

emergency room, you do not have to give them extensive treatment for diseases that are not at that moment life-threatening.

Thus, they will take care of an illegal whose life is being threatened, but they will not have to take care and spend \$300,000 or \$400,000 for cancer treatments, and this happens, for all types of transplants of organs, for hundreds of thousands and millions of dollars worth of health care that illegals are getting right now.

My bill says they do not have to do that. If they want to, they can, but they do not have to do it. This legislation is vital to make sure that the pool of money available to the American people for their health care goes to the American people and not to illegals.

It also says that if someone is illegal and they come in and they are an emergency and they are taken care at the hospital, when they are seeking compensation from the fund, they just have to make that same information that they are collecting in order to be compensated, they have to make that available in a computer for the Immigration and Naturalization Service and the Department of Homeland Security.

What we have heard again are bogus arguments this morning, over and over again, that this is going to increase the paperwork of doctors; it is going to make doctors policemen.

Not true. The bill we are talking about not only says the information, that they will collect anyway in order to get compensated by this fund, must be made available to the INS and the Department of Homeland Security. They are not being turned in by anybody, it is just available. The other government agencies at that point have to take over. There is no reporting on the part of the doctors.

So we hear these bogus arguments over and over again, as if people are going to bring some type of contagious diseases into our country if we do not treat every illegal alien that comes into our emergency health care.

Let me note this: If you want to see diseases that will spread in our country being brought into our country from overseas, just make sure that everybody around the world knows that we are now paying for illegal aliens' health care in this country. No matter who gets into the hospital, they will be taken care of. They will bring communicable diseases from all over the world, and that is what is happening right now.

We need to instead come to grips with what my legislation does, that if someone is indeed here illegally and they are dissipating the use and the amount of money that is available for our own citizens or their health care, that illegal alien should be sent home. They should go home to their home country. That is what H.R. 3722 says. The information will be available to the Department of Homeland Security and the Immigration and Naturalization Service, and they will proceed from there.

This is not on the back of the doctors. The doctors are freed from responsibility on that, because they no longer have to treat anything, unless someone's life is threatened at that moment.

Let me add one other thing. If they do treat an illegal immigrant in an emergency situation, my bill insists that we go to the employer, because that is the only question that hospital has to ask, who is your employer? And if that employer has not done due diligence to see if he is hiring an illegal immigrant, that employer has to pay for the emergency health care costs of the illegal immigrant. Do you get that? The taxpayers are off the hook.

What has happened is, this bill, which would be an of incredible importance to the middle-class Americans, this bill, which strives to protect us from having our limited health care dollars being drained away by people who have come here illegally, this bill is being attacked by the Chamber of Commerce. It is being attacked by big business on one end, and being attacked by the liberal left organizations that control the Democratic Party on the other.

I suggest tomorrow the vote on H.R. 3722 is one to watch, and whose side you are on will be determined by how they vote on that issue.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4359, CHILD CREDIT PRESERVATION AND EXPANSION ACT OF 2004

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-496) on the resolution (H. Res. 644) providing for consideration of the bill (H.R. 4359) to amend the Internal Revenue Code of 1986 to increase the child tax credit, which was referred to the House Calendar and ordered to be printed.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 2728, OCCUPATIONAL SAFETY AND HEALTH SMALL BUSINESS DAY IN COURT ACT OF 2004, H.R. 2729, OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION EFFICIENCY ACT OF 2004, H.R. 2730, OCCUPATIONAL SAFETY AND HEALTH INDEPENDENT REVIEW OF OSHA CITATIONS ACT OF 2004, H.R. 2731, OCCUPATIONAL SAFETY AND HEALTH SMALL EMPLOYER ACCESS TO JUSTICE ACT OF 2004, AND H.R. 2432, PAPERWORK AND REGULATORY IMPROVEMENTS ACT OF 2004

