There are a lot of people who say that the weapons of mass destruction that Iraq once had might be buried in Syria. When is the Administration going to implement the Syria Accountability Act?

And then I would like to ask you about Northern Ireland. We have the Good Friday Accords, yet Ian Paisley is spewing forth some of the most vicious, virulent anti-Catholic rhetoric, and that is disgraceful. What can we do to get the Good Friday Accords back on track.

Also, jumping to the other side of Europe, Kosovo. I CHAIR the Albanian Issues Caucus and I know you met with Prime Minister Rexhepi of Kosovo last week. I want to know the standards before status, I think it is merely a formula for delaying discussions of Kosovo's future. And I would hope that we could move so that those people could move toward independence if that is what they desire.

Secretary POWELL. With respect to the Syria Accountability Act, I used the prospect of that act with President Assad last year, and I told him you have to perform on the list of things I gave you to perform on because your strategic situation has changed in light of what has happened in Iraq. You have to respond. And I also said the American Congress is watching, and they are going to pass the Syrian Accountability Act, which you did overwhelmingly. And I intend to use it.

You give us options within the act, and we are in the process of examining those options now to see how to use the leverage—the tools that you have given us inside of the act.

With respect to Northern Ireland, we now have a new emissary, Mr. Mitchell Reiss, who has replaced Richard Haas as our man. He just visited and made his first calls on all the leaders in Northern Ireland as well as in the United Kingdom and Ireland, and I will be meeting with Mr. Reiss over the next several days to get a full report on the situation and how to move forward.

It is going to be difficult moving forward, but at least, at the moment, the violence is not starting up again. That is the good news.

With respect to Kosovo, I did meet with the Prime Minister last week, and I encouraged him to move in the direction of standards before status by early 2005. I sensed he understands that this is the proper approach to take.

Mr. ENGEL. Can you give me a timetable with regard to the Syria Accountability Act? Are we looking at a couple of weeks with the Administration?

Secretary POWELL. I don't think it is any longer than that. I don't think I can be any more precise than that, but it is in the near future, Mr. Engel.

Mr. ENGEL. Thank you. Thank you, Mr. Chairman.

Chairman HYDE. Mr. Secretary, we want to thank you for a most instructive, illuminating, and somewhat contentious hearing. We commend, at least most of us commend you for a superb job and very straightforward recital of the path to war that is logical and—politics aside—makes sense, at least in my opinion, and some others very close to me up here too. Thank you and good luck.

Secretary POWELL. Thank you, Mr. Chairman.

Chairman HYDE. The Committee stands adjourned.

Ms. BERKLEY. Mr. Chairman, if we have other questions can we submit them to the Secretary for comment and answer?

Chairman HYDE. Without objection, Members have 2 days to submit questions and you will obtain a written response.

Ms. BERKLEY. Thank you, Mr. Chairman.

Chairman HYDE. Thank you.

[Whereupon, at 3:10 p.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

FRAGMENT OF THE LAST LETTER CLANDESTINELY DELIVERED FROM PRISON TO THE
WIFE OF CUBAN PRISONER OF CONSCIENCE, DR. OSCAR E. BISCET

Pinar del Rio, Cuba. December 26, 2003
3:20 p.m.- Kilo 8 Prison, Cell # 3 (without electricity, or water)
Happy New Year

*Then you will call upon me and . . . pray to me, and I will listen to you. You
will seek me and find me when you seek me with all your heart.*
Jeremiah 29:12-13

I'm in high spirits in spite of the continuous harassment aimed against me.

I do not follow the order given by the Cuban correctional officers of "standing-up". They must know that their use of force cannot make us go against our moral principles. In light of this unjust measure, we had to respond with non-violent resistance. Together with other prisoners we sat on the floor, crossing our arms and legs in the style of a fakir. The military personnel applied force to coerce us to stand up but we would sit down immediately crying out loud: Long live human rights!, Freedom for all Cubans! etc.

Four times they applied upon us this arbitrary measure.

Now they pass inspection three times a day during the prisoners' roll call. Passing inspection is not against my principles, although I believe these searches are unfair. We will not stand up as a way of protesting our unjustified imprisonment. I am not afraid, since God is with us. He is my rock.

I'm strongly convinced of my moral principles . . . I have made my own the pain and sorrow of my fellow man . . . I can't accept "evil" ways because if I did, it would destroy my soul and being, and I would never have peace of mind.

I oppose injustice, so that it will not prevail. Non-violent struggle against evil dignifies the human spirit and at the same time strengthens me. Therefore, I will be in prison as long as God wills it . . . Who says that a man should abandon history?.. Remember, I never intended to attain prominence but, instead, history stumbled upon me. To those who feel disappointed with this, I ask them to question God Himself, responsible of man's history. Sometimes, I delight in hearing malicious criticism. So often have judicious men been taken for mad. Criticism is necessary to make me a better person and it also contributes to my spiritual growth. If these criticisms are ill intended and possess half-truths, then I cast malice aside and thrive on truth.

There is no doubt that existing evil and injustice in our country is made up of a structure well designed to repress, nevertheless, the apathy of individuals has prolonged its enduring presence. Merit goes to those individuals who, on their own, oppose evil with tenacity.

God is love, and in the name of His love, I proceed. Far from imposing His will, I chose my own path, because He is freedom, and His freedom flows onto all human beings. It is very important for me that God's will is in harmony with mine, I am not alone in my course since my guide is God's absolute wisdom.

There are no contradictions between my political, religious and social beliefs. My moral creed influences the political and social realms. I believe in separating religion as an institution from the political powers. I am secular and, although reason directs me towards religion, I try to think logically without the influence of religion. However, I believe that the greatest purpose of our lives is to praise God as well as human life.

Since my youth, I have always considered myself a political individual as well as a humanist. In politics I have always wanted to carry out a revolution to eradicate

evil from power and fulfill humanist precepts. Humanism is the essence of man and consequently of God. There is only one way to accomplish a just political balance: by fully implementing man's dignity to oppose evil.

Now is the right time for us to conquer our rights and freedom, nonexistent in this regime of terror, a regime that has demoralized its citizens. Terror and corruption are both used as weapons to manipulate the individual, making them weak, afraid and indifferent, unable to stand against the dramatic events which control and affect their daily lives.

I wish to live to accomplish pending projects; I'm aware that God is my pillar and guardian who has protected me since birth, more than 60 times since 1997. Therefore, I'm well aware of the Lord's purpose for my country and for myself. This information will be made public at an opportune time.

Fragment of a letter written to and read live via telephone from Havana by Elsa Morejon, wife of Oscar E. Biscet Gonzalez on January 9, 2004 during the radio program "Mesa Redonda" on Radio Mambi 710 am in Miami, USA. The letter was taken out clandestinely from Prison Kilo 8 in the province of Pinar del Rio, Cuba where Dr. Biscet is suffering cruel and inhumane punishments for refusing to obey any prison rules applied to common prisoners.

Recorded, transcribed and translated: Coalition of Cuban-American Women / MARIA ANTONIETA LIMA

ADDRESSES:

Dr. Oscar E. Biscet Gonzalez
Prision Kilo Ocho
Kilometro 8 a Carretera Luis Lazo
Pinar del Rio, Cuba

PREPARED STATEMENT OF THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND VICE CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

Mr. Secretary, thank you so much for your testimony today and for the strong and bold leadership you've shown in promoting America's message throughout the world. I wanted to offer a few comments on a variety of topics which will be the basis for my follow-up questions.

Mr. Secretary, I know you share my passion on the issue of slavery—and especially the trafficking of persons. The President has rightly spoken out against this horrible human rights abuse and correctly urged the international community to join our fight. While many countries—including our own—have major problems either as a destination, transit, or source country for trafficked persons, the issue is especially serious when it involves state-sponsorship, or state complicity, in the international sex trade.

Specifically, I am interested in Uzbekistan. As you may know, we have received disturbing reports that Ms. Gulnora Karimova, the daughter of the President of Uzbekistan, is allegedly involved in the trafficking of women. The reports are based on information that she owns and controls a travel agency which organizes trips from Uzbekistan to Dubai and the United Arab Emirates (UAE). If these allegations are proven to be true, it would be very worrisome for our efforts to shut down the human trafficking networks in Uzbekistan.

As I understand the allegations, Gulnora Karimova owns and controls a travel agency (Unitrend) that apparently has been granted a government monopoly by the UAE on all travel to and from Uzbekistan to the UAE. Numerous open source materials have documented the flow of trafficked women from Uzbekistan to the UAE. Some of the information indicates that many Uzbek women arrive to the UAE on phony tourist visas and are quickly forced into prostitution. If Ms. Karimova owns the only tourist and travel agency in this market, it certainly seems possible that her agency could be involved in this trade, either knowingly or unknowingly. Some of the open source materials I have reviewed are listed below.

The Protection Project's 2002 country report on the UAE notes: "The prostitution of foreigners is a significant phenomenon in the UAE. In 1997, government officials reported a large influx of Azeri, Kazakh, Russian, Turkmen, Ukrainian, and *Uzbek women who came to the UAE on tourist visas and remained when they were forced into prostitution*. In 1998, UAE police arrested 675 women in prostitution as part of a crackdown on the practice. The women were from Azerbaijan, Russia, Turkmenistan, Ukraine, and *Uzbekistan*. As a consequence, Russian and other CIS women accounted for more than 60 percent of the total population of female prisoners in the UAE." [Emphasis added]

Further evidence that tourism offices are involved in smuggling persons into the UAE was noted in The Protection Project's 2002 report: "In 1998, UAE security officials announced that they had shut down more than 60 tourism offices because those offices were involved in illegally providing visas to foreigners."

The State Department's 2003 Trafficking in Persons (TIP) report for the UAE stated: "Women from Central Asia and Eastern Europe have reported being lured with the promise of legitimate jobs and then forced into commercial sexual exploitation."

In addition, the State Department TIP report for Uzbekistan in 2003 stated: "Uzbekistan is primarily a source and, to a lesser extent, a transit country for the purposes of prostitution and labor. Confirmed information on the extent of trafficking from Uzbekistan only recently emerged, and there is a concern that the deterioration in the economy may lead to a growing problem. Known destinations are Kazakhstan, UAE, South Korea, Malaysia, Thailand, Kosovo, and Israel."

