

RECENT DEVELOPMENTS IN THE MIDDLE EAST

HEARING
BEFORE THE
SUBCOMMITTEE ON THE MIDDLE EAST
AND SOUTH ASIA
OF THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED SEVENTH CONGRESS
SECOND SESSION

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RECENT DEVELOPMENTS IN THE MIDDLE EAST

TUESDAY, JUNE 18, 2002

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA,
COMMITTEE ON INTERNATIONAL RELATIONS,
Washington, DC.

The Subcommittee met, pursuant to call, at 1:40 p.m. in Room 2172, Rayburn House Office Building, Hon. Benjamin A. Gilman (Chairman of the Subcommittee) presiding.

Mr. GILMAN. The Committee will come to order.

The heinous terrorist bombings that claimed so many innocent Israeli lives have shocked all Americans. These attacks must stop forever if the Palestinian people are ever to witness a Palestinian state. Accordingly, decisive efforts must be taken against the terrorists and those who support them, regardless of where they are located.

We therefore call upon President Bush to consider making available to Israel appropriate anti-terrorist resources and whatever other assistance we may be able to provide to cut off the head of this venomous snake. Moreover, President Bush must make it clear to Chairman Arafat and the Palestinian people that no state can ever be declared, provisionally or otherwise, until the violence ends.

Although the Palestinian Authority condemned the attack and said in its statement that it would do everything in its power to find and stop anyone attempting to carry out operations, mere words are insufficient. We must see some action, and that includes the confiscation of illegal weapons, as well as the incarceration of plotters and planners of terrorism.

Reforming the Palestinian Authority and its security organs is paramount if stability is to be achieved. Chairman Arafat should finally step aside and permit other leaders to emerge.

I want to take this time to welcome Ambassador William Burns, Assistant Secretary of State for the Bureau of Near Eastern Affairs, before our Subcommittee today. I appreciate his willingness to meet with us and to explain the Administration's positions to the Congress and to the American people. Although we have had some closed briefings and Mr. Burns has always been available on the telephone, this is the first time our schedules have meshed so that we could have him appear in open session.

Ambassador Burns, this is the first hearing held by the Committee on International Relations since the attack on our Consulate General in Karachi. Although you are not responsible for that part of the world, I would like to express to you our condolences to the

families of the Pakistani security personnel killed in Karachi, our best wishes for the recovery of those injured and our continuing thanks to the staffs of our diplomatic and our consular posts around the world for carrying on under the extremely difficult conditions. We have seen pictures of you in a flak jacket, so we know you are not exempting yourself from situations that at least your security officers think are quite dangerous.

President Bush stated in his address to a joint session of Congress in September of last year that the war on terror begins with al-Qaeda, but will not end until every terrorist group of global reach has been found, has been stopped and defeated. Those words have special resonance in the Middle East, which is home to organizations that share both ideology and methodology with such groups of global reach and to their state sponsors.

As we enter the 10th month in our war on terror, it remains imperative that we address one of the issues that has created fertile ground for the development of terrorist movements in the Middle East, and that is the steady flow of weapons of varying degrees to various groups, to various organizations and states that intend to harm the United States or our allies. This includes the proliferation of weapons of mass destruction and their means of delivery as exemplified by the ongoing threat to the international community posed by Iraq, by Iran and by Syria.

The State Department recently articulated a vision of a reformed Palestinian Authority which is transparent, non-corrupt and does not tolerate violence or support terrorism, which would enable negotiations to be restarted with the Israelis, yet the success of these initiatives rests on the ability and the motivation of Yasser Arafat and the Palestinian Authority to effectively crack down on terrorists operating in areas within its jurisdiction and within the Palestinian Authority itself that consistently fail to do so.

The Congress joins in the President's disappointment with Chairman Arafat. Perhaps this is because the Palestinian Authority as it is currently existing has become more a part of the problem than a part of the solution. The Bush Administration concluded that the Palestinian Authority and the Fatah faction of the PLO were involved in the aborted scheme to smuggle 50 tons of Iranian weapons aboard the Karine-A to Palestinian terrorists.

The influx of weapons to Palestinian terrorist organizations has grown exponentially since the outbreak of violence in September of 2000. These weapons have been smuggled into the Gaza Strip through a system of secret underground tunnels which connect Egypt to Rafah in the southern part of the Gaza Strip. Despite Israeli efforts to locate and destroy those tunnels and to enlist the support of Egypt in doing so, many of those tunnels are still very active, and the promised Egyptian assistance has been less than forthcoming.

In addition to the Karine-A seizure, Israel has also thwarted several Palestinian efforts to smuggle weapons through the Dead Sea and the Jordan River Valley. At least two major attempts to smuggle arms through Jordan were foiled last year, and in May a Jordanian military court convicted four Palestinian Authority members on weapons and explosive charges and sentenced them to up to 15 years in prison.

The main place of entry of weapons into the Gaza Strip has been via the Mediterranean Sea, and the many seizures clearly reveal their sources: Iran, Iraq and Syria.

Yet the proliferation of conventional arms to known terrorist groups are not our only concern. Both Iraq under President Saddam Hussein, Syria under Bashar al-Asad and Iran under Ayatollah Khamenei continue to pose a major threat to peace and stability in the entire region. Nothing brings out more sharply the severe nature of this threat than the issue of weapons of mass destruction and the means with which to deliver them. However, their means of deploying weapons of mass destruction are not limited to conventional means. Their continued sponsorship of terrorist groups of global reach provides them an additional mechanism with which to deliver them.

As long as these regimes continue policies aimed at destabilizing the region, they will continue to pose a serious challenge to our nation and to our allies. Giving in to demands of terrorists, and these terrorist states sends a terrible message that terrorism pays. The sticking point between the Palestinians and the Israelis at Camp David and Taba was the reluctance of the Palestinian side to declare the conflict over.

Prematurely setting up an interim Palestinian state in the West Bank and Gaza I think would be a tragic error because it simultaneously clothes the Palestinians with attributes of sovereignty. It fails to extract the statement that the major dispute between the two sides are settled.

Moreover, there must be a clear demonstration at a minimum that such an interim state can and will have a monopoly on the use of force from its territory and that it is committed to a complete cessation of violence against Israel. Not to do so would be in effect to reward the suicide bombers who have terrorized the Israelis and encourage other suicide bombers to continue to challenge them and challenge American interests as well more directly. If the people of the Middle East come to believe that through violence our Administration's policies in the region could be transformed to suit their purposes, then any prospect for peace and stability in that region are truly doomed.

In closing, it has been suggested that the United States impose its solution on the parties. This has never been a good idea and is not a good idea today. The parties need our help to reach a solution, but they must arrive at it themselves across the table from each other.

I am pleased to call on our Ranking Member, Mr. Ackerman, for an opening statement.

[The prepared statement of Mr. Gilman follows:]

PREPARED STATEMENT OF THE HONORABLE BENJAMIN A. GILMAN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF NEW YORK, AND CHAIRMAN, SUBCOMMITTEE ON THE MIDDLE EAST AND SOUTH ASIA

The heinous terrorist bombings that have claimed so many innocent Israeli lives have shocked all Americans. These attacks must stop forever if the Palestinian people are to ever witness a Palestinian state.

Accordingly, decisive efforts must be taken against the terrorists and those who support them, regardless of where they are located. I therefore call upon President Bush to consider making available to Israel appropriate anti-terrorist resources and whatever other assistance we may be able to provide to cut off the head of this ven-

omous snake. Moreover, President Bush must make it clear to Chairman Yasser Arafat and the Palestinian people that no state will ever be declared, provisionally or otherwise, unless the violence ends.

Although the Palestinian Authority condemned the attack and said in a statement that it would do "everything in its power to find and stop anyone attempting to carry out operations," mere words are insufficient. We must see action, and that includes the confiscation of illegal weapons as well as the incarceration of plotters and planners of terrorism. Reform of the Palestinian Authority and its security organs is paramount if stability is to be achieved. Chairman Arafat should finally step aside and permit other leaders to emerge.

I would like to welcome the Ambassador William Burns, Assistant Secretary of State for the Bureau of Near Eastern Affairs before the Subcommittee this morning, and I appreciate his willingness to meet with us and to explain the Administration's positions to the Congress and to the American people. Although we have had some closed briefings and you have always been available on the telephone, this is the first time our schedules have meshed so that we could have you appear in open session since last October.

Ambassador Burns, this is the first hearing held by the Committee on International Relations since the attack on our Consulate General in Karachi and although you are not responsible for that area of the world, I would like to express through you our condolences to the families of the Pakistani security personnel killed in Karachi, our best wishes for the recovery of those injured, and our continuing thanks to the staffs of our diplomatic and consular posts around the world for carrying on under very difficult conditions. I have seen pictures of you in a flak jacket so I know you are not exempting yourself from situations that at least your security officers think are somewhat dangerous.

President George W. Bush stated in his address to a joint session of Congress on September 20, 2001, that the "war on terror begins with al-Qaeda, but . . . will not end until every terrorist group of global reach has been found, stopped, and defeated." These words have special resonance in the Middle East, which is home to organizations that share both ideology and methodology with such groups of "global reach," and to their state sponsors. As we enter the tenth month in our war on terror, it remains imperative that we address one of the issues that has created fertile ground for the development of terrorist movements in the Middle East: the steady flow of weapons of varying degrees to groups, organizations and states that intend to harm the United States and our allies. This includes the proliferation of weapons of mass destruction and their means of delivery; as exemplified by the ongoing threat to the international community posed by Iraq, Iran and Syria.

The State Department recently articulated a vision of a reformed Palestinian Authority which is "transparent, non-corrupt, and doesn't tolerate violence or support terrorism" which would enable negotiations to be restarted with the Israelis. Yet the success of these initiatives rests on the ability and the motivation of Yasser Arafat and the Palestinian Authority to effectively crack down on terrorists operating in areas within its jurisdiction, and within the PA itself. They have consistently failed to do so. The Congress echos the President's "disappointment" with Chairman Arafat.

Perhaps this is because the Palestinian Authority, as it currently exists, has become more a part of the problem than a part of the solution. The Bush administration concluded that the Palestinian Authority and the Fatah faction of the PLO were involved in the aborted scheme to smuggle 50 tons of Iranian weapons aboard the *Karine-A* to Palestinian terrorists. The influx of weapons to Palestinian terrorist organizations has grown exponentially since the outbreak of violence in September 2000. These weapons have been smuggled into the Gaza Strip through a system of secret, underground tunnels which connect Egypt to Rafah in the southern part of the Gaza Strip. Despite Israel's efforts to locate and destroy those tunnels and enlist the support of Egypt in doing so, many of the tunnels are still very active, and the promised Egyptian assistance has been less than forthcoming.

In addition to the *Karine-A* seizure, Israel has also thwarted several Palestinian efforts to smuggle weapons through the Dead Sea and the Jordan River Valley. At least two major attempts to smuggle arms through Jordan were foiled last year, and in May a Jordanian military court convicted four Palestinian Authority members on weapons and explosives charges and sentenced them to up to 15 years in prison. But the main inlet of weapons into the Gaza Strip has been via the Mediterranean Sea, and the many seizures clearly reveal their sources: Iran, Iraq and Syria.

