

REQUESTING THE PRESIDENT AND DIRECTING THE SECRETARY
OF STATE TO PROVIDE TO THE HOUSE OF REPRESENTATIVES
CERTAIN DOCUMENTS IN THEIR POSSESSION RELATING TO
STRATEGIES AND PLANS EITHER DESIGNED TO CAUSE RE-
GIME CHANGE IN OR FOR THE USE OF MILITARY FORCE
AGAINST IRAN

MARKUP
BEFORE THE
COMMITTEE ON
INTERNATIONAL RELATIONS
HOUSE OF REPRESENTATIVES
ONE HUNDRED NINTH CONGRESS

SECOND SESSION

ON

H. Res. 846

JUNE 21, 2006

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REQUESTING THE PRESIDENT AND DIRECTING THE SECRETARY OF STATE TO PROVIDE TO THE HOUSE OF REPRESENTATIVES CERTAIN DOCUMENTS IN THEIR POSSESSION RELATING TO STRATEGIES AND PLANS EITHER DESIGNED TO CAUSE REGIME CHANGE IN OR FOR THE USE OF MILITARY FORCE AGAINST IRAN

WEDNESDAY, JUNE 21, 2006

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

The Committee met, pursuant to notice, at 9:45 a.m., in room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order.

Under the bipartisan agreement, debate on H. Res. 846 will be limited to 20 minutes equally divided, with Mr. Lantos and Ms. Lee being recognized.

Accordingly, pursuant to notice, I call up H. Res. 846, requesting the President and directing the Secretary of State to provide to the House certain documents concerning Iran for purposes of markup, and move its adverse recommendation to the House.

Without objection, the resolution will be considered as read. All Members are given leave to insert their remarks in the record, and the Chair recognizes Mr. Lantos.

[H. Res. 846 follows:]

109TH CONGRESS
2D SESSION

H. RES. 846

Requesting the President and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to strategies and plans either designed to cause regime change in or for the use of military force against Iran.

IN THE HOUSE OF REPRESENTATIVES

MAY 25, 2006

Ms. LEE submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Requesting the President and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to strategies and plans either designed to cause regime change in or for the use of military force against Iran.

- 1 *Resolved*, That the President is requested and the
- 2 Secretary of State is directed to provide to the House of
- 3 Representatives, not later than 14 days after the date of
- 4 the adoption of this resolution, all documents, including
- 5 planning documents, electronic mail records, minutes,
- 6 memoranda, and advisory legal opinions, in the possession
- 7 of the President or the Secretary of State, respectively,

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2

- 1 relating to strategies, and plans either designed to cause
- 2 regime change in or for the use of military force against
- 3 Iran.

○

Mr. LANTOS. Thank you very much, Mr. Chairman. I am pleased again that we were able to reach a bipartisan resolution over a complex issue. I commend my good friend, Congresswoman Lee, for raising an important matter and particularly for her determination in trying to get to the bottom of an important policy decision: How to prevent Iran from acquiring nuclear arms.

As we all know, this issue is currently in a very delicate phase of diplomacy. On May 31, Secretary Rice announced the bold initiative which offered the Iranians an opportunity for direct engagement with the United States regarding the nuclear issue.

It is my earnest hope that the Iranians will be wise enough to accept the package of incentives that the UN Permanent Five—the United States, Russia, China, France, and the United Kingdom, plus Germany—have offered.

I know, Mr. Chairman, that every single one of us on this Committee wants to see the crisis resolved diplomatically and peacefully. I am convinced that we should give diplomacy every possibility of success. Should the diplomatic effort falter, it will behoove us to revisit this issue and again to consider a resolution of inquiry.

I yield the balance of our time to Ms. Lee.

Ms. LEE. Thank you, Mr. Chairman. Let me thank you and our Ranking Member, Mr. Lantos, for allowing the debate to occur on this resolution. I think it is a very important resolution, and I appreciate the bipartisan agreement that we have reached with regard to this.

This resolution simply requests the President to provide all information, including documents, e-mails, minutes, memos and advisory legal opinions, relating to strategies, options and plans designed to cause regime change in Iran or for the use of military force against Iran.

At the outset, Mr. Chairman, let me just set the record straight. As a long-time advocate for nuclear nonproliferation, I am deeply concerned about the threat which a nuclear Iran poses, not only to the Middle East but also to the world. Iran must be held accountable to international standards.

However, Mr. Chairman, even as the war in Iraq continues, along with a number of my colleagues, constituents, and Americans across the country, I remain very concerned that this Administration may be taking steps to prepare for a preemptive military strike against Iran.

The May 31st announcement that the Bush Administration will join with the EU Three, China and Russia, in negotiations with Iran is a significant development. It is a step in the right direction.