Clearly, Mr. Secretary, Uzbekistan has earned its Tier III designation under the Trafficking Law which I authored. The question is, have their top-level leadership moved beyond active neglect of the problem and into the realm of outright complicity? I think it is worth knowing that answer, and I look forward to continuing our partnership on the issue of human trafficking.

I wanted to make a few other comments on efforts to combat trafficking in general. First, I am very pleased that the President pledged to spend \$50 million additional funding to fight the war on trafficking at his UN speech last year. The new trafficking law signed by the President in December has several key components I will inquire about later. As you know, Mr. Secretary, it raises the bar for countries to meet minimum standards to combat trafficking, as it measures improvements they've made with respect to past reports, focuses on successes and not just efforts, and requires countries that can collect data to do so. The new law also creates the position of Ambassador-at-Large for the head of the Trafficking in Persons Office (TIP).

I also wanted to make a few comments on the historic \$15 billion initiative to combat AIDS the President signed into law last summer. As you know, this legislation contained important provisions making abstinence a priority in our education and prevention efforts. Many members of this Committee were amazed by research provided by Dr. Edward Greene from Harvard detailing how Uganda lowered their HIV/AIDS rate from 21 percent to 6 percent through focusing on abstinence.

In addition, this Committee voted for a very important amendment to the AIDS bill that said, "No funds made available to carry out this Act, or any amendment made by this Act, may be used to provide assistance to any group or organization that does not have a policy explicitly opposing prostitution and sex trafficking." This amendment is now law, making it an important component of our AIDS policy.

My view is that this provision of law is critical to the success of our successful HIV programs, because it boils down to making sure our surrogates in these countries are not giving contradictory messages to the victims of prostitution and sex-trafficking. The brothel owner and pimp should never be able to say to their victims, "See the U.S. government's representatives came through here and saw you enslaved and they don't have any problem with it. There is no hope for you because no one cares what happens to you." Shame on us if we allow that to happen to these girls and boys.

I think it is worth clarifying that this law does not prevent groups from providing treatment or any other interventions to girls who are trapped in prostitution—it simply says that our representatives helping those girls have to have a policy that does not send a dangerous mixed message about prostitution and sex-trafficking.

I know the Administration is working to get programs running for the new Millennium Challenge Account and select eligible countries. I was dismayed by assessments conducted by several NGO's which concluded that, based on the criteria set forth thus far, rogue regimes such as communist Vietnam and the People's Republic of China (PRC) might qualify for MCA funding. Apparently, these two dictatorships score well on the development of an open economy and investment in their people with regard to education and health care. However, both regimes have deplorable and horrendous human rights records, as well as extremely serious corruption problems. It is my strong hope that neither of these countries will be considered for the MCA unless they make dramatic improvements in human rights.

I know the President's budget request reflects a desire for the Administration to continue our refugee resettlement program, which reaches out to some the world's most vulnerable who have been persecuted because of their religion, ethnicity, or political beliefs. As you know, the President authorized a ceiling of 70,000 admissions for FY 2004.

I am aware of the fact that Deputy Secretary Armitage has notified the Vietnamese government of our desire to reopen access to the HO resettlement program for allies of America who suffered in re-education camps and various forms of persecution. The program was shut-down in 1994, but many who would have been eligible were not aware of the program or missed the deadline. Also, there are a significant number of Vietnamese living in the Philippines who have not been given legal status there, have ties to the United States and would have been eligible for prior resettlement programs. I know the Administration is considering resettlement opportunities for this community.

Moving to the former Soviet States, I would like to note Ukraine faces critically important presidential elections later this year. The current leaders in Ukraine are trying to neutralize the popular democratic, pro-Western opposition candidate Victor Yushchenko in order to maintain their power. I hope that the Administration is monitoring this situation very closely.

In Belarus, democratic activists and civil society are under pressure by a regime that is an anomaly in today's Europe. There are parliamentary elections planned for this Fall. Yet the President's budget request for Belarus indicates a decrease in funding, which I am concerned about. The FSA account shows a 9,045 FY 2003 Actual; a 6,850 FY 2004 Estimate; and a 6,500 FY 2005 Request.

I wanted to comment on one additional specific budget issue. After reviewing the budget request, I am very concerned by the Broadcasting Board of Governors' intention to shut down Radio Free Asia's Cantonese service. Our focus on the Middle East, though eminently justifiable, is apparently diverting resources away from countries and regions that we cannot afford to ignore. This strategy of siphoning funds from one sensitive region to another may seem sensible in the short run, but our experience in Afghanistan, East Africa, and elsewhere has demonstrated that such cutbacks can entail enormous future costs.

We all know that China does not tolerate a free press or respect the freedom of assembly. If anything, the rights and liberties of Chinese citizens are under heightened attack due to the government's new practice of imprisoning Internet essayists. These problems are increasingly apparent in Cantonese-speaking Hong Kong, where proposed legislation under Article 23 would have further curtailed civil liberties. Congress has directed Radio Free Asia (RFA) to broadcast to China 24 hours a day. The Chinese government works relentlessly to jam RFA, but our broadcasts still reach every province of China, including many of the nation's 45 million Cantonese speakers. I fear that a cutback in our Chinese-language services will be viewed as a victory by Beijing and a sign that the United States is losing interest in the region.

Finally, I just wanted to note that I am horrified by recent reports that North Korea is carrying out chemical and biological weapons' experiments on political prisoners. Recently, a BBC documentary reported that North Korean defector Kwon Hyok had witnessed the extermination of families, including children, in gas chambers. Additionally, reports from a second witness have emerged. This man, the chief electrical engineer at one of North Korea's largest chemical complexes, has testified that prisoners arrived in trucks twice a month and disappeared into a neighboring compound. At one time, while working, the engineer came across a chamber about the size of a freezer, in which he "saw human hands scratching a round glass window inside a chamber that was locked with a heavy metal door." The engineer then risked his life to smuggle out documentary evidence that these crimes against humanity were occurring. These documents are letters of transfer of inmates for "the purpose of human experimentation for liquid gas." Tragically, this brave engineer, his wife, and his son were recently seized in China while trying to escape to Thailand. I hope that the administration is following this topic closely.

Mr. Secretary, I do thank you for your time with us and look forward to working with you and administration officials on these and other important topics in world affairs.

PREPARED STATEMENT OF THE HONORABLE GARY L. ACKERMAN, A REPRESENTATIVE
IN CONGRESS FROM THE STATE OF NEW YORK

Thank you, Mr. Secretary, for appearing before us today.

Mr. Secretary, a year ago you appeared before the UN Security Council and detailed the case against Saddam Hussein and his regime for your diplomatic colleagues. Your presentation that day was the apogee of a larger campaign by the President, and his senior advisers to make the public case for going to war and removing Saddam Hussein and his government from power.

I want to be clear, Mr. Secretary, I supported the decision to go to war, I voted for the resolution authorizing the use of force, I believed the case that you and the rest of the Administration were making. But in the aftermath of the war, not having found stockpiles of weapons of mass destruction, and with shifting justifications for the war coming from the President, I can't help but feel the same unease my constituent feel that we were sold a bill of goods.

While no one in a policy-making position in the Administration ever said the word "imminent" everything that was said to convince the public, and the Congress, suggested that we needed to take action immediately if not sooner. The President said we would not live at the mercy of Iraq's dictator. Dr. Rice said, "we don't want the smoking gun to turn out to be a mushroom cloud." And the Vice President said "simply put, there is no doubt that Saddam Hussein now has weapons of mass destruction."

That kind of language amounts to a case for imminence, even if no one actually said the word. Now, unable to discover the stockpiles of weapons that Vice President Cheney asserted were there and that Secretary Rumsfeld claimed to know the exact location of, we find ourselves with a problem. Not that we can't find the weapons, or that al-Qaeda forces are sneaking into Iraq to attack our troops, or that we're now responsible for rebuilding a nation the size of California. No our real problem is much bigger: the problem is an utter lack of credibility. It's gone. Having not just cried wolf, but rabid wolf, this Administration has lost credibility with the Congress, with the American people and with the international community.

And the credibility gap is not just about the reasons we went to war in Iraq, but extends to the plans for what we would do after the war. I remember clearly being among those voices in the Congress who agreed that winning the war would be relatively easy and that winning the peace after the war would be much harder. We were assured, the American people were assured, that there was a plan. And, in fact there was a plan. It was produced by your department, I suspect at your direction.

It fills thirteen volumes and occupies a shelf in the committee office. It's very detailed and discusses all the issues we've confronted since the first day of the occupation. Yet this plan was deliberately shoved aside and it's chief architect summarily removed from our reconstruction efforts in Iraq.

How are the American people to believe that the current plan to hand over power to Iraqis on June 30 will actually work, when all the expertise the United States government could muster has been summarily ignored? As I have said before this plan looks more like cut and run than it does dig in and make it work.

Finally, I'm deeply concerned that the war against Iraq has undermined our stated national security doctrine on preemption. I agree that we face a new and different world in the wake of September 11 and that we must think differently and find creative ways to win the war on terror. But, preemption as a valid and legal doctrine for self-defense depends on imminence, that a preemptive strike is justified if we know that there is an immediate threat to our national security. What we've discovered in Iraq is that there was no imminent threat and that our intelligence assessment of the nature and scope of Saddam's weapons programs was far from the mark. The case that was made to go to war in Iraq twisted preemption doctrine beyond recognition making it virtually useless as a key component of U.S. national security policy. And if by our actions, we have created the precedent for transforming preemptive war into preventive war, then in destroying the real but manageable threat from Iraq, tragically, we will have made the world a more dangerous place in the long run.

Mr. Chairman, I'm glad Saddam is gone, and Iraq is free, but how we got there leaves a bad taste in my mouth. America's foreign policy has always demanded legitimacy in both our ends and in the means we choose to achieve them.

PREPARED STATEMENT OF THE HONORABLE JOSEPH CROWLEY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEW YORK

Chairman Hyde and Ranking Member Lantos, thank you for conducting this important hearing on the President's international affairs budget request. I also would like to thank Secretary Powell for coming in this afternoon to brief the Committee and answer our questions.