Yet the proliferation of conventional arms to known terrorist groups are not our only concern. Both Iraq, under President Saddam Hussein, Syria, under Bashar al-

Assad, and Iran under, under Ayatollah Kamenai, continue to pose a major threat to peace and stability in the region as a whole.

Nothing brings out more sharply the severe nature of this threat than the issue of weapons of mass destruction and the means with which to deliver them. However, their means of deploying weapons of mass destruction are not limited to conventional means; their continued sponsorship of terrorist groups of "global reach" provides them an additional mechanism with which to deliver them. As long as these regimes continue policies aimed at destabilizing the region, they will continue to pose a serious challenge to United States and our allies.

Giving in to the demands of terrorists, and these terrorist-states, sends the terrible message that terrorism pays. The sticking point between the Palestinians and the Israelis at Camp David and Taba was the reluctance of the Palestinian side to declare the conflict "over." Prematurely setting up an interim Palestinian state in the West Bank and Gaza could be a tragic error because it simultaneously clothes the Palestinians with attributes of sovereignty yet fails to extract a statement that the major dispute between the two sides are settled.

Moreover, there must be a clear demonstration, at a minimum, that such an interim state can and will have a monopoly on the use of force on or from its territory, and that it is committed to a complete cessation of violence against Israel. Not to do so would be, in effect, to reward the suicide bombers who have terrorized the Israelis and encourages other suicide bombers to continue to challenge them, and American interests as well, more directly. If the people of the Middle East come to believe that through violence the Bush administration's policy in the region can be transformed to suit their purposes, than any prospect for peace and stability in the region are truly doomed.

Finally, it has been suggested that the United States impose its solution on the parties. This has never been a good idea, and it is not a good idea today. The parties need our help to reach a solution, but they must arrive at it themselves.

Mr. ACKERMAN. Thank you, Mr. Chairman, for calling this hearing with Assistant Secretary of State William Burns. We see the Secretary about half as often as we would like, but I am sure that is, no doubt, twice as often as he would prefer. That aside, Secretary Burns is certainly a tireless public servant, and I am very happy that he is here with us today.

Clearly the Administration's Middle East policy cauldron is coming to a boil, so it is very appropriate that the Secretary is here today to explain what kind of brew is being prepared. Recent contradictions between remarks made by the Secretary of State and the President's spokesman about a so-called provisional state have led some of us to wonder whether there are too many cooks that are spoiling the broth.

As we all know, the President has met with leaders from Saudi Arabia, Egypt, Jordan and Israel, and we are told something big will be forthcoming from the Administration soon. Not too detailed, but detailed enough. Not too immediate, but not too indefinite. Not the Clinton proposal, but not too far from the Clinton proposal.

Having watched the President dispatch the Vice-President, the Secretary of State twice, the CIA Director twice, the Special Envoy General Zinni twice, and Secretary Burns more times than anybody can count and having gotten nothing from the Palestinians whatsoever and following major addresses at the U.N. and in the Rose Garden providing the President's vision and a response to Arab leaders' calls for a light at the end of the tunnel, I have to admit that I am becoming a bit skeptical. So far as I can tell, all of this looks like a neatly gift wrapped reward for Palestinian violence and terrorism.

The latest episode in this Palestinian campaign to trade Israeli blood for American political engagement took place this morning in Jerusalem when a Palestinian suicide bomber blew up a bus which

was filled with school children and office workers. Twenty people are known dead, and 50 are wounded.

Can anybody honestly say that the immense diplomatic efforts underway to divide the Palestinian state would still be taking place if Palestinian terrorists were not slaughtering random Israeli civilians or, to be more precise, if Israel was not responding to Palestinian terrorists who are slaughtering random Israeli civilians?

The policy quandary we face is quite simple. Our non-democratic Arab partners want to reward Palestinian terrorism by persuading the United States to force a democratic ally to accept the creation of a Palestinian state under the same Yasser Arafat about whom the President so frequently expresses his disappointment.

It is not obvious to me at least how forcing the creation of even a provisional Palestinian state under Yasser Arafat alongside of Israel would promote regional stability or actually reduce terrorist violence or even the Israeli response to it, which in this very perverse world seems to be so much more horrifying to our friends in Europe and the Middle East. I might not be a diplomat or a scholar, but, as a kid who grew up in Brooklyn, I know a shakedown when I see it. Maybe the Secretary will be able to explain this to us a little better.

I am also deeply concerned about three other states in the Middle East which have, unfortunately perhaps, received less notice than they deserve. Foremost I would say is Syria. In remarks about pending legislation, the State Department has been rather effusive in its praise for Syria's cooperation with our government in our war against al-Qaeda.

Before we thank the Syrians too much I would like to know what we are doing about Syria's appalling record of internal oppression, its growing weapons of mass destruction programs, its ongoing cooperation with Baghdad and undercutting U.N. sanctions, its close relationship with Iran in funneling arms to Hezbollah, its open support for Hamas and the Palestinian Islamic Jihad and several other designated foreign terrorist organizations and its continuing and illegal military occupation of Lebanon.

If the Administration believes the remedies being discussed in Congress would not work. I hope Secretary Burns will share with us whatever alternative steps the Administration intends to take. I, for one, would like to see the Department show the same level of concern about Syria's occupation of sovereign Lebanon as we do about Israel's occupation of the disputed West Bank and Gaza.

I would also hope the Secretary will address the growing concern in Congress about the shape—not the size, but the shape of American's program of assistance to Egypt. Obviously the Egyptian economy has been battered by the combination of global economic turn-down, the reduction of the source of transit fees and the drop in tourism due to volatility in the region.

Many of us highly value the relationship we have with Egypt and are fully cognizant of the many critical behind-the-scenes contributions that Cairo has made to our war on terrorism. In many ways Egypt has been a good friend to us, a fact that Cairo often seems eager to keep from the Egyptian people themselves.

As Congress begins its work—soon, we hope—on this year's foreign operations appropriations, I would like the Secretary to com-

ment on why the ratio of military to economic aid should not change. From my view, it looks like Egypt could use fewer guns and more butter, but the important thing is to explore whether a shift from military to economic assistance would not help Egypt get through a difficult economic period and a stronger condition.

Finally, I am hoping Secretary Burns can shed some light on the Administration's policy regrading Iraq. As one of the few Democrats left in the House who supported the initial decision to use force against Saddam, it seems clear to me that President Bush intends to finish the job that his father began. Regardless of whether one is in favor or opposed to a campaign to rid the world of Saddam Hussein's reign of terror, there needs to be a much greater level of coordination between the President and the Congress on this issue.

I want to be very clear that if the President intends to take action against Iraq he must consult with the Congress in a serious and sustained fashion before action is taken. Limited, halfhearted proforma briefings when the planes are in the air are not only an insult to our constitutional system, but would threaten the public support, which will be necessary to sustain the campaign during what will be certainly a highly divisive public debate.

Again I want to thank you, Mr. Chairman, for holding this important hearing, and I look forward to hearing from Secretary Burns.

Mr. GILMAN. Thank you, Mr. Ackerman.

Mr. Issa?

Mr. ISSA. Thank you, Mr. Chairman. I will be brief.

Mr. Secretary, I look forward to hearing your opening remarks and the dialogue that follows. I do want to echo some of the remarks made on the other side of the aisle that Syria's cooperation in the war on terrorism should not go unnoticed.

However, I think as all of us on the dais feel, we also need to figure out where the next step is, where we are going to see movement in Syria more toward the West, more away from their history of being with our enemies. Hopefully your remarks will include that.

Secondly, my greatest concern and the one that I am probably focusing on even more than the terrible events in Israel today is the likelihood that no movement, a failure to have some sort of dialogue scheduled, which was originally scheduled for July or August, to bring the Arab groups back together to take what they began in Beirut to the next level. A failure to schedule that and have it happen seems to play right into the hands of the terrorists who have in fact been trying to derail and continually derail any opportunity for peace.

I would simply like to urge the Administration, and obviously as you go back and forth in this—they used to call it shuttle diplomacy. You have not been granted that name, but I have seen you shuttling a great deal as the Secretary. I would hope that the Administration would recognize that we cannot let terrorists take us from the type of constructive dialogue that is undoubtedly going to happen if in fact we participate with the Arab nations in a plan for peace.

To the extent that you have the ability to move that or we can assist you in moving that, I would like to say it here loudly. Mr. Wexler on the other side of the aisle has been saying it independently. For that reason, I think it goes without saying that with Mr. Wexler on one side and me on the other side, I expect everyone in between has the same feeling that we have to take the Arab nations to the next level of cooperation in ending a 50-year cycle of violence, and we have to take Syria independently out of the Cold War as the last combatant of the Cold War that has not at least moved toward a center position toward the U.S.

With that, I yield back the balance of my time. Thank you, Mr. Chairman.

Mr. GILMAN. Thank you, Mr. Issa.

The Ranking Member of our Full Committee, Mr. Lantos?

Mr. LANTOS. Thank you very much, Mr. Chairman. Let me welcome our distinguished Secretary, and let me begin by offering my praise to the President for his speech at West Point.

This is a speech that will take many months and many reiterations for both the Congress and the American people to absorb, but what the President did at West Point was to declare that the two generations-old Cold War concept of deterrents and containment is not viable in an age of global terror, and the President expressed his commitment to the principle of preemption.

Let me say to you, Mr. Secretary, I fully agree with the President, and I strongly urge him to bring this issue to the Congress because he will receive overwhelming bipartisan support for a policy of preemption certainly as it relates to Iraq and possibly other places.

I also want to commend our very distinguished National Security Advisor, Dr. Rice, who stated over the weekend, and I quote,

“The Palestinian Authority, which is corrupt and cavorts with terror, is not the basis for a Palestinian state moving forward.”

Condoleezza Rice could not be more right, and I think that in view of this powerful and colorful statement by our distinguished National Security Advisor I trust that rumors with respect to a provisional state or an interim state are merely speculations and trial balloons of little substance and certainly of no value, but, as the National Security Advisor states so clearly, the Palestinian Authority, which is corrupt and cavorts with terror, is not the basis for a Palestinian state moving forward.

Finally, so the Department of State will not feel neglected, let me commend you personally, Mr. Secretary, for your statement in today’s prepared speech.

“We simply cannot tolerate the notion that any political cause justifies attacks against innocent civilians.”

We fully agree with you.

In view of that, it is incomprehensible to all of us, I believe, that Arafat and his group, so clearly in cahoots with terrorism, financing it, encouraging it, participating in it through the Al-Qsa subgroup and others, should be rewarded for its terror. As a matter of fact, it appears to me an oxymoron, as our national declared for-

eign policy is a global war on terror, to reward terror in the Middle East.

Finally, since I am anxious to get to your testimony, I would like to just say a word about the difference between chronology-based policies and criteria-based policies. In the Clinton Administration, on one unforgettable afternoon we had the Secretary of State and the Secretary of Defense and the Chairman of the Joint Chiefs of Staff sitting where you sit. They all testified that we will have our forces in Bosnia for 1 year.