But as Jessica Mathews, President of the nonpartisan Carnegie Endowment, has observed, she said, "Joining in the negotiations and focusing on nonproliferation over regime change is really very crucial to this process and to a positive outcome of this process. A policy of regime change must be off of the table if diplomatic negotiations are to succeed."

At the same time, the Administration's participation in negotiations must not end our vigilance. Frankly, we should all be concerned about the statements and the actions that the Administration is making given our experience in the lead-up to the war in Iraq.

The parallels are very similar, actually quite scary to some. Recent reports of the increase in reconnaissance, special operations in Iran, and the enlistment of Iranian dissidents and opposition groups all remarkably mirror the march to a preemptive war in Iraq in 2003.

Let me just briefly give you a few examples. Much like the incursions in July 2002 with Predator drones into Iraq, there have been reports of Predator drones in Iran beginning in the spring of 2005.

According to retired Air Force Colonel Sam Gardiner, there have been reports of special operations like that of Operation Southern Focus which reportedly struck 400 targets in Iraq beginning in 2002. Similarly, there have been reports of special operations with Azeri, Kurdish and MEK support beginning last summer.

All of this is without congressional authorization, and I assume and presumably without congressional oversight. On the home front, similar to what is taking place here in the United States with regard to the concerns, the White House Iraq Group, which was formed with the express purpose of marketing the war in Iraq to Americans, there have been reports, and again reports, of the Iraq-Syria Operations Group being formed, very close parallels to the White House Iraq Group.

I am asking, for what purpose? So this resolution of inquiry would help really provide these answers.

Finally and most disturbingly, the President's National Security Strategy released in March of last year restates, mind you, it restates this Administration's commitment to wage preemptive war.

So, Mr. Chairman, recent events on the diplomatic front, while encouraging, must not dull us into complacency and lead us to shirk away from our constitutional obligation; that is, the duty to conduct oversight.

It is very important for us as Members of Congress, especially those of us on this Committee, to ensure that every diplomatic option is employed to disarm Iran. Diplomacy is not simply a checkbox that we mark off on the way to war.

So I urge my colleagues to support this resolution. I believe we must get the facts and the truth. I yield the balance of my time.

Once again, thank you, Mr. Chairman. Thank you, Mr. Lantos, for this debate.

Chairman HYDE. Thank you, Ms. Lee. The question occurs on the motion to report the resolution, H. Res. 846, adversely. All in favor say aye. Opposed no.

The ayes have it. The motion to report adversely is adopted.

The Chair recognizes Mr. Smith.

Mr. SMITH. Mr. Chairman, I demand the appropriate number of days in order to file the views on the measure, H. Res. 846.

Chairman HYDE. So ordered. And the Committee stands adjourned.

[Whereupon, at 9:55 a.m., the Committee was adjourned.]

A P P E N D I X

MATERIAL SUBMITTED FOR THE HEARING RECORD

PREPARED STATEMENT OF THE HONORABLE SHERROD BROWN, A REPRESENTATIVE IN
CONGRESS FROM THE STATE OF OHIO

Since 1979, the United States has not had diplomatic relations with Iran. But in the last few weeks, the Bush administration has entered into multilateral negotiations with Iran.

The negotiations include a package of economic and political benefits if Iran ends its uranium activities and a threat of sanctions if it does not.

Diplomatic efforts involving Iran, the United States, the European Union, Russia, China, the International Atomic Energy Agency, and the United Nations Security Council are ongoing.

These multinational talks on Iran's nuclear enrichment are a step in the right direction. Smart and tough diplomacy has a real chance of producing a positive resolution of this problem.

It is in our long-term interests to enhance regional security and encourage greater political, social, and economic freedom in Iran. Any policies that detract from these goals would be harmful to America's interest.

According to the most definitive U.S. intelligence report, Iran is likely a decade away from developing a nuclear weapon. They may pose a real threat at some point in the future—but the threat is not imminent.

Today's resolution asks the President and the Secretary of State to provide the House their plans regarding the use of military force against Iran.

News reports indicate that the Bush administration may be planning to initiate military action against Iran.

The President cannot engage U.S. forces in military action without any prior authorization from Congress, unless it is to repel sudden attacks and immediate threats. He does not have the power to unilaterally launch, without congressional approval, large-scale preventive military actions against foreign threats.

Asking the President to submit any plans regarding Iran is a basic component of Constitutional congressional oversight.

It appears that we have the time to pursue a peaceful solution. If the Administration has credible intelligence indicating that the threat is imminent, the Administration should share that information—in classified form as appropriate—with Congress.

An open and inclusive process on Iran would be a good step toward restoring the credibility damaged by the Administration's handling of weapons of mass destruction intelligence leading to the 2003 Iraq invasion.

We should continue to put international pressure on Iran—and be ready to use military action as a last resort.