There is some here to celebrate and much to question, and I appreciate you appearing here before us today. After reviewing the President's budget, I am deeply troubled by the cuts being made to the development and humanitarian assistance accounts outside of the HIV/AIDS and Millennium Challenge Account (MCA) funding.

While I am pleased to see that HIV/AIDS and the Millennium Challenge Account (MCA) are being funded, I am disappointed to see that the President's two major priorities outside of the war on terrorism are not funded at the authorizing level. This seems to be a continuing problem with this Administration.

These are two bold initiatives, which I have strongly supported, but after the big press announcement by this President it seems to me that little has been done to follow through with full support of these initiatives.

Is all the Administration interested in is a big press hit? Because, after looking at this budget they don't seem too interested in helping the world's neediest people.

However, I am pleased to see the increases for democracy building in the Middle East. I would like to see more funding going to our more moderate friends in the Middle East like Jordan, which has continued on the path of economic development and reform despite the still turbulent regional political situation.

Jordan is building a model of social, political and economic reform in the region, it needs the support of the United States to ensure the implementation of its bold reform agenda. Jordan deserves more of a helping hand from the U.S. Outside of the Middle East, other nations with a majority of Muslims must receive its fair sharing of US assistance for democracy building as well.

One such country is Bangladesh. I was in Bangladesh this past January, and I would like to commend the work Ambassador Harry Thomas and the diplomatic core in Dhaka. They are doing great work but could do so much more if they had the necessary assistance to open, for example, more American corners to do outreach.

Mr. Secretary—as you know, Bangladesh is a struggling democracy that needs more of our attention. One of the questions I kept getting asked when I was in Dhaka was, what does Bangladesh need to do to get the attention of the United States?

One person I met with in Dhaka suggested that if Bangladesh became a haven for terrorists like Pakistan, U.S. assistance would flow in. This is not the message the United States should be sending out to our friends—we should help those in need before problems emerge—not after.

Mr. Secretary, the press is reporting that you are expected to visit Pakistan in the next few weeks to discuss the country's nuclear proliferation investigations with President Pervez Musharraf.

I fear that, by the U.S. accepting President Musharraf's decision to pardon Dr. Khan, the message we are sending to people in similar situations is that sharing and assisting in the proliferation of nuclear secrets and weapons is acceptable.

While I am sure you will stress the need for Pakistan to better secure its nuclear technology and weapons, I would ask that you urge President Musharraf to sign the Nuclear Nonproliferation Treaty.

Mr. Secretary, I look forward to hearing you discuss the upcoming budget and what you see as the United States priorities for fiscal year 2005. Thank you.

RESPONSE FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTION SUBMITTED FOR THE RECORD BY THE HONORABLE JAMES A. LEACH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF IOWA

Mr. Leach's Question:

In a profoundly disturbing development, we understand that over a period of years A.Q. Khan and perhaps other elements of Pakistan's elite turned the country's highly classified atomic weapons program into a kind of nuclear bazaar, with sophisticated technologies and designs having apparently been transferred to Iran, Libya and very likely North Korea. Whether other state or non-state actors also received this technology remains unclear. In this circumstance, understanding that Pakistan remains a critical ally in the campaign against terrorism and a linchpin for stability in South Asia, my question is three-fold: is the Pakistani government fully cooperating with U.S. and other investigators seeking to unravel the chain of proliferation associated with A.Q. Khan; what steps is the U.S. prepared to take individually, jointly with Pakistan, or in concert with other countries and relevant international institutions to reassure the American people that Pakistan will not permit this kind of proliferation to occur again; and will the Department commit to providing to this Committee a timely, complete and appropriately classified accounting of this affair, including the possible transfer of nuclear technologies from Pakistan to North Korea? Please provide a classified response if necessary.

Secretary Powell's Response:

President Musharraf understands the importance of shutting down the A.Q. Khan proliferation network. Pakistan has said it will share all relevant information from its investigation with us as well as with the IAEA, and we are working with Pakistan toward that end.

We are urging Pakistan to take steps to ensure that such activity cannot take place again from Pakistan, and we have an ongoing program to help Pakistan bring its export controls in line with accepted international standards. We have also stressed that A.Q. Khan and his collaborators must not be allowed to resume their operations. In that connection, it is notable that Khan's pardon is conditioned on his continued cooperation and that his alleged co-conspirators in Pakistan remain in detention.

We are taking many other steps, individually and in concert with other countries, to roll up the network worldwide, and to ensure that this sort of activity can never happen again. We will also be working to strengthen the international nonproliferation regime by closing the loopholes that permitted the network to operate and taking the steps necessary to ensure that we can stop such proliferation in the future. Such actions will include:

- encouraging all NPT parties to adhere to the Additional Protocol that strengthens IAEA safeguards by giving the agency the tools it needs to better uncover, track, and investigate clandestine nuclear programs;
- working with the Nuclear Suppliers Group to tighten controls on the export of nuclear technology worldwide;
- urging that countries that are not NSG members adopt NSG control lists and standards;
- calling for a UN nonproliferation resolution that will call on nations to criminalize the proliferation of weapons of mass destruction; and
- pursuing our Proliferation Security Initiative designed to interdict shipments of WMD, missiles and related materials.

The Department of State can provide appropriately classified briefings on this matter to the House International Relations Committee.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE GREGORY W. MEEKS, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. Meeks' Question:

The Bush administration sent the former Secretary of State, James Baker, as a special envoy to impress upon some G-7 nations to cancel all Iraqi debt since the administration perceives these debts as odious. Odious in the sense that the debts are as a result of Saddam Hussein's unruly borrowing to entrench himself in power to the detriment of his people's socio-economic development. Would it not also be fair to cancel debts contracted by dictators like Mobutu, Abacha and others by the same token of odiousness?

Secretary Powell's Response:

Iraq's situation is unique. As the President said when he appointed Secretary Baker as his personal envoy on the issue of Iraq debt, "The future of the Iraqi people should not be mortgaged to the enormous burden of debt incurred to enrich Saddam Hussein's regime. This debt endangers Iraq's long-term prospects for political health and economic prosperity." Not only has Iraq suffered from two decades of brutal dictatorship, a decade of international sanctions, and three wars fought on its soil, but it has an extraordinarily high debt burden. Iraq's debt is approximately \$120 billion, over 600 percent of its GDP and 1000 percent of its exports, and it faces a heavy reparations burden. All these factors call for cancellation of at least the vast majority of Iraq's debt so that it can resume growth and become a stable, prosperous partner in a strategic part of the world. Secretary Baker, in seeking reduction of at least the vast majority of Iraq's debt, has stressed these unique factors, instead of relying on the odious debt argument.

Our engagement with Iraq does not mean that we are neglecting the needs of other countries, including countries like the Democratic Republic of Congo (DRC) and Nigeria that have suffered under dictators. As part of the Heavily Indebted Poor Country (HIPC) Initiative, the U.S. forgives 100 percent of participating countries' eligible debt. The DRC is currently benefiting from 90 percent reduction of its debt service flows under the HIPC initiative; most of its remaining stock of debt will

be reduced when it reaches completion point. The U.S. is working with Congress to obtain the funds necessary to provide our portion of DRC's debt reduction. The U.S. helped Nigeria obtain a very generous debt rescheduling from the Paris Club in 2000, with a promise to consider further relief if Nigeria maintained good economic policies. Unfortunately, Nigeria subsequently fell out of compliance with its IMF program and has not been able to avail itself of all the debt relief offered by the Club.

Mr. Meeks' Question:

With violence spreading so close to our borders in Haiti, it is imperative that our government openly embrace the CARICOM proposal offered by the Caribbean community. The proposal calls for a democratic and peaceful solution to the conflict. Mr. Secretary, can you help prevent further deaths in Haiti by assuring all of us here today that the Administration supports the CARICOM proposal, supports an even-handed approach to ending the conflict, and is still willing to fund an end to the conflict in light of the OAS Special Mission in Haiti budget being reduced from almost \$5 million to zero this year, and NED's lack of programs and financing for Haiti?

Secretary Powell's Response:

The United States fully supports the Caribbean Community (CARICOM) proposal. We participated with the OAS as an observer at the CARICOM meetings in The Bahamas (January 21) and in Kingston (January 31) during which the plan was created. On February 13, I will meet with OAS Secretary General Cesar Gaviria and the foreign ministers of Canada, The Bahamas, and Jamaica. I anticipate that after the meeting, the U.S., CARICOM, Canada, and the OAS will issue a statement formally endorsing the CARICOM plan. President Aristide accepted the plan at the January 31 meeting in Kingston. With the full weight of the international community behind the plan, we will work with opposition and civil society leaders to gain their acceptance. An agreement based on the CARICOM plan, signed by President Aristide and the political opposition, should help to quell the violence that has broken out in the north.

The United States continues to support the OAS Special Mission for Strengthening Democracy in Haiti. The United States contributed \$1 million on February 11, and in addition to the \$4.975 million earmark for the Special Mission, our overall assistance to Haiti is estimated to be \$55M for FY 2004. Funding will support programs designed to increase political party professionalism, strengthen independent media and civil society organizations, and promote judicial reform and human rights, as well as help provide security and humanitarian assistance.

Mr. Meeks' Question:

I see that we have launched a new \$4 million program on anti-terrorism in Kenya, but have almost zeroed a budget related to border security and straight lined other budgets that address some of the root causes of terrorism, such as poverty. With our travel advisory aiding in the crippling of their tourism industry and economy, do you think our assistance to Kenya is sufficient given Kenya's history with terrorism such as the bombing of one of our embassies?

Secretary Powell's Response:

Our assistance to Kenya is sufficient to address our principal interests there: national security, improved governance and economic growth, reduction of disease and poverty, and protection of human rights.

In particular, Kenya will receive about \$33 million in two-year funds under the President's East Africa Counter-terrorism Initiative (EACTI) and will participate with other regional countries in programs valued at an additional \$7 million. These programs include efforts to assist Kenya with border and coastal security and to combat terrorism.

We will also assist the Kenyan government with its initiatives to fight corruption, improve transparency, strengthen the operations of parliament, and enhance Kenya's legal system. These efforts are key portions of President Kibaki's reform program.