I publicly offered them a \$1,000 bet because I thought that the notion was absurd and simply totally apart from any sense of reality that prevailed in the Balkans. As you well know, Mr. Secretary, our forces are still there many years after the Secretary of State and Defense and the Chairman of the Joint Chiefs made this absolutely absurd chronology-based policy statement.

I would hope that this Administration would have learned from the mistake of the previous Administration and will not even contemplate the notion of a chronology-based march toward a Palestinian state. If a Palestinian state is to be established, which I personally believe would be highly desirable, the process must be criteria and performance-based, transparency, permanent cessation of terrorist activities, the rule of law and an end to corruption.

May I ask you to take back to Secretary Powell and to the President the judgment of at least one Member of Congress that while we very much wish to see two states living side by side in peace, mutual respect, prosperity, no incitement, no venomous propaganda or teaching of venomous materials in the public schools, the establishment of that state must be criteria- and performance-based and not predicated on some nonsensical chronological construct.

Thank you, Mr. Chairman.

Mr. GILMAN. Thank you, Mr. Lantos.

Mr. Cantor?

Mr. CANTOR. Thank you, Mr. Chairman.

Mr. Secretary, thank you very much for being here. First of all, I would like to commend you and the President for the leadership that you have displayed in the war against terrorism and as well the leadership that has been provided in the current struggle in the Middle East as evidenced by the President's statements after his meeting with President Mubarak and Prime Minister Sharon.

I feel that the most important thing is the President has come out and made very clear that we are engaged in a common struggle among free nations against these terrorists, and it is very important, I think, that we continue to espouse that attitude. But at the same time, Mr. Secretary, I would say that it is imperative at this critical juncture in the Middle East that the United States take the lead in not enforcing premature political concessions in the Middle East.

This concept of an interim Palestinian state, I think given the current situation in the Middle East, is not the way to go, but to work to insure that a Palestinian leadership emerge that is committed to a lasting peace and that reforms necessary are put in place to build that lasting peace.

Again, I commend you for being here today and look forward to your testimony, and I yield back my time.

Mr. GILMAN. Thank you, Mr. Cantor.

Mr. Berman?

Mr. BERMAN. Thank you very much, Mr. Chairman. Many of my feelings have been expressed by the speakers before me, the Chairman, the Ranking Member, the Ranking Member of the Subcommittee, Mr. Cantor.

I guess what I would like to do in this very short opening statement is ask a few questions on the theory that perhaps some of them can get answered in your testimony so that when I get my 5 minutes to ask questions I can move on to some new questions.

One, understanding that you are not going to trump the President's speech and give this forum the story before the President has spoken, and perhaps the President is not quite sure what he is going to say in this speech yet, I am wondering if you can hypothesize about some of the issues that have been raised about the provisional Palestinian state? Again, I join Mr. Lantos in believing that since the days of Oslo and perhaps Madrid the inevitability of a Palestinian state has been determined and I think is basically accepted by all serious parties here.

Hypothesize about, in the context of the provisional Palestinian state, what is the status of an Israeli decision faced with continued suicide bombings and acts of terrorism, having information about sources of the planning, the arming and the implementation of those acts of terrorism—making incursions into whatever part of this provisional state without borders exists.

Is this to be viewed as an act of war, an action which I think most people would think is both self-defense and prevention? Will this be viewed based on some change in legal status as an act of war?

Secondly, is Yasser Arafat and the Palestinian Authority making the 100 percent effort that the Administration has so clearly spoken about on many occasions?

Third, is the Administration persuaded, as I read recently that the European Commission was persuaded, that the combination of the existence of 40,000 armed militia under the control of the Palestinian Authority, the documents presented by the Israeli Government that were captured from Ramallah and other places, the seizure of the Karine-A and the information that has been gathered about that, that in fact Yasser Arafat and the Palestinian Authority has facilitated, allowed, tolerated, financed and permitted acts of terrorism to be based out of the area that the Palestinian Authority has controlled?

I will stop there at this point.

Mr. GILMAN. Thank you, Mr. Berman.

I am going to ask our Members, so that we can get on with the testimony by our good Secretary, if they would limit their opening statements to 2 minutes.

We will put their full statement in the record. Since Mr. Burton has been waiting patiently and as a senior Member, we will give him a few extra minutes. Mr. Burton?

Mr. BURTON. Does that mean old? First of all, let me agree with my colleague, Mr. Lantos, on some of the things he said. I might

go just a little bit further. I do not think there should be discussion of a Palestinian state until these acts of terrorism stop. When they blow up a bus and kill children on their way to school like they did this morning, it all ends. You say when this stuff stops we will start talking again.

I hope the President's speech reflects that. I would strongly urge the President to say we are going to help our good friends and allies in Israel by saying very clearly we will talk about a Palestinian state when the terrorism stops and not until. I hope the President makes that clear. That is number one.

Number two, we had before my Committee this week a number of women who had their children kidnapped by their fathers and taken to Saudi Arabia. These children are American citizens. They have been held against their will in many cases, and the mothers do not even get to see their children. The Saudi Government has said because of Saudi law we cannot get American citizens back, and the mothers do not have any rights because in their country the fathers' authority is preeminent.

That is wrong, and we need to come down hard on the Saudi Government and say if these kids are under court order to be with their mother and the father takes them for a weekend visit or takes them to Paris on vacation and then takes them to Saudi Arabia, we want those kids back.

It is just wrong for American citizens to be denied access to their children or for the children who are American citizens to be denied the right to come back to the United States. One of those children testified before my Committee that she was beaten, had her hair pulled because she did not want to do the things that her father wanted her to do there in Saudi Arabia.

One of the mothers told me that because they were trying to get the child back that the father was going to marry her off to a cousin. She was 12 years old, and she did not want to marry him. These are the sorts of things that American people do not understand and simply do not know about.

The Saudis need to know that we respect their country, but that our laws as with respect to American citizens are guaranteed by the Constitution of the United States, and they should be returned to this country. Now, if they want to go back to Saudi Arabia after they come back to this country, if they make the decision to go back that is their prerogative, but they ought to have the right to make that decision here.

I sent two letters to the President this week, and I gave them to one of his top aides because I was meeting with them on homeland security. The President, to my knowledge, made no comment to the Saudi Foreign Minister when he was here. Neither did the Secretary of State.

I understand that you were the one that mentioned this, and I hope in your remarks and during the question period you will respond because I think the President should have taken this issue to the top levels of the Saudi Government and said American citizens should be treated the way our Constitution guarantees, and if you are going to do anything else there are going to be reprisals against your government. We should do that. We should not be

afraid of Saudi Arabia because they are a big supporter or big supplier of oil to us. That should not be done.

I have one more thing, Mr. Chairman, that I feel very strongly about, and that is this. Saudis are getting visas by just going to a travel agent. They do not even have to go through the questions that are supplied by our Embassy there.

In fact, according to this article, there were two, three or four of the suicide bombers that blew up the World Trade Center and our Pentagon that got their visas from a travel agent. That is just wrong, and I hope you will address that as well. These are things that need to be corrected, and the Saudi Government needs to know that the United States is not going to mess around. We mean business.

The article, incidentally, was in *National Review*. It is a July 1, 2002, article. Secretary Burns, I will be glad to get you a copy of it.

Mr. GILMAN. Thank you very much, Mr. Burton.

Mr. Sherman?

Mr. SHERMAN. Thank you. I would like to associate myself with the comments of Mr. Lantos and others. I hope, Mr. Secretary, that you will be turning soon or your Administration will be turning soon to Congress and the people with a plan to deal with Saddam Hussein long before he develops nuclear weapons.

I hope in your opening statement that you will reiterate the wise comments of Ms. Rice, that Mr. Lantos quoted, and recognize that if the United States does anything to move forward with the Palestinian state while terrorism persists, the entire world and history will regard that as a reward for terror. There are hundreds of groups with hundreds of disputes from Sri Lanka to Senegal that would also engage in terrorism against America, if need be, if they think it is an effective tactic.

Mr. Secretary, you and talked about UNRWA, the U.N. agency that has done such a terrible job of running the Jenin and other refugee camps. You have committed to the Congress that none of the money in the supplemental will be given to UNRWA, and I hope that you will be able to make a similar comment with regard to our regular appropriations. There has to be a way for us to meet our responsibilities in the Middle East without dealing with this particular ineffective U.N. agency.

Finally, I would like to bring up Iran. Every dollar that that government has after it meets its minimum domestic expenditures necessary to stay in power it can devote to achieve the status that your State Department has given it as the number one state sponsor of terror or to develop nuclear weapons, smuggle them into the United States, and blow up millions of Americans.

The last Administration allowed certain imports from Iran to come into this country and got no quo for its quid. I would hope that you would reverse that immediately as a symbol to Europe that we cannot tolerate their moving forward with a trade relationship with the government that wants to murder as many millions of Americans as it develops the technology to deal with.

I hope that you will urge the President to enforce ILSA as strongly as possible even against Canadian oil companies. Finally, I hope that in your opening statement or at some other time that

you will tell us what America will do other than just shrug our shoulders if the Europeans go forward with this trade deal with Iran and if European and Japanese votes result in a loan of hundreds of millions of additional dollars from the World Bank to Iran.

I would hope that we would be talking about changing our policy in Bosnia and Kosovo or elsewhere, some hugely important act, to drive home to the Europeans that we will not just shrug our shoulders and get out-voted if they are going to finance those trying to develop nuclear weapons and destroy our cities.

I yield back.

Mr. GILMAN. The gentleman's time has expired.

I understand we have a 15 minute vote followed by three 5 minute votes. We will try and go as long as we can. If the Members can stay with us as long as you can on this first vote, we will try to give the Secretary an opportunity to be heard.

I ask the remaining Members if they would forego their opening statements so we can get on with the testimony.

Ms. BERKLEY. I will be more than glad to do that. May I submit my opening remarks for the record?

Mr. GILMAN. Yes, by all means. Thank you, Ms. Berkley.

Mr. Wexler, are you willing to do the same, and Mr. Engel?

Mr. ENGEL. I just wonder if I could have 15 seconds, Mr. Chairman?

Mr. GILMAN. Please, but be brief so we can get on with the testimony.

Mr. ENGEL. Okay, Mr. Chairman. Thank you. I agree with everything that was said, but I want to emphasize that the President, if he was thinking about making a statement tomorrow with regard to a provisional Palestinian state, in view of what happened this morning, he really ought not to do it.

There would be no other thing to read into that than rewarding terrorism and allowing them to use terrorism as a negotiating tool. It undermines our war on terrorism. It undermines the clarity with which the President spoke when he said you are either with us, or you are with the terrorists.

I really wish you would take that back. I think we are virtually unanimous here in feeling that strongly about that.

Mr. GILMAN. Thank you. Thank you, Mr. Sherman.

We will now welcome Assistant Secretary Burns, Bureau of Near Eastern Affairs. Please proceed. You may summarize, or you may put your full statement in the record.