As a focus country, Kenya will also receive \$76 million in FY 04 for bilateral assistance under the President's Emergency Plan for AIDS Relief to combat the growing scourge of HIV/AIDS there through prevention, care, and treatment, in harmony with President Kibaki's decision to "declare war" on HIV/AIDS.

While we are increasing our help to Kenya in these areas, we intend to maintain our assistance for development as well as to provide substantial humanitarian food assistance.

Although some sectors of the Kenyan tourist industry have had problems, overall tourism to Kenya as well as income to Kenya from tourism has increased since the Travel Warning was issued in May 2003—in part because Americans make up only seven percent of all tourists there.

At the same time, we are working closely with Kenya to address the problem of terrorism that makes the Travel Warning necessary.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND VICE CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS

Mr. Chris Smith's Question:

With regard to support to Belarus through the FSA, shouldn't we be increasing—not decreasing—pro-democracy assistance to Belarus? What can be done to broaden and expand our country's support for democratic forces inside Belarus?

Secretary Powell's Response:

U.S. assistance programs in Belarus focus on sustaining democratic political parties, media, trade unions, and other independent civil society groups struggling to operate under President Lukashenko's authoritarian regime. The U.S. funds programs that promote the rule of law, civic education, electoral reform and election monitoring. We also work with the next generation of leaders, exposing them to democratic principles and practices through Internet access programs and training provided by U.S. political party institutes.

We look for ways to ensure that funds for Belarus have a maximum multiplier effect and, through such programs, lay the foundation for the day when Belarusian norms and practices are no longer out of step with Europe. The State Department's Bureau of Democracy, Human Rights, and Labor (DLR) has agreed to provide a one-time supplement to the funds now being devoted to political process-related programs on the understanding that there will be no reduction in existing funds.

Our investments in political party development have borne fruit with Belarusian pro-democracy parties' and organizations' decision to form a coalition, launch a common and responsive electoral platform, cooperate in fielding candidates and implement a common electoral strategy in the run-up to the October parliamentary elections. We will encourage greater consolidation among pro-democracy forces over the coming months.

While such achievements are heartening, we have to balance allocation of assistance for Belarus against competing priorities across the region. One avenue that we are exploring is to further refine the coordination of our assistance with that of other countries and organizations, such as the European Union and the new accession states bordering Belarus.

MILLENNIUM CHALLENGE CORPORATION

Mr. Chris Smith's Question:

Can you give us any guarantees that Vietnam and China will not be made eligible for Millennium Challenge Account funds unless they dramatically improve their abysmal human rights records?

Secretary Powell's Response:

On February 2, 2004, the Millennium Challenge Corporation's Board released a list of 63 countries that under the requirements of the Millennium Challenge Act must be considered "candidates" for the MCA in FY 2004. China is not a candidate country in FY 2004, although it is potentially a candidate country in FY 2005. Vietnam is a candidate country this fiscal year.

On March 3, 2004, the Millennium Challenge Corporation (MCC) will send to Congress a report on "Criteria and Methodology for Determining the Eligibility of Candidate Countries for MCA Assistance in FY 2004". Under the proposed Criteria, the MCC Board will consider a candidate country's performance on 16 indicators included in three broad policy categories—Ruling Justly, Investing in People, and Encouraging Economic Freedom, supplemented with additional information as needed, for example, to fill in lags and gaps in the data. Being a candidate country, in and of itself, does not guarantee that the country will obtain MCA funds.

Respect for democratic governance and human rights are key components of the Criteria. Three of the six indicators used in the Ruling Justly category are directly related to political freedom—the World Bank Institute's survey of Voice and Vote and Freedom House' surveys of Civil Liberties and Political Rights. The Board may

also deem a country ineligible if it performs substantially below average on any indicator and has not taken steps to address the shortcoming.

On or soon after May 6, 2004, the MCC Board will meet and determine which of the statutorily determined candidate countries will be eligible to be considered for MCA assistance in FY 2004. It would not be appropriate to prejudge the Board's decision. I should emphasize, however, that this will be a competitive process. The Board will be closely evaluating the candidate countries in light of their performance on the above-described Criteria, which requires an evaluation of performance on all of the indicators, including those related to democracy and human rights.

Mr. Chris Smith's Question:

Can you discuss how the new AIDS office is working to make abstinence a priority in our prevention efforts? Also, I would like to know specifically how the provision prohibiting funding from going to organizations unless they have a clear policy prohibiting prostitution and sex trafficking is being implemented. What information is being given to grantees, and what policy documents have been created to explain this law?

Secretary Powell's Response:

The success of the comprehensive ABC model of HIV/AIDS prevention in countries such as Uganda, Zambia, and Ethiopia, among others, has demonstrated that promoting behavior change and healthy lifestyles, including abstinence and delayed sexual initiation, faithfulness and fidelity in marriage and reduction in the number of partners, consistent and correct use of condoms by high-risk groups, and avoidance of substance abuse, has been and can be successful in preventing the spread of HIV/AIDS, and it is an approach we are employing.

As the Office of the U.S. Global AIDS Coordinator makes grants under the Emergency Plan for AIDS Relief, precedence will include awards for abstinence for youth prevention in addition to other priority prevention areas such as safe medical transmission.

Section 301(f) of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (P.L. 108-25) states that "No funds made available to carry out this Act, or any amendment made by this Act, may be used to provide assistance to any group or organization that does not have a policy explicitly opposing prostitution and sex trafficking." Also of note is Section 301(e), which expressly prohibits funds from being used to promote or advocate the legalization or practice of prostitution or sex trafficking; yet does allow for the provision of HIV/AIDS prevention, treatment and care services to victims of prostitution or sex trafficking.

We agree that proper implementation of these two provisions is critical, and the Office of the U.S. Global AIDS Coordinator intends to implement the law consistent with the U.S. Government's opposition to prostitution and related activities, especially those that contribute to trafficking in persons. To this end, Congress's views, including the legislative history, report language and floor statements, will be informative and helpful.

To ensure that the relevant provisions of P.L. 108-25 are met, both the U.S. Department of Health and Human Services (HHS) and the U.S. Agency for International Development (USAID) are expected to require that primary grantees affirmatively certify their compliance with the applicable restrictions regarding prostitution and related activities prior to the receipt of any federal funds.

In addition, under the Emergency Plan for AIDS Relief, HHS and USAID are expected to include the limitation on funds expressed in Section 301(e) in HIV/AIDS funded grants and require that primary recipients include the funding limitation in all subagreements. USAID is expected to apply this same process for all HIV/AIDS funded contracts.

The Fiscal Year 2004 Foreign Operations, Export Financing and Related Programs Appropriations Act amends Section 301(f) of P.L. 108-25 by exempting the Global Fund to Fight AIDS, Tuberculosis and Malaria (Global Fund), the World Health Organization (WHO), the International AIDS Vaccine Initiative (IAVI) and United Nations agencies from that section. Awards to these organizations are expected to include the limitation on funds expressed in Section 301(e).

Mr. Chris Smith's Question:

What is the Administration doing to follow-up on the gruesome reports that North Korea is carrying out chemical and biological weapons' experiments on political prisoners. Also, is the Administration trying to learn the whereabouts of North Korean defector Kwon Hyok, the brave North Korean engineer and his family, who notified the world about these experiments?

Secretary Powell's Response:

We are extremely concerned about the egregious human rights abuses taking place in the DPRK, including a horrifying report that political prisoners have been subjected to chemical weapons testing in North Korea. We would support a UN investigation into the deplorable human rights situation in North Korea, including the mistreatment of political prisoners in general.

The DPRK has an extensive prison camp system that detains thousands of North Korean people under extremely harsh conditions. Due to our concern about the grave human rights situation, including the lack of religious freedom in North Korea, we have designated the DPRK a Country of Particular Concern under the International Religious Freedom Act and supported a resolution critical of North Korea's human rights practices at last year's session of the UNHCR.

To the best of our knowledge, Kwon Hyok is in the DPRK, but the extremely closed and secretive nature of the DPRK severely limits information to the outside world, including the whereabouts of Kwon Hyok.

Mr. Chris Smith's Question:

What is the Administration doing to ensure that we reach the ceiling of 70,000 admissions announced by the President last fall? Can you comment on the progress of efforts to reopen the HO resettlement program in Vietnam? Will the administration move forward with plans to resettle the stateless Vietnamese in the Philippines?

Secretary Powell's Response:

The State Department's Bureau of Population, Refugees and Migration (PRM) continues to have reasonable expectations of offering resettlement to 50,000 refugees allocated by region. PRM continues aggressive efforts to identify and process additional caseloads for possible use of the 20,000 unallocated refugee numbers. To that end, it has assembled Targeted Response Teams composed of colleagues from the bureau of Population, Refugee and Migration (PRM), the Department of Homeland Security (DHS), the United Nations High Commission for Refugees (UNHCR), the International Organization for Migration (IOM), Refugee Council USA and InterAction to assess resettlement possibilities. The first teams have been deployed to West and East Africa. PRM has contributed significant financial support to expand UNHCR's resettlement capacity. In addition, PRM will continue efforts to encourage a new source of refugee referrals of prospective cases by NGOs working with refugee populations in West Africa.

Late March talks are scheduled with the government of Vietnam on the subject of our initiative to reopen components of the Orderly Departure Program for qualified applicants who were unable, through no fault of their own, to apply before the programs closed in September 1994.

Also in late March, an official of the Bureau of Population, Refugees and Migration will travel to Manila to meet with Philippine Government officials and other involved parties to discuss our interest in offering resettlement interviews to certain Vietnamese who have resided in the Philippines for many years.

We will be pleased to brief the Committee on our progress in these discussions.

Mr. Chris Smith's Question:

What steps are we taking to help ensure that these elections are free, fair, open, transparent, and consistent with Ukraine's OSCE and other international commitments?

Secretary Powell's Response:

This is one of our highest priorities in our relations with Ukraine. We have approached Ukrainian officials repeatedly at the highest levels to reinforce our message that Ukraine must hold free and fair elections that fully meet OSCE and international standards. I relayed this on January 21 through an "oral message" delivered by Ambassador Herbst to Foreign Minister Hryshchenko, who then passed it to President Kuchma. Deputy Secretary Armitage will likewise deliver a similar statement when he visits with President Kuchma on March 25.