STATEMENT OF THE HONORABLE WILLIAM J. BURNS, ASSISTANT SECRETARY, BUREAU OF NEAR EASTERN AFFAIRS, U.S. DEPARTMENT OF STATE

Mr. BURNS. Mr. Chairman, Members of the Committee, good afternoon. Thank you very much for the opportunity to appear again before this Committee. With your permission, Mr. Chairman, I would like to submit my prepared statement for the record.

Mr. GILMAN. Without objection.

Mr. BURNS. In light of the terrible event that took place this morning in Jerusalem, I also believe it is more appropriate to simply offer a few opening remarks on that tragedy.

We condemn—all America condemns—this terrorist outrage in the strongly possible terms. Our hearts go out once more to the people of Israel and the grieving families of the victims. Let me be clear: Cold-blooded murder of innocent school children has no place in civilized society. No cause, however legitimate, can justify terror or be advanced through violence. There is absolutely no middle ground here. All terror and violence must halt.

The terrorists who carry out these horrific attacks and those who send them on their murderous way are not, as they claim, advancing the Palestinian cause. Quite the opposite. They are betraying the interests of their people and inflicting grave harm on legitimate Palestinian aspirations and hope for a better future.

Terror and violence cannot ease the very real suffering of the Palestinian people through inflicting pain on innocent Israeli citizens. The time has come for Palestinian leaders to speak out in unequivocal fashion to their people and say enough.

There must be progress toward peace. There must be a path back from this horror to renewed dialogue and hope. The United States is committed to doing all it can to help the parties as they move forward, but the terror and violence have to cease if they and we are to succeed.

I will stop my opening remarks there. I know there are many questions and concerns that have been raised by Members of the Committee, and I would be glad to respond to them, including the ones that Mr. Berman and Mr. Lantos raised in their opening remarks.

[The prepared statement of Secretary Burns follows:]

PREPARED STATEMENT OF THE HONORABLE WILLIAM J. BURNS, ASSISTANT
SECRETARY, BUREAU OF NEAR EASTERN AFFAIRS, U.S. DEPARTMENT OF STATE

Thank you, Chairman Gilman. I appreciate this opportunity to discuss with all of you the challenges we face in the Middle East, and how we can best promote American interests and values.

Mr. Chairman, the fight against terrorism remains central to defending our interests in the Middle East. As President Bush has stated plainly on many occasions since the terrible events of September 11, we simply cannot tolerate the notion that any political cause justifies attacks against innocent civilians. In the Middle East, we continue to work hard to strengthen regional coalitions to fight terrorism. We are pressing leaderships to speak out clearly, and act decisively, against terror and violent extremism. We are working hard to close down terrorist financing networks. We are also working hard to deny terrorists and their state sponsors the materials, technology and expertise to make and deliver weapons of mass destruction. In that regard, we continue to have very serious concerns about the behavior of some states in the region, particularly Iraq and Iran. The Iranian regime continues to develop weapons of mass destruction, and to export terror. There can be no doubt about our determination to prevent any attempt by Saddam Hussein's brutal and repressive regime in Baghdad to build weapons of mass destruction and once again threaten the region. And there can also be no doubt that the region, and especially the people of Iraq themselves, would be better off with a different leadership—one dedicated to preserving Iraq's sovereignty and territorial integrity, to developing the enormous potential of its people, and to living in peace with its neighbors.

This afternoon, Mr. Chairman, I would like to touch briefly on two other challenges that we face: the importance of rebuilding hope in Arab-Israeli peace; and the profound longer-term economic, social and political dilemmas facing peoples and leaderships in the region. The United States obviously has a powerful interest in showing that terrorism, violence and the use of force can never bring a just, lasting and comprehensive settlement of the Arab-Israeli conflict. But it seems to me that we have an equally compelling interest in demonstrating that a political process can—and must—produce that outcome.

Like many members of this committee, I have travelled frequently to the region in recent months. I have seen for myself the anger and frustration of ordinary Israelis and Palestinians. I have seen for myself the horrific aftermath of a suicide bombing in Jerusalem, and the terrible destruction inside Jenin refugee camp. I have seen the toll taken on both sides in lives lost and families shattered. And I have seen something less tangible, but no less troubling—the loss of hope on both sides, the erosion of the dream of peace and reconciliation, the collapse of faith in a better future, a future in which two states, Israel and Palestine, live side by side in peace, security and dignity.

There has been too much suffering, and too much death. Israelis and Palestinians deserve better than this. Both peoples deserve a future that puts an end to terror and violence, a future that removes the daily threats to the security of ordinary Israelis who worry about whether their children will return safely from school or their spouses from the market, a future that ends incitement and hate-language, a future that preserves Israel as a strong and vibrant Jewish state. Both peoples deserve a future that puts an end to the corrosive impact of occupation and settlements, a future that stops the daily humiliations of life under occupation, a future that brings Palestinians their own state, responsible governance and the chance for the normal, dignified lives that they and their children must have.

None of us should have any illusions about the task before us. It will be very, very hard. Moving forward will require many difficult decisions. It will require courage and vision and compassion from leaders, and a willingness to speak plain truths to their peoples. It will require the international community to supply a sense of purpose and determination and generosity. And it will require all of us to understand that today, even in the grimmest of moments and the most bitter of circumstances, the outlines of enduring peace and security for Israelis and Arabs alike are clearer than ever.

President Bush intends to address those issues shortly, and I hope you will understand that I am not able today to address them in any detail. Let me emphasize simply that there are opportunities, as well as dangers, before us. As we seek to apply American leadership energetically to those challenges, we have a number of assets. The U.S.-Israeli relationship is stronger than it has ever been, and there can be no doubt of this Administration's commitment to Israel's security and well-being. Key Arab states are more actively engaged in support of a return to peacemaking than in many months; the recent efforts and visits to the United States of Crown Prince Abdullah of Saudi Arabia, President Mubarak of Egypt and King Abdullah of Jordan have all been quite constructive. There is genuine interest among many Palestinians in political reform and institution-building—in their own self-interest, not as a favor to us or anyone else. And there is growing international cooperation, centered on American leadership, and reflected in the efforts of the "Quartet," which includes the United States, Russia, the European Union and the UN Secretary General.

Broadly speaking, our approach will involve a commitment to progress in parallel along three tracks, all aimed at the ultimate goal of a permanent two-states solution. The first track is security, where all terror and violence ends. The second is reform and economic recovery, where Palestinians—with the active support of the international community—build strong institutions in preparation for statehood. The third is political, where Palestinians and Israelis renew discussions about their future, leading as soon as possible to the emergence through negotiations of a responsible Palestinian state alongside Israel. Central to this concept is the conviction that progress along these tracks must be made in parallel; it is clear that there can be no real security without a restoration of political hope, just as there can be no enduring political progress without security.

Let me be very clear: Palestinians have legitimate national aspirations; but there can be absolutely no justification for suicide bombings or any other form of terror. I repeat, Palestinian authorities must do everything possible to confront the terrorists whose acts are causing grave harm to Palestinian interests and hopes for a better future. For us, there is no middle ground on fighting terror.

Let me turn finally to the broader questions facing the region, and American policy. As crucial as fighting violent extremism and achieving Arab-Israeli peace are to the future of the region, they are by no means the only challenges before the societies of the Middle East. Economically and socially, it is obvious to anyone with eyes to see that the region faces enormous dilemmas. The truth is that economic and social inequality in many Middle East countries has grown in recent decades, rather than diminish. Political, economic and social systems are often intertwined, and they appear closed to outsiders. For those who are not already a part of the system, advancement seems hopeless. Corruption is becoming a more and more corrosive force.

I do not want to dwell on depressing statistics, but the facts are sobering, and unavoidable. Per capita incomes throughout the Middle East are stagnant or dropping, while the size of the labor force keeps growing. 45% of the population of the Arab world is now under the age of 14, and the population of the region as a whole could double in 25 years. Meanwhile, the Middle East share of world GDP, trade and foreign investment continues to shrink. Throughout the region, there is a lack of transparency, weak capital markets, barriers to trade, and a workforce lacking modern skills. On top of all this, the region faces the lowest per capita water availability in the world.

The Middle East cannot be healthy socially or politically so long as its economies are in crisis. It seems to me that the United States has a powerful interest in doing all that we can to help those who want to help themselves in the region, who take difficult decisions to open up their economies and expand opportunities for all their citizens. While we will not offer a single model for change, we will be strong advocates for enhancing private sector involvement, diversifying economies and narrowing the gap between haves and have nots. Young people should emerge from educational systems with appropriate skills for the workforce, not only the skills that educational systems are now best equipped to teach. Globalization should be viewed not as a threat, but rather as opening a whole new world of possibilities for the region's next generation.

Politically, the truth is that many political systems in the region do not function effectively as mechanisms for citizens to express and work out their discontents. Political structures all too often serve to insulate the regime and governing elite from change, rather than lead it. The voices of publics are all too often ignored, until they raise them to a shout. Information can no longer be controlled and manipulated, and satellite television and the revolution in information technology will become ever more profound forces in the years ahead.

While we as Americans need to be mindful of the limits of our influence and the imperfections of our own system, we will work with those who seek to deepen respect for the rule of law, and the rights and sanctity of the individual. Every society can find ways to broaden political participation and respect for basic freedom consistent with its own political culture and traditions.

None of this will happen overnight. But I am convinced that societies which anticipate and get out ahead of inevitable pressures for greater economic and political openness will prosper; those that do not will fall farther and farther behind. That's the simple reality of life in the 21st century. It is, as I said, very much in our long-term interest, and it is very much a reflection of our values, to support those who want to move toward greater openness. That is why the President has asked Secretary Powell to outline shortly a new American initiative to use all the tools and forms of assistance currently at our disposal, as well as some innovative new programs, to support regional efforts to restructure economies, strengthen educational systems and build vibrant civil societies.

Mr. Chairman, thank you again for the opportunity to appear before you this afternoon. I value greatly the frequent conversations I have with you and the other members of the committee. We may not always agree, but I always learn from you, appreciate your insights and am grateful for the chance to explain Administration policy. I have absolutely no doubt that the challenges before us in the Middle East will require continued close cooperation and consultation in the weeks and months ahead.

Mr. GILMAN. Thank you very much, Mr. Secretary.

Recent press reports indicate the President may propose a provisional Palestinian state in parts of the West Bank as part of his speech this week on policy. Can you comment on the validity of those reports?

Mr. BURNS. Mr. Chairman, and this also helps address some of the concerns that some of your colleagues raised as well. Let me just try and say the following. First, President Bush is considering a major statement, a public statement, outlining the way forward, which could include talking about some of the steps and the way stations along the path back to a political process and ultimately to the permanent two state solution that I think many, many people accept and support.

Those steps obviously should include real reform on the part of Palestinians, institution building in preparation for statehood, real

performance on security and the discharge of responsibilities by all parties.

I think one of the central themes that President Bush has stressed repeatedly and that I am sure he will stress in whatever public statement he makes is the theme that Mr. Lantos picked up, and that is progress has to be performance-driven. The parties must actually deliver on the responsibilities that they have.