Many other high level U.S. visitors to Ukraine, both from the U.S. government and the private sector, will or already have expressed the importance we place on free, fair and transparent elections. Among them are: Undersecretary Dobriansky, Department of Energy Deputy Secretary McSarrow, former Secretary of State Albright, and former National Security Advisor Zbigniew Brzezinski.

In addition to bilaterally addressing this issue with the Ukrainians, we have coordinated actions with our European partners in Washington, in European capitals, and in Kiev, including joint demarches and the creation of a diplomatic elections working group. We strongly support the OSCE mission in Kiev, which is headed by

Ambassador David Nicholas, an American citizen. We have sent demarches to various European capitals and other allies to coordinate our message to Mr. Kuchma.

Promoting free and fair presidential elections is an important focus for U.S. democracy assistance programs this year. We are funding over \$9.5 million in assistance for the election, and we are coordinating with other bilateral and multilateral donors on assistance programs. Our elections programs focus on: improving the regulatory framework and administration for elections; strengthening political parties and organizations; supporting monitoring of the electoral process; supporting election-related civic activism and research; providing voter education; providing legal aid; and organizing get-out-the-vote campaigns.

Mr. Chris Smith's Question:

Along with many of my colleagues, I think John Miller is doing an excellent job at the TIP Office and hope he will be nominated for the position of ambassador at large. Can you comment on this topic?

Secretary Powell's Response:

I agree with you that Director Miller is doing an excellent job in the Office to Monitor and Combat Trafficking in Persons, and I would be glad to share your recommendation with the White House.

RESPONSE FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTION SUBMITTED FOR THE RECORD BY THE HONORABLE CHRISTOPHER H. SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW JERSEY, AND VICE CHAIRMAN, COMMITTEE ON INTERNATIONAL RELATIONS, AND THE HONORABLE SHELLEY BERKLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Mr. Chris Smith's and Ms. Berkley's Question:

What has the State Department done, and/or is planning to do, to confirm or disprove evidence of possible sex trafficking by Ms. Gulnora Karimova, the daughter of Uzbek President Karimov, who is reported to operate a travel agency that transports young women from Tashkent to Dubai for the purposes of prostitution? Has the Department sent, or considered sending, investigators to the airports as Uzbek women arrive at Dubai, spoken with airport security officials about the concerns, or spoken with the Dubai police officials who are detaining Uzbek and Central Asian trafficking victims who fill the UAE's female jails? Have any detained Uzbek trafficking victims been interviewed in Dubai or elsewhere by our people to ascertain how they were smuggled and trafficked into the UAE? What have our intelligence agencies and sources indicated about the mechanisms by which the Uzbek human trafficking networks operate? In light of President Bush's speech to the United Nations last fall that was highly critical of sex slave trafficking, what specific steps has the Administration taken to stop the sex slave trafficking between Tashkent and Dubai?

Secretary Powell's Response:

Both our Consulate in Dubai and our Embassy in Abu Dhabi have contacted the Government of the UAE and UAE law enforcement agencies regarding the trafficking charges against Ms. Karimova's travel agency. So far, nothing has been uncovered to support the allegations. Due to the weakness of the allegations, the State Department has not considered sending investigators to Dubai.

Due to our initial placement of the Government of Uzbekistan in Tier Three in 2003 and the information that we provided from destination countries, Uzbekistan has taken concrete actions against trafficking in persons and is reported to be cooperating directly with UAE law enforcement officials through the Uzbek Consulate in Dubai.

Thanks to strong U.S. interventions, the Government of Uzbekistan has made significant efforts to comply with the minimum standards for the elimination of trafficking. Based on specific recommendations we provided, and ongoing advice and assistance through our Resident Legal Advisor in Tashkent, the government drafted and submitted to the parliament comprehensive trafficking legislation. Police in Uzbekistan interview victims of trafficking to gather more detailed information about trafficking operations, and provided airport access to a well-respected anti-trafficking NGO. The Government of Uzbekistan works with this NGO to train border guards and customs officials to identify and assist victims of trafficking. Uzbekistan has agreements in place with a number of other governments for joint investigations of trafficking-related crimes.

The UAE has an active program of outreach to foreign embassies and other countries' foreign ministries to advise them of support and services available to potential

trafficking victims in the UAE. The Dubai Tourist Security Department operates a hotline to assist visitors with problems. The UAE provides assistance and protection to victims of trafficking. Counselors and specially trained police officers are available at each police station to counsel victims and obtain further information of use to law enforcement agencies.

RESPONSE FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTION SUBMITTED FOR THE RECORD BY THE HONORABLE JOSEPH CROWLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK

Mr. Crowley's Question:

The foreign operations section of the Consolidated Appropriations Act of 2004 (P.L. 108-199) mandates that a contribution of up to \$34 million be provided to the UN Population Fund unless the President determines UNFPA to be ineligible under the provisions of the Kemp-Kasten amendment that prohibits assistance to an organization that "supports or participates in the management of a program of coercive abortion or involuntary sterilization." What process will the executive branch employ to evaluate and to make a legal determination on the eligibility of UNFPA for U.S. financial support this fiscal year? When do you expect a formal determination to make a UNFPA contribution?

How much of the money in the 150 account is going to be spent on population assistance programs?

Secretary Powell's Response:

The Department of State will make a decision this year, consistent with U.S. law, concerning funding for UNFPA. Since the Secretary's determination in July 2002 not to fund UNFPA, the Department has held a series of consultations with Chinese officials and with UNFPA in Washington, New York and Beijing, with the objective of eliminating the coercive elements of Chinese policy and practice. Our Embassy continues to follow and report on developments in the People's Republic of China (PRC). Following a review of UNFPA's program in China as well as Chinese law, policy and practices, including further consultations with UNFPA and the PRC, a decision on funding for UNFPA will be made as soon as possible. Please be assured that in making this decision we will thoroughly review the facts relevant to UNFPA funding.

In FY 2004, USAID has obligated \$432 million for family planning and reproductive health in developing countries, excluding funding for UNFPA. An additional \$50 million will be used to prevent maternal mortality and reduce maternal morbidity.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE DAN BURTON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF INDIANA

Mr. Burton's Question:

Secretary Powell, for the last few years you have been working with me on international child abduction issues, whereby American citizens are taken against their will and held captive in foreign lands. Are any additional resources going to be allocated for these purposes in the FY2005 Budget?

Secretary Powell's Response:

Yes. Our plans for the FY2005 budget include increased resources for outreach, training, and information related to international parental child abduction. We recognize the importance of enhancing public awareness of this tragic issue and the resources that we and other agencies can bring to bear in assisting parents whose children have been abducted or wrongfully retained overseas. Increased public awareness also bolsters our efforts to help parents prevent abductions. We want to continue our work with the Permanent Bureau of the Hague Conference on Private International Law and with other Hague member states to address problems in how countries implement and comply with the Hague Convention on the Civil Aspects of International Child Abduction. This includes training for judges from countries that are signatory to the Hague Abduction Convention, as well as preparation of the Permanent Bureau's "Good Practices" Guide. We have taken such plans into account when preparing our FY2005 Budget request.

Mr. Burton's Question:

As you may know, the American children who are abducted across international lines every year are taken from the United States by non-custodial parents violating direct court orders. In an effort to stifle these occurrences, is the State Department willing to work with concerned parents and foreign dignitaries to prevent foreign visas from being issued in the names of their children?

Secretary Powell's Response:

We work energetically with foreign governments and parents to prevent cases of international parental child abduction. The United States Government can help parents and local authorities inform foreign embassies of court orders related to a visa application, and can request that they not issue a visa or passport when such documents would likely be used to circumvent a U.S. custody order. While we have no authority to prevent a foreign government from issuing a visa, or passport, to a child, we hope that the information that such documents might be used in a child abduction case would give these governments pause and encourage their cooperation with our efforts.

Mr. Burton's Question:

During my tenure as Chairman of the full committee on Government Reform, the Committee investigated international child abduction to the Kingdom of Saudi Arabia. In Saudi Arabia, American women held against their will are unable to leave the country without the consent of their closest male relative, usually the person who abducted her in the first place. How will the U.S. Department of State work with the Saudi government to ensure that the rights of all American citizens wanting to leave the country will be upheld?

Secretary Powell's Response:

We are holding the Government of Saudi Arabia to its September 2002 commitment that all adult American women would be free to travel out of Saudi Arabia. In written testimony before the Subcommittee on Human Rights and Wellness on July 9, 2003, the Royal Embassy of Saudi Arabia stated: "The Kingdom now guarantees that all adults (men and women who are 18 years or older) have the freedom to choose in which country they wish to reside and maintain the right to travel to and from Saudi Arabia for purposes of visitation or relocation."

In nearly every case we have raised with the Foreign Minister since his government made this commitment, Saudi authorities have granted permission for the American citizen woman to depart. After delays in the Saudi Government issuance of an exit permit, one woman withdrew her request for exit permission. We are also pressing the Government of Saudi Arabia to formalize the process of issuing exit permits, to increase the speed and ease of issuance.

Mr. Burton's Question:

Secretary Powell, in an effort to assist abducted Americans who seek refuge in the United States Embassies and Consulates return home safely, will the Administration promulgate guidelines as to how Embassy staff member handle specific needs of these individuals?

Secretary Powell's Response:

In October 2003, the Department issued clear, detailed instructions to all diplomatic and consular posts worldwide on responding to American citizens seeking temporary refuge in Embassies and Consulates.

Mr. Burton's Question:

There have been notable cases of international child abduction that the Government Reform Committee has worked on during the 107th and 108th Congresses, including Pat Roush, Samiah Seramur, Monica Stowers, Joanna Stephenson Tonetti, Margaret McClain, Debra Docekal, Maureen Dabbah, and Michael Rives. Could you please have your staff provide a detailed update on how the Department of State has assisted in each of these cases since July 2003?

Secretary Powell's Response:

Pat Roush: The Department of State and our Embassy in Riyadh have been actively involved in this case since 1986 when their father abducted her daughters to Saudi Arabia. The Department continually monitored the girls' well being and, when they were children, sought their return to the United States.

Since Ms. Roush's daughters are now adults, their wishes are paramount. Since the August 31, 2002 meeting with a consular officer in London, when the women

said that they did not wish to travel to the U.S. at that time, we remain ready to provide any assistance we can, should the women request it.