I think another theme is likely to be that as we look at ways of renewing both political hope and ultimately a political process that it ought to be based on familiar foundations. By that I mean U.N. Security Council Resolutions 242 and 338, the principle of land for peace, the same principles that Administrations for decades have employed and sought to achieve.

I hope all of you will understand that I am not able today to go into much more detail with regard to choices that the President will make and that he will speak to publicly, but I do believe that those are some of the central themes that he stressed before that I am certain he will continue to stress.

Mr. GILMAN. Thank you very much. I will reserve my further questions.

Mr. Ackerman?

Mr. ACKERMAN. Thank you. Mr. Secretary, there has been a lot of talk about recognizing a provisional Palestinian state. Along with that there seems to be universal recognition that as a governing entity the Palestinian Authority has been nothing but a total and thorough disaster, unless you could offer another view.

My question is, has the time come for the Palestinian Authority to be functionally bypassed as the administrator of the Palestinian self-rule areas, and would the Palestinian people not be better served with a financial and administrative control board or an international receivership? Maybe you could tell us what purpose the PA actually does serve.

Mr. BURNS. Sure. Mr. Ackerman, what I would stress is that the time has come for real transformation, for real reform, for the building of strong institutions in preparation for statehood, as I said before.

Palestinians deserve and are capable of creating institutions for responsible governance. What that means, I think, is very straightforward—a real separation of powers, transparency, accountability, all of the attributes of a political system that works, a system that does not depend on any one individual.

In the conversations I have had with many, many Palestinians inside the Palestinian Authority and the Palestinian Legislative Council, in Palestinian civil society, including some of the strongest critics of the current Palestinian leadership, what is clear to me is that there is a very strong and growing ferment on the part of Palestinians about making those kind of changes. There are many people who are fed up with some of the aspects of governance that Palestinians have experienced over the last few years.

What is also clear to me is that Palestinians perceive this to be very much in their self-interest. This is not a favor to us or to anyone else, and I think that the basis for making progress has got to be Palestinian authorship and Palestinian ownership of these kind of changes.

Now, I do also agree with you, sir, that there can be a very important role for the international community not only in providing tangible support for real reform, not cosmetic changes, but also for ensuring that resources that get provided are used in the pursuit of those real reforms.

Mr. GILMAN. Mr. Secretary, I regret we are going to have to put the Committee in recess until the votes are concluded. We will come back as quickly as we can.

Mr. BURNS. Okay.

Mr. GILMAN. The Committee stands in recess.

[Recess.]

Mr. GILMAN. The Committee will come to order. Will the Members please take your seats?

I think our next inquiry will be by Mr. Sherman? Ms. Berkley? Mr. Issa?

Mr. ISSA. Thank you, Mr. Chairman. Mr. Secretary, and I apologize for the nature of our votes always coming at the worst times. The only thing we can say is that we do it to everyone on an equal opportunity basis.

Probably one of the areas that I have the greatest concern for is the absence of a response from either a coalition or Israel directly as to what should we do post Beirut summit. You know, I hear some comments, but even when Prime Minister Sharon was here and former Prime Minister Netanyahu, I am not sure that I heard where do we go from here or a counteroffer.

You know, as a former businessman, I always assume that the person who loses is the last one to make a counteroffer. Perhaps since you spent so much time in the region, do you see that counteroffer and how it should come and what it should look like?

Mr. BURNS. Thanks, Mr. Issa. The first thing I would say is I do think that the diplomatic efforts that the Saudi leadership has made in recent months, in particular the efforts Crown Prince Abdullah has made, reflected in the outcome of the Arab summit, is a promising development.

I think the fact that you had a clear offer, clearer than ever before, from the Arab League of normal relations with Israel and the fact that you had the offer of a collective security arrangement with the entire Arab world with Israel is a step in the right direction, and I think that is something the President has strongly encouraged, including in his own conversations with Crown Prince Abdullah.

I think translating that vision, like any vision, into reality is going to require all sides to fulfill responsibilities, including Arab states. On the one hand it is very encouraging to see that level of activism, that willingness to be engaged, the willingness, for example, that leads Egypt and Jordan to push the Palestinians to reform security institutions, to be willing to offer tangible help in accomplishing that.

Their understanding that it is only through that reform and institution building that a partner is going to emerge in whom Israelis have confidence and that Palestinians themselves deserve, so their willingness to roll up their sleeves I think is a good thing, but you need to see the broad initiative translated in those practical terms.

I think that is something that I know the President very much wants to encourage with regard to the Arab states both to reinforce the importance of some steps they have taken and also to emphasize the importance of taking other steps.

For example, while the Saudis have steadily increased their cooperation with regard to terrorism financing, there is more that can be done certainly with regard to the flow of private money to Islamic Jihad, Hamas and to other groups. That is a very important part of a broad strategy for trying to move back in the direction of a political process.

Mr. ISSA. I guess my second question may be sensitive, and I would understand that probably some of it cannot be said in an open hearing, but when Secretary of State Powell visited both Lebanon and Syria there clearly was a message asking those countries to reign in Hezbollah, to get them to cease their activities on the border at a level. They obviously have gone to a level that had not been seen since Israel pulled out of the south of Lebanon. They complied. There is no question that there was a request and a response, and my understanding is that response has mostly continued.

What is the likelihood that we can then ask for the next step, which is that that peace be somehow made more final or at least be something that we can expect on a continuous basis? Is that a reasonable next step in what has now been shown that Hezbollah does react to requests from one or the other or both countries?

Mr. BURNS. Well, sir, I think it is a very important challenge, and I do not think any of us have any illusions about the difficulty of it.

You are right. When Secretary Powell about 5 weeks ago visited Damascus and Beirut, he reinforced the message about American concern, about the importance of exercising restraint along the blue line because the last thing anybody needs right now at a time when the Administration is trying to find a way back to a political process is an upsurge in violence across the Lebanese border. I think since then there has been relative calm, although none of us should be complacent because it is a continuing concern.

Our relationship with Syria is a very complicated one. We have some very serious problems with Syria, as you know very well, and we have been very direct in communicating them. We will continue to do that.

We have also made it clear that our agenda, for example, on terrorism extends well beyond al-Qaeda. It is true that the cooperation the Syrians have provided in their own self-interest on al-Qaeda has saved American lives, and that is a fact, but our agenda goes well beyond that. It includes groups like Hezbollah, which have been responsible for the killing of Americans in the past, which have threatened American interests and which threaten them in the future.

That is a choice that Syria is going to have to make, but there has been no question of the importance we attach in our direct conversations, including my own conversations in Damascus 10 days ago, about that issue.

Mr. ISSA. Thank you. Thank you, Mr. Chairman.

Mr. GILMAN. Thank you, Mr. Issa.

Mr. Berman? Mr. Lantos?

Mr. BERMAN. Thank you, Mr. Chairman. I actually have heard, or at least gleaned, from the Israelis the counteroffer. It is that they welcomed Crown Prince Abdullah's proposal.

There is no doubt that there is a little difference between his proposal and as it was filled in at the Beirut meeting of the Arab League, but, putting that to the side, they welcomed it primarily because the Saudis have been so silent on the issue of their willingness to participate in the normalization process with Israel.

Furthermore, the Israelis are willing to participate. At the time, I think Prime Minister Sharon said we will participate and maybe even suggested the idea of an international conference.

Third, before the process of serious political discussion starts, somebody—the Palestinian Authority, the Arab League—has to get a hold of these continued acts of violence, that was a precondition to moving ahead, and that in effect was an Israeli counteroffer not that different than what Senator George Mitchell and his commission proposed and Mr. Tenet as well to the meeting in Beirut.

What I would like to focus on is, I was wondering if you would take up my offer to hypothesize a little bit about in the context—well, let me put it this way. What is State Department policy, and if it is not the same as the Administration's policy, how does it differ from the Administration's policy on the issue of targeted short-term incursions into Palestinian Authority areas, what we refer to as Area A, for the purposes of going after selected, specific information regarding new terrorist plots, terrorist presence, bomb factories, weapons warehouses, the kinds of incursions that we have seen on a number of occasions in recent months? What is the U.S. policy on that?

Mr. BURNS. I think the U.S. policy, sir, involves a couple of parts. The first is, as the President has made very clear, he both understands and supports Israel's right to defend itself. Any society has to defend itself from the kind of terrorist atrocities which we witnessed again this morning.

The second part of it is the question that the President has also asked, and that is the importance of thinking through the consequences of particular actions when they are taken. That is not a challenge to the right of self-defense, but it is simply a prudent consideration.

Think through the consequences in terms of their impact on innocent Palestinian civilians, in terms of the impact the day after and the day after that on prospects ultimately for renewing an atmosphere in which you can get a political process going again, the consequences in terms of again moving back in the direction of a political solution because the military solution I think we all understand is not going to work.

Mr. BERMAN. Do you have reason to believe that the Israelis do not think about the consequences of these specific decisions before they undertake them?

Mr. BURNS. No, sir, I do not, but, I mean, that is just something as a friend I think it is important for the United States to point out and the impact that it does have on ordinary Palestinians.

Mr. BERMAN. In the context of making the link that you implied you did not quite make that the right of self-defense in these situa-

tions provides a justification for at least on occasion making these incursions. How does that change in the context of the creation of a provisional borderless state?

Mr. BURNS. Well, sir, that is one—

Mr. BERMAN. That issue was raised by a number of people. Analytically, how does that change things?

Mr. BURNS. Well, let me just offer two comments. First, that is probably hypothetical territory that I cannot get into right now, and that is for the simple, straightforward reason that there are a number of way stations and concepts that the President is considering as he considers this public statement that he may make, so I simply cannot get out ahead of choices that might be made. I hear very clearly all the concerns that you have raised.

The second thing I would say is that it seems to me that whatever sort of formal arrangements are made, whatever you call the political arrangements, that what is essential over time is to restore serious cooperation between a responsible Palestinian leadership and the Israeli leadership to fight against terrorists and extremists.

Over the course of the 1990s when that kind of cooperation existed, that was the best insurance and the best prescription for real security for both Israelis and Palestinians. Now, it is much easier to say that than it is to do it, especially against a backdrop of 21 months of pain and bitterness and failed leadership in many respects on the part of the Palestinian leadership.

I think it is essential to keep focused on that and to try and find a way in which serious Palestinian security institutions can be rebuilt and provide the basis for renewing that cooperation.

Mr. BERMAN. Mr. Chairman, I hope we can have an opportunity for a second round.

Mr. GILMAN. We will try to arrange that.

Mr. Cantor?

Mr. CANTOR. Thank you, Mr. Chairman.

Mr. Secretary, the United States has designated the Al-Aqsa Martyrs Brigade as a foreign terrorist organizations, but it seems that we are in disagreement with Chairman Arafat because Chairman Arafat was recently on TV stating that the Brigades were not involved in terrorism. The information that I have seen would indicate that this organization is part of the PLO and thus comes under the control of Mr. Arafat.

My first question to you is is it your opinion that the disagreement we have with Mr. Arafat lies in our disagreement over the definition of terrorism or that Mr. Arafat supports the activities of the Brigades? That is question one, Mr. Secretary.

If I could ask you on a completely different subject, the situation having to do with the UNRWA, the United Nations Refugee and Works Agency. As we all know, 50 years ago or more UNRWA was created as an independent agency of the U.N. established specifically to deal with Palestinian refugees.

The charge to UNRWA is to provide the Palestinian refugees with humanitarian assistance, whereas for the rest of the world's refugees they come under the charge of the U.N. High Commission on Refugees, and the charge to that is to seek permanent solutions for the problem of refugees with assisting governments, so it seems

we have sort of a bifurcated situation and a special status for Palestinian refugees.

Given what has transpired in Jenin, the appalling humanitarian conditions that are there, the fact that there are widespread reports of the Palestinian population dubbing Jenin the suicide capital because that is where most of the suicide bombers come from, the fact that it appears that there really are no efforts ongoing to stamp out the violence and change the culture in those camps, and the fact that the United States provides I think over two-thirds of the budget to UNRWA, and that is U.S. taxpayer dollars going to support this. They are essentially overseeing a camp which has served as a terrorist base.

Would it not be best if we ceased supporting that and perhaps turned over Jenin to the U.N. High Commission on Refugees and the likes of Jenin and other so-called camps and put Palestinian refugees on an even playing field, if you will, giving them the opportunity for a permanent status situation and permanent solutions for the problem that they are facing in the same type of way that UNHCR does in other countries?

Mr. BURNS. Thanks, Mr. Cantor. Let me try and respond to both questions. First on the Al-Aqsa Martyrs Brigade, there I would just say we flatly disagree with Chairman Arafat. We are convinced that the Al-Aqsa Martyrs Brigade has been responsible for acts of terror, and that is the reason that we put them on the terrorism list recently, as you know.

The Al-Aqsa Martyrs Brigade, as I understand it, is a very loose collection of individuals and small groups which have carried out and continue to plan to carry out acts of terror. That is something that we flatly oppose and, as we say, we flatly disagree with Chairman Arafat with regard to the statement that he made.

On the second issue, sir, of UNRWA, let me say first that I understand the concerns that you have raised and Mr. Lantos has raised and many of your colleagues have raised before, and I guess I would say the following. The Administration/U.S. Government takes very seriously our commitment under 301(c) of the Foreign Assistance Act to insure that monies that we provide to UNRWA is not used in any way which can be even indirectly connected to terrorism.

We have had extensive discussions with the leadership of UNRWA about that concern. They have recently reissued a code of conduct to their employees trying to reinforce that point. We also followed up with the UNRWA leadership about trying to create more international positions to provide random checks on various UNRWA facilities to make sure that things are conducted properly.

We have also urged the Israelis as recently as last week where they have specific concerns, for example, about UNRWA employees or UNRWA facilities to share that information or those concerns because that is something that must be followed up on.

At the same time, I would say that the way in which UNRWA has been set up leaves them in the position where, unlike UNHCR, they are not responsible in the camps in which they work for overall administration or for security. That is the responsibility of the host government. For example, when I served as Ambassador in

Jordan it was the Jordanian authorities who were responsible for security.

Sadly, in some parts of Area A, for example, including Jenin Camp, the Palestinian Authority has not exercised in any serious way that security responsibility for a long time. What UNRWA does is provide essential—absolutely essential—health and educational services, which, as the Israeli Government recognizes, would likely not be provided by anyone else if they were not doing that.

I have to also say based on my own travels to different camps in the West Bank and my work in Jordan that I have a lot of admiration for individual UNRWA employees who under very difficult circumstances have continued to provide those services.

Now, does that make it a perfect institution? Of course not. As I said, I understand the concerns that you and Mr. Lantos and others have raised, and we will continue to follow up on those, but I think it is important to understand that UNRWA's mandate from its inception does not include responsibility for overall administration and security.

Mr. GILMAN. The gentleman's times has expired.

Mr. Lantos?

Mr. LANTOS. Thank you, Mr. Chairman. I would just like to return very briefly to some of the points I raised at the outset and hope that you will be able to respond to them.

First, let me again express my strong support for the President's speech at West Point. As I understand it, it calls for the recognition that containment and deterrence are not effective formulas in dealing with international terrorist organizations, nor with states headed by leadership such as that of Saddam Hussein. I think the President is absolutely correct, and I think he will find broad bipartisan support for his position.

Now, there is a movement in this body, as you may or may not know, Mr. Secretary, on the part of people who disagree with the President's position on this issue to criticize it by indicating that there has been no consultation with Congress on this matter.

Eleven years ago when the Persian Gulf crisis was brewing, President Bush brought to the Congress the issue. At that time, with overwhelming Republican and minimal Democratic support, including myself, the President prevailed. It is my judgment, Mr. Secretary, that if the President now brings this issue to the Congress he will prevail overwhelmingly, but it would be a very serious mistake not to bring this issue to the Congress.

This is one of the most important policy changes of our government in many a year. I think it is a good policy change, but I think it can be defeated on procedural grounds if the President merely moves and does not consult Congress and asks for our concurrence. I would be grateful if you could comment on this.

Secondly, when the suicide bombing wave was just beginning, there was an implicit and at times explicit assertion that clearly nothing can be done with respect to Iraq until the Israeli/Palestinian crisis is resolved. I thought at that time, and I am convinced now, that that is the wrong sequence; that it will take a long time to resolve the Israeli/Palestinian crisis.

If we wait for the resolution of that crisis then the President's prediction that Saddam Hussein will have developed all the weapons of mass destruction he is now working on will have become a reality, and, as the President says, it will be too late.

What is the State Department's view on the sequence of these two issues? Please do not tell me they have to be pursued simultaneously because there is a sequencing issue. It is the judgment of some of us that resolving the regime change problem in Iraq will make the resolution of the Israeli/Palestinian crisis dramatically easier.

Mr. BURNS. Mr. Lantos, let me comment on both of those points and then also comment on another point you raised in your opening remarks, and that is the importance that you rightly attach to progress being performance driven.

Let me just stress again that one of President Bush's essential and consistent themes has been exactly that; that the only way in which we are going to make progress back toward a political process and ultimately to the kind of vision that he has talked about of a two state solution is through performance, through all parties actually delivering on their responsibilities. I am sure in whatever public statement the President chooses to issue, you will see a strong emphasis on that point.

Mr. LANTOS. May I just interrupt you for a second?

Mr. BURNS. Yes, sir.

Mr. LANTOS. In addition to a strong emphasis, am I to anticipate in the President's statement no chronological criteria because I believe that chronological criteria are totally at variance with performance-based criteria whether you establish a 6-month period, a 6-year period or a six century period? If it is not related to performance, then the criteria becomes meaningless.

Mr. BURNS. The only thing I will say with certainty, Mr. Lantos, is I am sure that anything that is discussed, whatever positions are taken, targets are set, will be performance driven. I am absolutely sure of that.

Second, with regard to the point, sir, that you made about consultation, I will reinforce that point and take it back both to the Secretary and to the White House because I understand very clearly exactly what you are saying and the importance that not only you, but other Members, attach to it.

Third, with regard to the question of Iraq and the Palestinian/Israeli conflict, I guess what I would say, sir, is the following. First, the President's policy very clearly is that the United States cannot wait until the day when the Iraqi regime might once again threaten our interests, the interests of its neighbors and in fact the interests of the Iraqi people.

He has been very clear also about his conviction that not only the Iraqi people, but the region and the United States, would be better off with a different regime in Baghdad, a leadership beyond Saddam Hussein which is committed to preserving the territorial integrity, the sovereignty of that country, and committed to developing through an open and pluralistic society the potential of the Iraqi people, which is enormous, and also to living in peace with its neighbors. He has been very clear about all that and very clear

also, as I said, that the United States cannot wait until a threat re-emerges that will become even more difficult for us to deal with.

At the same time, we do face a challenge with regard to increasing violence between Palestinians and Israelis. It is not so much a question of resolving the conflict, much as all of us would like to see that happen and to see a two state solution emerge. It is a question of beginning a process that involves progress I think along three tracks, as you and many of your colleagues have discussed already. One is serious security performance so that Palestinians again meet their responsibilities with regard to fighting extremism and terrorism.

Second is real reform and institution building not as an end to itself, but in preparation for statehood and as a way of not only producing institutions that Palestinians deserve and are capable of, but also helping to reassure others in the region, and particularly Israelis, about the nature of the partner they are dealing with.

Third, I believe, is renewing political hope, renewing a sense that a political solution is possible. Now, that does not add up to resolving the conflict. What it does add up to in my mind is pointing things in a different and more promising direction, and I believe that is very important to do even as we deal with the very important challenge and the threat that is posed by—

Mr. LANTOS. If I may just have a brief follow up, Mr. Chairman? I quoted earlier Dr. Rice's statement:

“Frankly, the Palestinian Authority, which is corrupt and cavorts with terror, is not the basis for a Palestinian state moving forward.”

Does the State Department agree with the express view of the National Security Advisor?

Mr. BURNS. I agree that there are serious problems with regard to the way in which the Palestinian Authority has conducted itself. More importantly than whether I agree is the fact that I believe many Palestinians share that concern, and they want to see stronger institutions emerge.

If there is going to be a chance for real progress for Palestinians, those institutions are going to have to be developed by Palestinians and for Palestinians, and that is something that I think many people in the international community are prepared to support if they see a real commitment on the part of Palestinians. There is where I would put the emphasis, sir.

Mr. LANTOS. Thank you, Mr. Chairman.

Mr. GILMAN. The gentleman's time has expired.

Mrs. Davis?

Mrs. DAVIS OF VIRGINIA. Thank you, Mr. Chairman.

Thank you, Mr. Secretary, for being here. You stated in your opening remarks earlier, and I believe your words were in quotes, there was “absolutely no middle ground here” when you were referring to what happened this morning.

Based on that, I wonder if you still believe, and this probably goes back to what Mr. Lantos said, do you think the President believes that we should provide a provisional state for Palestinians at the moment? If we did, would that not be rewarding terrorism?

Also, could you explain what provisional means? That is my first question.

The second question is referring to a letter to the Chairman dated May 11, 2002, with regards to some legislation. The State Department said,

“I do not encourage or support the introduction of legislation during this critical period that appears one-sided to the majority of the nations in the Middle East region.”

Does that mean that this is a moral equivalence and the direction that the State Department is going to take from here on out that regardless of what the Palestinians have done we do not want to do anything that would look like we are supporting someone like Israel, who is doing nothing but protecting themselves and not condemning what the Palestinians are doing?

Mr. BURNS. No, ma'am. Let me just respond to both questions.

First on the question of provisional state, again I apologize, but I cannot address directly the question of provisional state. What I can address is the theme that you have raised, and that is the issue of security and political hope.

I guess what I would say simply is that you can have all the political visions and the political possibilities in the world, but we are not going to succeed in making progress, and this is where I mean that there is no middle ground, unless you see real performance on security.

At the same time, I also believe that you are not going to make enduring or lasting progress on security unless people have some sense of political hope. That does not mean rewarding terror. It does not mean rewarding violence. It simply means reaffirming what not only this Administration, but many previous Administrations, have stood for in terms of a political solution that cannot be arrived at through violence, terror or the manipulation of violence, but only through a negotiating process.