As U.S. citizens, Ms. Roush's daughters can be issued U.S. passports by applying at our Embassy in Riyadh. They do not require visas to enter the United States. If we learn from the women that they wish to return to the United States, we will assist them to obtain the necessary Saudi Government exit permissions for them to do so. The Government of Saudi Arabia has assured us that no American women will be prevented from leaving the country if they wish to do so.

Monica Stowers: We are holding the Government of Saudi Arabia to a commitment made in September 2002 that adult American women would be free to travel out of Saudi Arabia to the U.S. The government of Saudi Arabia issued Ms. Stowers' daughter, Amjad Radwan, an exit visa to travel to the U.S. in September 2002, but she chose not to travel at that time. In February 2003, Ms. Radwan attempted to travel with her uncle to Bahrain, but Saudi border officials prevented her departure. The Embassy has repeatedly tried to contact Ms. Radwan and her mother by telephone and in writing to see if she needs further assistance. Ms. Radwan has not returned our messages. We stand ready to offer any and all consular services to her, including assistance in departing Saudi Arabia if she wishes to do so.

Samiah Seramur: We are working with Ms. Seramur and the Saudi Government to seek consular access to Ms. Seramur's son Faisal, who remains in Saudi Arabia. The father has refused us any access to Faisal until Ms. Seramur grants him reciprocal access to their daughter Maha.

Margaret McClain: We are working with Ms. McClain and the Saudi Government on her next visit to Saudi Arabia. We continue to emphasize to the Saudi Government that our goal is the return of Ms. McClain's daughter, Heidi Al-Omary, to the United States.

Debra Docekal: As we reported in July 2003, Ms. Docekal has requested that Consulate General Jeddah take no further action at this time with regards to her daughter Suzanne. We have respected her wishes, but are ready to provide assistance should she desire it.

Maureen Dabbagh: We continue to work with Ms. Dabbagh and other USG agencies, including the Federal Bureau of Investigation, to seek access to Ms. Dabbagh's daughter Nadia in accordance with Ms. Dabbagh's wishes. In August 2003, the U.S. Embassy in Damascus submitted documents issued by the FBI to the Syrian Ministry of Foreign Affairs, and has repeatedly requested assistance in gaining consular access to Nadia. The Syrian Government has advised us that U.S. consular access to Nadia will be permitted "provided that permission from the Syrian judicial authorities is approved in accordance with Syrian law." We have asked the Syrian Government formally for clarification on how such permission may be obtained, since there appears to be no provision in Syrian law allowing for third party visitation in custody cases. In the interim, we are exploring avenues to facilitate communication between Ms. Dabbagh and her daughter.

Michael Rives: Since July 2003, the Department has worked with Mr. Rives concerning his wish to visit Saudi Arabia. At the same time, we have maintained pressure on the taking parent's family through the use of U.S. visa ineligibilities, and continue to raise the case with the Saudi Government. Ms. Al-Adel has left her family's home, apparently due to pressures exerted by family members who have been restricted from travel to the U.S. because of these ineligibilities. In September 2003, U.S. Embassy officials in Riyadh spoke to Ms. Al-Adel about options for returning to the U.S. with the children. On November 24, 2003, and again on January 12, 2004, U.S. Embassy Riyadh sent diplomatic notes to the Ministry related to Mr. Rives' plans for a Spring 2004 visit to Saudi Arabia. The U.S. Embassy has worked with the Interministerial Committee to receive permission for his visit and arrange scheduled visitation of 3 hours daily with his children. On February 24, 2004, U.S. Embassy officials reported that a Saudi visa was granted to Mr. Rives for his Spring visit. While this is no substitute for the return of the children, the Department supports this visit as an opportunity for the parents to reach an agreement on the children's return. Post has arranged for Mr. Rives to meet with the Interministerial Committee during his next visit to Saudi Arabia.

Mr. Burton's Question:

What is the Department of State doing to convince the daughter of the President of Uzbekistan, Ms. Gulnora Karimova, to stop defying a custody order and an arrest warrant from an American court and allow her two children—both of whom are American citizens—to visit their father, Mr. Mansur Maqsudi, who is also an American citizen?

Secretary Powell's Response:

Since Mr. Maqsudi contacted the Department in 2002 for assistance, we have actively pursued parental and consular access to the children, in keeping with Mr. Maqsudi's wishes. This has involved engaging the Uzbek Government at senior levels and, more recently, seeking assistance from the Russian Government as well. Assistant Secretary for Consular Affairs Maura Harty and Assistant Secretary for European Affairs Elizabeth Jones have raised the case with Uzbek officials, including Uzbek President Karimov and the Foreign Minister. Following Ms. Karimova's assignment to the Uzbek Embassy in Moscow in 2003, we have also worked with the Russian Government to seek consular access. We will continue these efforts despite Ms. Karimova's consistent refusal to allow us to visit the children or to allow Mr. Maqsudi direct contact with his children.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE SHELLEY BERKLEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEVADA

Ms. Berkley's Question:

The global-gag rule has barred U.S. funding to any overseas health clinic unless it agrees not to use its own, private, non-U.S. funds for abortion services or counseling. President Bush's justification for this policy was to reduce the number of abortions. Last year, the Administration expanded this policy to cover the entire State Department budget. Is there any evidence that the gag-rule has reduced the number of abortions overseas? If not, why was the policy expanded to cover significantly more programs? If you believe the global gag rule has no harmful effects, why were the new global AIDS programs exempted?

Secretary Powell's Response:

President Bush restored the Mexico City Policy in 2001 to clearly separate U.S. government support for family planning assistance from abortion-related activities. The President's directive of August 29, 2003 extended the Mexico City Policy to cover all Department of State funding to foreign non-governmental organizations for family planning assistance.

There are many foreign NGOs through which USAID and the Department of State can provide family planning information and services to people in developing countries. The President determined that assistance for family planning will be provided only to those foreign NGO recipients and subrecipients whose family planning programs are consistent with the values and principles the United States wants to promote as part of its foreign policy.

President Bush has sustained funding for family planning assistance at levels between \$425 and \$446 million per year, compared to \$372–\$385 million per year during the four years preceding the President's inauguration. The President is committed to maintaining these levels because he knows that one of the best ways to prevent abortion is by providing quality voluntary family planning services. The Administration believes that more abortions will be prevented as a result of higher funding levels for family planning assistance.

Ms. Berkley's Question:

The International Court of Justice is due soon to issue a legal advisory on Israel's security barrier. The U.S. was joined by nearly 40 other countries in submitting a brief expressing our opinion that the Court is ill-advised to rule on this matter. Is the State Department concerned about the politicalization of yet another UN body? If so, what is the Administration prepared to do once it issues its advisory ruling if that ruling is returned unfavorably?

Secretary Powell's Response:

We have repeatedly stated that referral of the separation barrier to the ICJ risks politicizing the Court. It will not advance the Court's ability to contribute to global security, nor will it advance the prospects for peace. We continue to engage intensively with both the Israelis and the Palestinians to try to move both parties forward towards realization of President Bush's two-state vision, and we will continue those efforts no matter how the Court rules.

Ms. Berkley's Question:

In light of recent statements made by Israeli Prime Minister Sharon regarding Israeli withdrawal from Gaza and parts of the West Bank, what plan does the Administration have to restart the diplomatic process and continue on the Road Map?

Do you foresee a Palestinian readiness to dismantle terrorist infrastructure as a precursor to the resumption of the peace process anytime soon?

Secretary Powell's Response:

We remain closely and consistently engaged with a wide range of Israelis and Palestinians at the senior levels both in Washington and in the region, and have repeatedly made the point that the Palestinians must take real, immediate action against terror. We are listening closely to Israeli proposals for unilateral disengagement. While we still believe that direct negotiations are necessary to achieve a just and lasting peace, these disengagement proposals may offer a moment of opportunity in the effort to bring peace to the Middle East. We are now working to ensure that any such actions are consistent with the roadmap and move us closer to realization of the President's vision of two states, Israel and Palestine, living side by side in peace and security.

Ms. Berkley's Question:

During a year and a half internment at the Auschwitz death camp during World War II, Ms. Dina Babbitt was forced to paint watercolor portraits of doomed inmates by the infamous war criminal Dr. Josef Mengele. She assumed the paintings were destroyed, but was informed, 30 years ago, by the Auschwitz-Birkenau State Museum in Poland that her portraits had been located. Since then, Mrs. Babbitt has been unable to secure the release of her portraits—which she considers personal property produced by slave labor. The FY2003 Department of Defense Appropriations Act (PL 107-248) recognizes that Dina Babbitt is the rightful owner of the artwork and recognizes the moral right of Dina Babbitt to obtain the artwork she created. It also urges the President and Secretary of State to make immediate efforts to recover the paintings. I contacted your office on December 8, 2002 to request your assistance in this matter, have made several follow-up inquiries, and also contacted the Polish government (most recently on September 4, 2003) and received no response. What specific action(s) can your office take and what action(s) are you planning to take to help secure the release of these portraits?

Secretary Powell's Response:

- We recognize and deplore the terrible circumstances under which Mrs. Babbitt was forced to produce these paintings.
- As stated in a January 31, 2003 response to your inquiry of December 8, 2002, we understand that an earlier, tentative agreement between Mrs. Babbitt and the museum did not prove fully satisfactory.
- While we have followed this issue for some time and have urged the parties in this matter to be flexible and creative in the spirit of the 1998 Washington Conference Principles, this is a sensitive matter best resolved by the two parties.
- Four of the seven Babbitt watercolors have been on display in the Auschwitz-Birkenau State Museum as part of the permanent exhibit opened August 2001 to document the murder of the Roma and Sinti by the Nazis.
- The other three watercolors are also on public display in the Auschwitz-Birkenau State Museum for organized groups or on special request.
- The Roma community is respectful of Mrs. Babbitt's rights, but believes that the paintings serve an educational purpose as the crimes committed against the Roma by the Nazis are not well known to the public.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE NICK SMITH, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MICHIGAN

Mr. Nick Smith's Question:

With China's emergence as a strong economic power, what effect will there be on our national security and international relations decision-making? To what extent is it having an influence now? Please explain with specific reference to events in Central Asia.