Mrs. DAVIS OF VIRGINIA. Do you believe we can have a provisional state with Arafat in control?

Mr. BURNS. Well, ma'am, on the issue of provisional state I just cannot address it. I think as the President has said himself, I really do not think Arafat is the issue here.

I think the issue that we ought to focus on and that many Palestinians are focusing on right now is the need to build strong institutions, as I said before, in their own self-interest, not as a favor to us or anyone else. I think that is a sentiment on the part of Palestinians that we need to encourage and support, and I think it is a very important phenomenon right now.

Ma'am, with regard to the second question about our concerns about particular legislation, it is not a function of moral equivalency. Our support, this Administration's support for Israel's security, for its well-being, I think has been made abundantly clear, and I do not think there can be any question about that.

When we have concerns about particular pieces of legislation, it is often times a function of our concern about preserving the President's flexibility in dealing with some very difficult relationships, whether it is our relationship with Syria, our relationship with others in the region, so that is the basis for it.

It is a question of how to get from here to there in tactics. It is not a question of moral equivalency. It is not a question of us in any way underestimating the depths of the problems we face.

Mrs. DAVIS OF VIRGINIA. Thank you, Mr. Secretary. Thank you, Mr. Chairman.

Mr. GILMAN. Thank you, Mrs. Davis.

Mr. Wexler?

Mr. WEXLER. Thank you, Mr. Chairman.

First, Mr. Secretary, I would like to recognize what I think has been a herculean effort on your part personally in terms of your efforts to pursue a course of progress, and I think the American people owe you a great debt of gratitude for your efforts.

I would like first, if I could, to just try to elicit from you the official State Department response and, if there has not been one, then your own personal assessment with respect to the documents that Prime Minister Sharon delivered to the President and I believe to the Secretary not on his last visit, but the visit before that, where Prime Minister Sharon argues those documents established a significant degree of complicity between or among the Palestinian Authority and the infrastructure of terror and implicated Chairman Arafat himself and others.

I would be curious if you could share with the Committee if there has been an official State Department reaction or, if not, your personal assessment, and I ask not only from the point of view of judging culpability, but also from the point of view of weighing the effectiveness of potential reform efforts by the Palestinian Authority.

It would seem to me that in order to effectively gauge whether reforms at least initially are real or are cosmetic, one of the criteria would be to see who it is that was directly involved or indirectly involved or not involved and what those people's roles are under the new so-called reform process.

If I could also inquire of your assessment with respect to the security fence, the 220-some-odd-mile security fence that Israel is constructing? Has there been an official State Department position taken with respect to that security fence?

Personally, I believe the strongest argument that the Israelis make with respect to the security fence is the analogy that they make to Gaza, although obviously it is a very different circumstance, but that in effect it is the same kind of security fence that exists already in Gaza and to a degree has worked effectively in Gaza, so what could we possibly argue would stand in the way of Israel's right to construct such a security fence at this point?

My final matter of inquiry, if I could, is with respect to the training of Palestinian security or intelligence officials, which has gone on in the past and which may occur again. How are we judging which individuals we are training?

It is my understanding that some of the same individuals that were either killed or captured by the Israelis as a part of Al-Aqsa or other terrorist groups, that they also had joint membership with the intelligence or security forces that in the past had been trained by America. I am curious as to what precautions or safety mechanisms we may employ so that that may not happen again.

Mr. BURNS. Sure. Mr. Wexler, let me try and respond to all three of the questions you raised.

On the question of the documents that were provided to us by the Israeli Government, there has been preliminary work done on them. There has been no sort of conclusive assessment done yet.

I would just offer my personal view, and that is what I have seen of them tend to reinforce the conclusions that we have drawn in other documents like the PLO Compliance Act report. It points to a failure to exercise responsibility, a failure of leadership on the part of the Palestinian Authority leadership with regard to its responsibility to control armed groups, to reign in violence, to discipline people who have been involved in acts of terrorism.

We will address that in more detail more formally in the next PLOCCA report, which we will have up to the Congress before the end of June, covering the period that runs through the 15th of June and the period in which we actually received the documents from the Israelis.

On the question of the fence, the first point I would make is just to stress something I said before to Mr. Berman. First, we understand, and, as the President has made very clear, we support Israel's right to defend itself. It is an understandable security concern, so that is not really at issue here.

The concern that we have raised has to do with the extent to which a particular fence or barrier can become an attempt to fix the border unilaterally as opposed to negotiations, and that is simply a concern that we have out there.

A related concern has to do with reports at least that I have seen about land confiscations that may or may not have taken place in order to construct the fence. The position that this Administration, like its predecessors, has taken on unilateral acts like land confiscation is to express concern and opposition to that.

Those are the concerns we have, but it is not about the fundamental issue of security.

Mr. CHABOT [presiding]. Excuse me. The gentleman from Indiana, Mr. Burton, is recognized for 5 minutes.

Mr. BURTON. Thank you, Mr. Chairman.

For the record, I want to read the title of the article I referred to earlier, Mr. Secretary. It is called "Catching the Visa Express." It was in the *National Review* of July 1.

I hope that you will address this issue of whether or not we are allowing travel agents to give visas out to Saudis. Hopefully that process has stopped, especially since the tragedy that occurred on September 11. We know that some of those people got visas through travel agents instead of going through our Embassy there.

Now, the thing that I want to concentrate on is the rights of American citizens. Our State Department for the past 20 or 30 years has not done anything to help these mothers get their kids back. Many of these mothers have been given custody of their children by the Courts.

The husband kidnaps the kids when he has custody of them for the weekend or on a vacation, and he takes them to Saudi Arabia. Then the Saudi Government says that our laws, which are religious in nature, give complete authority to the husband over the wife

and the children, and, as a result, we cannot do anything about getting those kids back.

We had one case where an Ambassador was trying to help get the children back by denying visas to the immediate extended family of the father who kidnapped the children. It was working, but the subsequent Ambassador stopped that in its tracks, so they never got the children back.

There are things we can do. We have used the visa privilege in other parts of the world with a great deal of effectiveness. I do not know why we cannot do that with Saudi Arabia, especially when we are talking about the constitutional rights of mothers and the children.

As I said in my opening statement, if we can get them back here and then they decide they want to return to Saudi Arabia, they have made their decision. To have them sit before a clerk at the Embassy or somebody from the State Department and he asked "do you want to go back to America?" and the father is sitting there, knowing they are going to beat them when they go back home if they do not say the right thing, they are going to say oh, no. I am happy here. These children cannot give an honest answer because of the fear factor.

The punishment that they endured that was described in my Committee was just unbelievable. That is one thing we have to address. I hope the State Department will take a different view than they have in the past.

I am very disappointed. I know the President has a lot on his plate, and we are going to be working with him on homeland security and other nations so I am not criticizing the President, but I am disappointed that I gave him two letters last week and was promised they would be given directly to Prince Saud when he was here.

I wanted him to discuss this issue directly with the Foreign Minister of Saudi Arabia. As I understand it, you were the one that discussed it instead of Secretary Powell or the President. I would like to know why that occurred and what transpired during that visitation that you had with him.

We are going to have further hearings on this because we had one person at the Embassy in Saudi Arabia tell a mother who took her two children to the Embassy saying my children have been kidnapped, and after discussing this with her for a while the consular there said you have to leave.

These are three American citizens. You have to leave American territory, our territory. Because we are guests in this country and because the mother would not leave with the two children, telling the consular that she was going to be arrested and the children would go back to the father who had been punishing them severely, they ordered two United States Marines to take this mother and the two children to the front gate and escort them out of our territory of the United States Embassy. We are going to have hearings on that.

Those sorts of things must end. We must have our State Department and our Executive Branch protecting the constitutional rights and liberties of American citizens abroad. I hope that you get the message, the State Department gets the message, and the White

House gets the message because if they do not, as long as I am Chairman of the Government Reform Committee, we are going to keep begging people in making a case, and there is going to be a lot of publicity about it. It is something I do not think we want to face.

With that, I would like to hear your comments.

Mr. BURNS. Mr. Burton, let me first say I have spent 20 years working for the government in diplomatic service, and I can assure you that there has never been a day go by in the discharge of my duties when I am not committed to defending the rights of American citizens overseas. I am sure that is true of my colleagues as well. That is a fact.

Mr. BURTON. Well, I believe that it has not been the case, Mr. Secretary, in our Embassy in Saudi Arabia. I can give you case after case where they have not gone to bat for the American people and those kids that have been kidnapped.

Mr. BURNS. Let me address, Mr. Burton, just the concerns that you raised, especially with regard to recent contacts with the Saudis, because the truth is that Secretary Powell did raise directly with Prince Saud a few days ago when he was here the concern that you rightly emphasized, and that is the concern about child custody for American citizens. He raised it very directly, and he stressed the President's concern about that issue.

I raised exactly the same concern on behalf of the President with Crown Prince Abdullah in Jeddah in Saudi Arabia 10 days ago, and what I stressed, sir, was just as you described: The deeply painful nature of this issue for the human beings involved.

This is not to talk about the two different legal systems or anything else. This is to talk about a human concern about keeping families connected, and that is a very important thing that as human beings, I think, Americans and Saudis, ought to share, that American and Saudi leaders ought to share.

I stressed exactly those same terms to Crown Prince Abdullah, and Secretary Powell did exactly the same thing with Prince Saud. I hope very much that we can on that human basis produce some better results in terms of contacts with people.

Mr. BURTON. One last question.

Mr. BURNS. Yes, sir?

Mr. BURTON. This is not just a question of what you are talking about. These men broke the law. The law gave those children to the mothers. They kidnapped the children. They forcibly took them away from their mother to a foreign country.

It is not just a question of human beings being kind to one another and the custody being shared. It is a question of them breaking the law and us not being able to bring them to justice, and these men come back into this country with visas given by the State Department while there are warrants out for their arrest. They come in on diplomatic passports. That is something we cannot tolerate.

Mr. CHABOT. The gentleman's time has expired.

Mr. Engel is no longer with us today? Okay.

The gentleman from California, Mr. Schiff, is recognized for 5 minutes.

Mr. SCHIFF. I yield my time, Mr. Chairman.

Mr. CHABOT. I am sorry. Did the gentleman say he had no questions?

Mr. SCHIFF. Yes. I am yielding my time, Mr. Chairman. I yield back my time.

Mr. CHABOT. Okay. Thank you very much.

The gentleman from California, Mr. Berman, is recognized.

Mr. BERMAN. Mr. Secretary, Mr. Wexler asked you a series of questions about the Administration's position with respect to the fence. I am curious. From what comments by the Israeli Government, as opposed to the settlers or as opposed to the Palestinians, but from what comments by the Israeli Government does the United States conclude that there is ambiguity, little less a likelihood, this fence is intended to constitute a unilateral decision by Israel to draw a border?

Mr. BURNS. I have not seen any comments to that effect, sir, so what I am simply—

Mr. BERMAN. I mean, you talked about how we are against unilateral acts. My understanding is the Prime Minister, the Defense Minister have all talked about this as a defensive measure to try, and I do not know how successful it will be, but to try and reduce or eliminate these acts of terrorism and the suicide bombers.