Secretary Powell's Response:

The development of candid, constructive, and cooperative relations between the U.S. and China serves the interests of peace and stability in the Asia-Pacific region. We encourage China's continuing engagement with its neighbors, through the Shanghai Cooperation Organization (SCO) and in other regional fora, to address important economic development concerns and to find appropriate ways to work together to fight against terrorism activities that threaten to undermine the nations

of Central Asia. Such engagement, where it enhances the prospects for people to live in peace and with dignity, also enhances America's security. However, the U.S. is concerned that some of the counterterrorism measures used by China could erode the human rights and religious freedoms of Muslim ethnic groups in western China, including Uighurs. We continue to raise this issue with China during exchanges on human rights and counterterrorism.

Mr. Nick Smith's Question:

Are the increases in foreign aid suggested in the President's budget in effect attempting to buy friendship from our allies?

Secretary Powell's Response:

No. The President's request for increases in foreign assistance supports allies that are already helping the United States fight the war on terrorism, including the improvement of military, counter-terrorism, and other security capabilities. The President's request also supports programs to respond to humanitarian crises, support economic growth and democratic governance, respond to conflict situations, and stem narcotics trafficking.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE GRACE F. NAPOLITANO, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Ms. Napolitano's Question:

A delegation from Armenia's Ministry of Defense, heading to Azerbaijan for a NATO Cooperative Best Effort (CBE) 2004 conference, was barred in January 2004 from participating. The conference held in Baku January 13-15 was in preparation for major annual exercises for NATO Partnership for Peace (PfP) partner countries planned for September 2004 in Azerbaijan. What steps is the Administration taking to ensure that Azerbaijan fulfills its responsibility to be a nondiscriminatory host?

Secretary Powell's Response:

We are aware that the Armenian delegation was unable to attend the Cooperative Best Effort (CBE) '04 planning conference in January. After an initial difficulty, the Government of Azerbaijan authorized the Armenian delegation to come to Baku to receive airport visas. However, the Armenian participants were apparently refused boarding by airline personnel on their Istanbul-Baku flight for lack of valid visas in their passports. We have emphasized to both countries the importance of upholding Partnership for Peace principles in this exercise, including Azerbaijan's obligations to ensure prompt visa processing for all participants.

Ms. Napolitano's Question:

Last week, the Administration released its Fiscal Year 2005 budget requesting \$8.75 million in military assistance for Azerbaijan and only \$2.75 million for Armenia. As you are aware, Congress heeded the Administration's request in the aftermath of September 11th and granted the President limited and conditional authority to waive Section 907 of the Freedom Support Act. Given the agreement made between the Administration and Congress to ensure military parity between Armenia and Azerbaijan, how does this budget request not undermine that understanding?

Finally, would not the Administration's action only serve to legitimize Azerbaijan's ongoing blockades against Armenia and Karabakh and its periodic threats to renew military aggression, thereby subverting the short- and long-term U.S. policy goals of regional cooperation and security for the South Caucasus?

Secretary Powell's Response:

The administration has requested almost \$5 billion in FY05 in the Foreign Military Financing (FMF) account. FMF granted to friendly countries is used to purchase U.S. military equipment and services, such as training. Changes in country requests reflect normal priority adjustments.

FMF improves capabilities of allies and other friendly nations to contribute to international crisis response operations and also promotes interoperability of their militaries with U.S. armed forces.

Specific increases for Azerbaijan are linked to U.S. priorities in fighting terror, peacekeeping, and maritime security, particularly regarding proliferation and drug trafficking on the Caspian Sea. The Administration believes that building up the capacity of Azerbaijan and other Caspian littoral states is important in order to prevent the transit of destabilizing items and to secure the oil flow that is critical to U.S. national security interests. This proposed increase for Azerbaijan does not sig-

nal change in our position on Nagorno-Karabakh. We judge that increased FMF for Azerbaijan will not alter the military capability or offensive posture of Azerbaijan in the Nagorno-Karabakh conflict, nor will it alter the military balance between Azerbaijan and Armenia. We do not have a policy that requires FMF funding levels for Armenia and Azerbaijan to be identical.

Overall assistance to Armenia will remain considerably higher than that to Azerbaijan. The Administration's overall assistance budget request for FY05 includes \$67 million for Armenia and \$51.2 million for Azerbaijan.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE ADAM B. SCHIFF, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF CALIFORNIA

Mr. Schiff's Question:

Given the fact that Azerbaijan has a poor human rights record and that the Government of Azerbaijan walked away from the OSCE's Key West peace talks aimed at resolving the Nagorno Karabagh conflict, why has the Administration submitted a request for \$8 million in Foreign Military Financing (FMF) for Azerbaijan and only \$2 million in FMF for Armenia (an even greater disparity than last year's request of \$5 million in FMF for Azerbaijan and \$3 million for Armenia)? Doesn't this send the wrong signal to Azerbaijan about their behavior over the past year?

Secretary Powell's Response:

Our 2003 Human Rights Report concluded that both Armenia's and Azerbaijan's human rights records "remained poor." At Key West, the clear understanding of the negotiations was that "nothing is agreed until everything is agreed." The two sides together failed to reach a comprehensive settlement.

Our Azerbaijan FMF funding request is aimed at U.S. priorities for addressing unmet security needs in the Caspian Sea region, especially to create maritime capabilities to detect and interdict potential trafficking of WMD, narcotics, and terrorist transit through the sea zone. Consequently, our planned increase in military assistance to Azerbaijan will not increase the offensive capability of Azerbaijan's armed forces, nor will it disturb the military balance between Azerbaijan and Armenia.

Mr. Schiff's Question:

If our best intelligence last year indicated that Iraq had neither any stockpiles of chemical or biological munitions, nor any active programs to produce either of these weapons or nuclear weapons, would you have still advocated going to war?

Secretary Powell's Response:

Our best intelligence, and that of our allies, indicated that Iraq had significant weapons of mass destruction (WMD) programs. Similarly, the United Nations Security Council unanimously found Iraq in violation of its obligation to account for its WMD programs under UN resolutions and Iraq's obligations to multilateral weapons treaties. Operation Iraqi Freedom (OIF) eliminated the threat posed to the United States, our friends and allies, and the international community by the former Iraqi regime's pursuit of WMD.

OIF also eliminated the threat to the international community posed by Iraq's large conventional military and Saddam Hussein's ruthless pursuit of power—demonstrated by his attacks on Iran and Kuwait. It ended the regime's support for international terrorism.

Finally, OIF eliminated the threat posed to the Iraq people—hundreds of thousands of whom were murdered by the Ba'ath regime. It closed the rape rooms and torture chambers of Iraq. It ended a brutal era of political imprisonment, "disappearances," and gross violations of human rights. As a result of OIF, the United States, Iraq, the region and the international community are more secure.

Mr. Schiff's Question:

If one accepts the premise that President Bush stated in his interview with Tim Russert on Meet the Press that the invasion of Iraq was justified because Saddam Hussein "had the capacity to make a weapon and then let that weapon fall into the hands of a shadowy terrorist network," does this become the new threshold for pre-emptive military action by the United States?

Secretary Powell's Response:

The President made clear in his National Security Strategy that, "given the goals of rogue states and terrorists, the United States can no longer solely rely on a reactive posture as we have in the past." The United States will continue to maintain

the right to take actions the President deems necessary to protect itself from threats to its national security.

Mr. Schiff's Question:

Given President Bush's statement above, is this seemingly lower threshold for pre-emptive military action likely to help or hinder our counterproliferation efforts? You and other Administration officials, including the President, have pointed to Libya as an example of a rogue state choosing to disgorge its WMD programs, in part because of fear that the United States might attack. On the other hand, North Korea publicly stated last April that it has nuclear weapons. Charles Pritchard, a former State Department official, recently visited Yongbyon, the country's main nuclear site, where he was shown a cooling pond that had been emptied of canisters filled with 8,000 nuclear reactor fuel rods containing plutonium. The implication was that the rods had been reprocessed to extract the plutonium for use in nuclear weapons. Pritchard and other members of his delegation were also shown what the North Koreans said was reprocessed plutonium. Has the invasion of Iraq had the opposite effect on North Korea of accelerating their desire to build a bomb to avoid Iraq's fate?

Secretary Powell's Response:

The DPRK has engaged in the clandestine pursuit of nuclear weapons for years. When the United States discovered in 2002 that the DPRK was pursuing covertly a uranium enrichment program for nuclear weapons, we confronted the DPRK with that knowledge and underscored that progress in relations would depend in the DPRK addressing our concerns. President Bush, however, made clear as early as February 2003 that the United States has no intention of invading or attacking North Korea.

The United States is committed to achieving a peaceful end to North Korea's nuclear programs through multilateral diplomacy. However, we will take no options off the table. North Korea's nuclear programs threaten all of East Asia and the global nuclear nonproliferation regime. Through the Six-Party Talks, the United States, China, South Korea, Japan and Russia are urging the DPRK to choose a new path—to make the strategic decision that ending all of its nuclear programs is in its interest and would open the door to transformed relations with the international community.

Mr. Schiff's Question:

In January, I was joined by thirty-two of my colleagues in sending a letter to President Bush asking him to raise the issue of Mexico's extradition policies when he met with President Vicente Fox at the Summit of the Americas in Monterrey. Because many states have laws calling for indeterminate life sentences for all murders and certain other serious crimes, Mexico has refused to extradite its citizens who commit crimes in the United States and who will face these penalties unless American authorities make assurances that such a sentence would not be sought. Do you know whether the President raised the issue during his meeting with President Fox? Have you, or other members of the State Department raised it with your Mexican counterparts?

Secretary Powell's Response:

The law enforcement relationship between the United States and Mexico is critically important to both our countries. Overall, this relationship is very positive and has improved markedly over the last decade. During the past two years the United States Government has successfully extradited 56 fugitives from Mexico. These fugitives have been charged with a range of crimes including: homicide, rape, and kidnapping. Of the 56 fugitives, 30 are Mexican nationals. Nonetheless, the extradition issue is one that continues to concern us. The 2001 Mexican Supreme Court ban on extraditing fugitives facing a potential life sentence has hampered our efforts to extradite some of the most serious offenders.