I have heard no statement that would indicate there is any ambiguity about whether or not it is supposed to constitute a legal or de facto border.

Mr. BURNS. Right. Sir, I am not accusing anyone of raising that at all. What I am saying is as a matter of self-defense our position is very clear about Israel's right to defend itself and to take those security measures that are essential to protecting Israeli citizens.

The only question I think that we have to keep in mind is the possibility that facts that you create on the ground can then become justification for broader political issues like borders. It is a concern that we need to keep in mind. That is all.

Mr. BERMAN. All right.

Mr. BURNS. And then the practical concern on land confiscation. That is a real concern.

Mr. BERMAN. I understand.

Mr. BURNS. Thank you.

Mr. BERMAN. Okay. So there are concerns and real concerns. Back to a question I raised earlier that we did not get a chance to discuss.

Again, I am struck by this whole issue of Arafat and the Palestinian Authority and terrorism. Can he control, or can he not control terrorism? When I think of a police force armed far beyond anything ever contemplated in the Oslo Accords, 40,000 people at least at its high point, patrolling Area A where there were no Israeli security forces during much of this time since the 1995 withdrawals and the presence of bomb factories and terrorist cells and terrorist networks, it is incomprehensible to me that in an area that small with a police force that large, if the government had truly wanted to stop the work that led to acts of terrorism could not have stopped it.

Add to that the documentation that was presented to the U.S. Government by the Israelis captured from the Palestinians, the stories and events around Karine-A. What is your conclusion about

the Palestinian Authority's role in the facilitation, the condoning, the allowing and perhaps the financing and organizing of clear acts of terrorism?

Mr. BURNS. Well, Mr. Berman, you asked in your opening comments first a question about is the Palestinian Authority and its leadership making a 100 percent effort against terrorism, and the answer to that question is no.

The second point that you raised is something that we have addressed in very straightforward terms, and that is what we have seen is a pattern in which the Palestinian leadership has failed to exercise its responsibility and fulfill its commitments to exercise effective control and consistent control over armed groups on the territory that it controls.

That is borne out by evidence not just that the Israeli Government has provided us, but that we have discussed with you on many occasions before. It is a record of failure to exercise that kind of consistent and effective leadership and responsibility.

Mr. BERMAN. I guess I am trying to see if you will go that one step that seems to me is logically compelled further, and that is that the Palestinian Authority knew and allowed this activity to go on; not just some notion of they were negligent in not stopping it, but there was a conscious realization that this was going on, where it was going on, with whom, who was undertaking it, and they made a conscious decision not to stop it.

Mr. BURNS. The conclusion we have drawn, sir, the best I can put it, I guess, is that, you know, what we have seen is significant elements of groups, whether it is the Al-Asqa Martyrs Brigade, the Tanzim, Force 17, involved in acts of violence and terrorism. There is no question about that.

Second, we have not seen compelling evidence that would suggest that the leadership of the Palestinian Authority has directed particular acts or has been complicit in particular acts.

As I said, that in itself is irresponsibility because that leadership does have a responsibility to discipline people who are involved in that, and there have been some instances in which people have been arrested and steps have been taken. That is true. There have also been some instances recently in which much clearer public condemnations of those kind of acts have been issued. That is also true.

The general pattern has been one of not fulfilling that basic responsibility, and I think it underscores the importance of creating the kinds of institutions and security services that are both capable of carrying out those responsibilities and also demonstrate the political will to do them.

Mr. CHABOT. The gentleman's time has expired.

The gentleman from California, Mr. Issa, is recognized for a quick one question, and then the gentleman from California, Mr. Schiff, will be recognized for 1 minute.

Mr. ISSA. Thank you. Mr. Secretary, the question is short, and the answer probably would require that you revise and extend, if you do not mind.

I have a specific concern that the years of borrowing that Lebanon has done has put it into a position where, depending upon whose estimates you use, it is four, five or six times what the

World Bank considers to be an acceptable debt load. It certainly has enabled four times the debt load that Jordan has.

Some say that is an imminent collapse of the money supply. Some say it is not. If you could give us back your comments I guess for the Members and make sure they get it on what you think is likely to happen and what you think the impact of that devaluation, default or whatever should and if it happens is?

I will be very brief. My personal opinion is if it does happen, it takes an already difficult situation and makes it much more difficult for you to accomplish your mission, and I think it is an area in which this Committee has a role to play.

Thank you, Mr. Chairman.

Mr. CHABOT. Thank you very much.

Is the gentleman going to submit that response?

Mr. BURNS. Sure. I would be glad to get back to Mr. Issa. I know you do not have much time.

Mr. ISSA. I have time. I am just not sure the Chairman can give me any more time.

Mr. CHABOT. I have been informed that the room was promised out to another group that needs to take over.

The gentleman from California is recognized to ask a final question.

Mr. SCHIFF. I thank the Chair for yielding. I just want to raise a concern and get your thought on the philosophy of the Administration.

I recognize you have a very difficult job to do in both the fact that we are an ally of the state of Israel and at the same time the Administration has a vital role to play in fostering peace in the Middle East and has to have credibility with the Arab nations and with the Palestinians as well.

In that context, a concern that I have that was raised even last year in the wake of September 11 and the President's announcement of support for a Palestinian state was the timing of certain actions that we take may give the erroneous impression that they are a result of terrorist attacks being committed either against us in the case of September 11 or in the case of Israel, as we saw today and have seen over the last several months.

The risk that I am concerned about is that actions that we take, whether it is the proposal being quoted now for an interim state or whether it is other new terms that are favorable to the Arab nations, will be perceived as a result of the terror being brought against the Israelis.

The question I have is how is the Administration dealing with that challenge; that is taking action in such a way that we are not rewarding terrorists, that we are not encouraging terrorism, and is that not a risk with any new U.S. initiative at this time?

Mr. BURNS. Sir, I understand the concern, and it is a very good question and one we wrestle with as well in terms of thinking through timing and tactics and other issues. I guess I would respond quickly, because I know you do not have much time, with several points.

First, it has been the position of President Bush, this Administration and its predecessors going back for decades that the only real solution to the problem, the conflict that divides Arabs and

Israelis, is a political one. It has to be achieved through negotiations. That is point one.

Second, President Bush has been as clear as any American President has been that that solution cannot be achieved through terror, violence, the manipulation of violence. There is only one path right, and that is a process of negotiations.

The challenge I think, sir, is to try and make clear that terrorists cannot set the agenda here. Terrorists and the acts that they commit, which are designed in most cases explicitly to undermine the prospects for a political solution, cannot be allowed to take off the table political hope.

It is important for us to remind people that even as we are going to fight vigorously and decisively terrorism and violence, we are going to be just as vigorous and decisive in the pursuit of peace. That is something I think we owe to our interests, we owe to Israel's interests, its security, its well-being.

We owe it to the interests of our friends in the area, as well as to the interests of ordinary Palestinians, people who in many ways have suffered a great deal over the course of the last year and a half, who face conditions every day which are extremely difficult.

I think we owe it to all of those interests to try and remind people that a political solution is not only possible, but it is something which has to be pursued even as we are equally clear that you cannot get from here to there through terror and violence and that we have to close off that pathway, but we also have to be clear that there is another that is open. It is a very tough balance to strike, but, I mean, I think that is what we have to aim to do, sir.

Mr. SCHIFF. I thank you. I would just comment to conclude that that is the goal and the effort. The perception of the world will be on what our actions are. If our actions indicate a willingness to acquiesce in the face of terror, then all the rhetoric that we espouse about fighting terror will be of no avail. I know you are mindful of that, and I appreciate your testimony today.

Mr. BURNS. Thank you, Mr. Schiff. The very last point I would make is simply to stress what I said before and the President's very firm conviction about progress being performance-driven.

There is nothing automatic about making progress back toward a political process. People have to work hard. They have to make difficult choices. They have to be willing to fight terror and violence to get there.

Mr. CHABOT. Thank you, Mr. Secretary.

The gentleman's time has expired. In light of the late hour and the fact that this room has been promised already to another group who is waiting to get in here, I will forego my questions.

Mr. Secretary, I would conclude by requesting that if Members have questions that they would be able to submit them to you for written answers within a reasonable period of time.

Mr. BURNS. Yes, sir.

Mr. CHABOT. Thank you. Without objection, that will be ordered, and the Committee now is adjourned.

Mr. BURNS. Thank you.

[Whereupon, at 4 p.m. the Subcommittee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE SHELLEY BERKLEY, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF NEVADA

Recent statements by Secretary of State Colin Powell suggest that the administration is considering recognition of a “provisional” Palestinian state. I am astounded by this notion. I believe such recognition would have the appearance of rewarding terror.

Recognizing a provisional Palestinian state would send the wrong message—that if you send suicide or homicide bombers to kill enough innocent people, the world will pressure Israel to give in to your demands. It would also be inconsistent with the basic principle of Oslo that only by renouncing terror and committing to a process of negotiations would progress with the Palestinians be achieved.

Past administrations have been unequivocal that the United States will not give into terrorists’ threats, and we will not cave to their demands. Doing so would only invite more terrorism—both in the context of the Israeli-Palestinian conflict and on the larger world stage—particularly as we are engaged in our war on terrorism. This is a frightening prospect, and one I will not support. Such a shift in U.S. policy would amount to a reward for Palestinian terrorism.

National Security Advisor Condoleeza Rice was recently quoted as saying, “Frankly, the Palestinian Authority, which is corrupt and cavorts with terror . . . is not the basis for a Palestinian state moving forward.” The most immediate question is whether the administration would recognize a provisional state headed by Yasir Arafat and his Palestinian Authority. Notwithstanding this critical question, there are other important issues the administration would have to address.

The very notion of a provisional state raises some serious questions. For example, how much sovereignty would such a state have? It has been difficult enough holding the Palestinian Authority accountable for terrorist acts initiated from within its territory—would it be more or less responsible for any such future acts of terror? And, would it be allowed to enter into treaties and alliances with other states, such as Iraq? I also worry about the prospect of a Palestinian military and how it would affect the balance of power in the region.

Another concern is the territorial implications of a provisional Palestinian state. Aside from the potentially explosive question of where its capital would be located, there are other difficult matters

to think about. Since the Six Day War in 1967, the basis for talks (including the Oslo process) was United Nations Resolution 242. This resolution discusses an Israeli withdrawal from "Territories occupied in the recent conflict . . ." It specifically does not raise the need for Israel to withdraw from "All the territories." Further, it states Israel's right to live within "Secure and recognized boundaries free from threats or acts of force."

Therefore, I am respectfully requesting that Secretary William Burns responds to my office in a timely fashion to the following questions:

1. Does the U.S. Administration envision Israel withdrawing from "all" the territory gained during the defensive war of 1967?
2. Is it the policy of the U.S. that Israel must impose upon itself borders that cannot be defended?
3. With respect to Jerusalem, does the Administration expect Israel to leave the Jewish Quarter of the Old City?
 - a. Would the Administration support stripping Israel of sovereignty over the Western Wall?