We continue to work to improve the existing extradition regime and to ensure that the interests of the United States and justice are best served. Attorney General Ashcroft and I discussed the issue with our Mexican counterparts during the U.S.-Mexico Binational Commission, a meeting of U.S. and Mexican cabinet members, held on November 13, 2003. At the technical level, there are continuous, ongoing consultations on a variety of issues, including improving the efficiency of the extradition process, resolving legal issues and limiting the impact of the Mexican Supreme Court decision.

Mr. Schiff's Question:

In testimony before the House Appropriations Subcommittee on Commerce, State, Judiciary and Related Agencies on February 4, 2004, Undersecretary of State Mar-

garet Tutwiler said that she agreed with the main findings of an independent panel that American public diplomacy has suffered from budget cuts and neglect since the end of the Cold War and that "it will take us many years of hard, focused work" to restore our image overseas. At the same hearing, former Ambassador Edward P. Djerejian, who chaired the Department's Advisory Group on Public Diplomacy for the Arab and Muslim World, presented a report to Congress that concluded that our "public diplomacy requires a new strategic direction." The report also noted that the number of public diplomacy officers has declined from 2,500 in 1991 to 1,200 in 2003.

In fact, as Ambassador Djerejian pointed out, "the bottom has indeed fallen out of support for the United States." What steps have you and the State Department taken to address this critical issue?

Secretary Powell's Response:

While we appreciate the work and agree with many of the findings of Ambassador Djerejian and the Public Diplomacy Advisory Group for the Arab and Muslim World, the "bottom has not fallen out" with respect to support for public diplomacy. Integration of the former U.S. Information Agency with the Department of State has actually strengthened this vital mission by bringing it more directly into the foreign policy process.

Since coming to the Department, Secretary Powell has made public diplomacy a top priority for the entire department. Last year, the Secretary wrote, "In times of war and of peace, our public diplomacy and public affairs efforts are crucial to the success of American foreign policy, and they must be integral to its conduct. They are essential to conveying our story to the world and to securing the support of the American people for sustained international engagement . . . Beyond Iraq and the Middle East, it is equally crucial that publics understand how the United States is working throughout the international community to shape a freer, more prosperous world."

This emphasis on public diplomacy has been reflected in the Department's Diplomatic Readiness Initiative. In fact, a total of 211 new public diplomacy personnel have been hired under this initiative. In FY 2002, 103 public diplomacy officers were hired out of a total of 467 new foreign service officers, which represented 22% of the total Junior Officer hiring during that fiscal year, making it the largest single career track. In FY 2003, 108 of 469 were hired, which is 23% of the total Junior Officers hired that year; again the highest single career track. In FY 2004, we again plan to hire more public diplomacy officers than any other track, though the exact numbers have not been finalized.

The Department considers an effective program evaluation process to be a necessary component for the strategic planning and direction of public diplomacy. To make our public diplomacy efforts more effective, we are expanding on the successful efforts of the Bureau of Educational and Cultural Affairs (ECA) to measure the impact of our public diplomacy activities and initiatives. ECA budgets \$1.5 million annually to evaluate the impact and costs of its exchange and international visitor programs. The Bureau of Public Affairs (PA) has hired *Newsmarket*, a private company, to monitor and report on the distribution of PA's video materials to media outlets around the world. The Bureau of International Information Programs is creating an office dedicated to evaluating their programs, and is working with a private company to provide more detailed feedback about the use of all our foreign web products.

The Under Secretary for Public Diplomacy and Public Affairs recently created the *PD Global Forum*, for all public diplomacy personnel overseas and in Washington to share best practices, in an effort to strengthen communication and a sense of common purpose. Further steps, including the creation of a formal strategic planning office within the Office of the Under Secretary, are also under consideration.

Mr. Schiff's Question:

I am concerned about the need to balance our security interests and human rights. As an example, let me refer you to the case of Mansur Maqsudi, an American citizen, who was married to Gulnora Karimova, the daughter of the president of Uzbekistan. After Mr. Maqsudi filed for divorce in New Jersey in 2001, several of his relatives in Tashkent were arbitrarily imprisoned. His company was nationalized, and he has been refused any visitation with his children despite a favorable New Jersey Court Order mandating such visitation.

More recently, Mr. Maqsudi and his brother and father were put on the Interpol red flag list by the Uzbek government so that they are unable to travel and carry out their livelihoods as international businessmen. For a country to which we provide millions of dollars in aid, this is unacceptable behavior. Have you personally brought

this matter up with senior Uzbek officials and what is the State Department specifically doing to rectify this situation?

Secretary Powell's Response:

We have been very active in working with Mr. Maqsudi to help resolve the dispute with his ex-wife, Ms. Karimova, over custody of their two children. We have raised these issues frequently with the highest levels of the government of Uzbekistan. Our Ambassador in Tashkent regularly raises these issues during his meetings with Uzbek officials. Ms. Karimova currently has diplomatic status in Moscow, and we have discussed gaining consular access to the Maqsudi children with the Government of the Russian Federation.

Citing financial malfeasance, the Uzbek government submitted red notices on Mr. Maqsudi and his family to Interpol for alleged illegal business practices. Our belief that he may be the subject of selective prosecution led us to recommend that the U.S. National Central Bureau remove the red notice from U.S. immigration and law enforcement databases. We have also been in close contact with Mr. Maqsudi's attorneys and strongly encouraged them to petition the Interpol General Secretariat in Lyon, France, to have the Red Notice removed from the Interpol system.

RESPONSES FROM THE HONORABLE COLIN L. POWELL, SECRETARY, U.S. DEPARTMENT OF STATE, TO QUESTIONS SUBMITTED FOR THE RECORD BY THE HONORABLE BETTY MCCOLLUM, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MINNESOTA

Ms. McCollum's Question:

What is the Administration's position regarding normalized trade relations (NTR) with Laos? And, as we fight a global war on terrorism, what is our government's position on U.S. citizens financing armed insurgents who use violence against civilians in their attempt to overthrow the government of Laos?

Secretary Powell's Response:

The Bush Administration strongly supports granting NTR status to Laos and putting into effect the bilateral trade agreement (BTA) signed in September 2003, first negotiated in 1997. We believe that granting NTR status to Laos will benefit the Lao people, and will create a more cooperative environment in which the U.S. can effectively pursue key human rights and democratization objectives. We continue to closely monitor human rights conditions and press for adherence to international standards.

We remain concerned about reports of American citizen involvement in violent, anti-government activities in Laos, which could violate U.S. law. The USG maintains diplomatic relations with and recognizes the current government in Laos as the sole, legitimate government. We categorically oppose any efforts to overthrow the Lao government by force as well as any violent measures against the Lao people. We are aware of continued fighting between insurgent groups and government forces, as well as attacks on public transportation and public gathering places in Laos over the past year which have specifically targeted innocent civilians. Such attacks on civilians are acts of terrorism. We have a humanitarian interest in peaceful resolution of this conflict. We continue to press the Lao Government to take a humanitarian approach, and would be willing to assist in resolving the issue peacefully.

Ms. McCollum's Question:

Can you please explain to the Committee what actions, through the President's FY05 budget and otherwise, the State Department is taking to provide treatment and counseling for Iraqi victims of torture?

Secretary Powell's Response:

In response to a request from Administrator Paul Bremer, USAID has been asked to develop programs for the treatment and counseling of Iraqi Victims of the Conflict, based on the \$10 Million allocated from the Iraq Relief and Reconstruction Fund (IRRF) II—Assistance to Iraqi families provisions in P.L. 108–11 and P.L. 108–106. USAID, in consultation with the CPA (and later Chief of Mission), will implement this program through its Community Action Program (CAP).

The USAID/Iraq Community Action Program fosters direct citizen involvement in the rehabilitation of Iraq, enabling Iraqis to address the local needs in their respective communities. CAP is a valuable tool for social mobilization and grassroots democratization. It is currently active in 16 governorates and will be active in all 18 by the end of March 2004.

The purpose of this program is to provide assistance to Iraqi civilians who have suffered losses as a result of military operations by Coalition forces. The assistance

is not for “reparations” or “compensation.” In particular, the program will assist innocent Iraqi civilians and families who have directly suffered as a result of the military operations since March 20, 2003, leading to their liberation. The CAP program will use its existing, and new as necessary and appropriate, Community Action Groups (CAGs) to identify and determine the most appropriate means to best meet victims’ needs in their communities.

Ms. McCollum’s Question:

Although President Bush supported an authorization of \$3 billion for Global AIDS initiatives, his FY 05 budget includes funding only \$2.8 billion. I’m further concerned that the budget’s funding for the Global Fund to Fight AIDS, Tuberculosis, and Malaria reflects a reduction of \$350 million from the final FY 04 funding. This on top of the proposed 10 percent cut in basic child survival and health programs begins a troubling trend of the Administration backing off from their commitments of working to improve the health of the world’s population. How does the President intend to make up for this shortfall and keep his commitment?

Secretary Powell’s Response:

The President’s Emergency Plan for AIDS Relief begins in Fiscal Year 2004 with \$2.4 billion in funding, rising to \$2.8 billion in the 2005 budget request, and steadily increasing to reach a total of \$15 billion over the 5 years—exactly what the President committed in his 2003 State of the Union address.

These annual budget requests in the start-up years have been a source of contention. Some have divided \$15 billion by five years and assumed the President had committed to \$3 billion in each year. The President committed to \$15 billion over 5 years, to be deployed in a way that increases expenditures over time in order to spend the money efficiently and effectively. And that is exactly what we are on course to do.

With respect to the Global Fund, the United States has always been and continues to be its single-largest donor to the Fund. President Bush has pledged nearly \$2 billion to the Fund from its inception through 2008, and the U.S. Government has contributed \$623 million to date. The U.S. pledges amount to 37% of the total pledges, and U.S. contributions totaled 31.1% of all contributions to the Fund as of January 30, 2004. By law, the U.S. contribution is limited to 33% of the total contributions to the fund each year beginning in FY 2004.

While there has been a reduction in the Child Survival and Health Programs Fund appropriation, funding for basic child survival and maternal health programs have been maintained. These programs will fund interventions such as immunizations, oral rehydration, and nutrition. We have maintained our \$425 million commitment to family planning, protected initiatives to fight against tuberculosis and malaria, and continued support for antimicrobial resistance and surveillance activities.