Mr. DREIER, from the Committee on Rules, submitted a privileged report (Rept. No. 108-497) on the resolution (H. Res. 645), providing for consideration of the bill (H.R. 2728) to amend the Occupational Safety and Health Act of 1970 to provide for adjudicative flexibility

with regard to an employer filing of a notice of contest following the issuance of a citation by the Occupational Safety and Health Administration; for consideration of the bill (H.R. 2729) to amend the Occupational Safety and Health Act of 1970 to provide for greater efficiency at the Occupational Safety and Health Review Commission; for consideration of the bill (H.R. 2730) to amend the Occupational Safety and Health Act of 1970 to provide for an independent review of citations issued by the Occupational Safety and Health Administration; for consideration of the bill (H.R. 2731) to amend the Occupational Safety and Health Act of 1970 to provide for the award of attorney's fees and costs to very small employers when they prevail in litigation prompted by the issuance of citations by the Occupational Safety and Health Administration; and for consideration of the bill (H.R. 2432) to amend the Paperwork Reduction Act and titles 5 and 31, United States Code, to reform Federal paperwork and regulatory processes, which was referred to the House Calendar and ordered to be printed.

IRAQ WATCH

The SPEAKER pro tempore (Mrs. BLACKBURN). Under the Speaker's announced policy of January 7, 2003, the gentleman from Massachusetts (Mr. DELAHUNT) is recognized for 60 minutes.

Mr. DELAHUNT. Mr. Speaker, I will shortly be joined by my colleagues, who, on a weekly basis, have come to the floor of the House to discuss events occurring in the Middle East, specifically in Iraq and in Afghanistan. We have called ourselves the Iraq Watch, in an effort to have a conversation to illuminate and educate not just ourselves, but those who are interested, as I think most people are, in these particular matters.

It is clearly no secret, and it is a most disturbing situation, that we have a deteriorating situation in Iraq. One only has to remember the initial estimates of the cost that were put forth by the White House. I think the range that was suggested by the Deputy Secretary of Defense, Mr. Wolfowitz, was from \$30 billion to \$60 billion.

□ 2200

When the then-Chief Economic Adviser to President Bush, Larry Lindsey, indicated that in his judgment the range could be from \$100 billion to \$200 billion, he was eased out because there was a sense that that was not a realistic number. Now, of course, we are currently at the figure of \$150 billion, and that does not include future estimates, which again according to recent reports just simply is for the military presence of American troops in support for other military personnel there. That is an additional 50 or \$75 billion. And of course that does not include the cost of reconstruction, both for Iraq

and for Afghanistan. But, obviously, most importantly is the loss of life, particularly American personnel, both military and civilian. The number now is well in excess of 700. That of course does not account for the men and women in our military who have been wounded.

Many Members of this body have been to Walter Reed Hospital and to Bethesda Naval Hospital and met with the men and women there who have suffered wounds, egregious wounds, that will clearly impact their future and will alter irrevocably the quality of life that they will enjoy for the rest of their lives.

I know that I have attended in my district the funerals of two young men, Sergeant Caldwell and Corporal Jeff Burgess, who gave their lives in Iraq. Furthermore, there was a universal echo of support and sympathy for the United States in the aftermath of our national tragedy on September 11. I think we all remember the headline in the French newspaper, *Le Monde*, that screamed, very poignantly and eloquently the day after 9-11, that "Today We Are All Americans."

It is clear that there was not just sympathy, but a commitment by countries all over the world to assist our efforts to end once and for all the scourge of global terrorism. Unfortunately, much of that international support has eroded. And now the motives of the United States are being called into question, and not just in the Mideast but all over the world.

There was a recent poll that was done by one of the premier polling groups in this country, the Zogby polling group, and it was conducted among the elite in Latin America, the economic elite which traditionally had been supportive of American policy. There was no attempt to interview or survey those that had traditionally been hostile to American interests or who have disagreed with our policies. What I find remarkable was that of the six countries that were surveyed, and they range from Argentina to Brazil to Venezuela to a Central American country, that the negative opinion of the United States Government, the negative opinion of the United States Government exceeded 87 percent. That is particularly disturbing, because I think we can all agree, Mr. Speaker, that we need the international community and its support if we are going to end terrorism. If we are going to protect our homeland, cooperation is absolutely essential. It is absolutely critical. But now American motives are suspect.

There was a recent poll that was done, it was done by the Pew Foundation and the numbers are startling. Majorities in seven nations believe that our intervention in Iraq was motivated by a desire to control Mideast oil. Clearly, there are few Americans that accept that premise. But when one reads the list of nations that believe that our intervention was based simply

on the desire to control oil, we must acknowledge that we have a problem that has to be addressed. Let me just recite some of those numbers: 51 percent of the people in Russia believe that that was our primary motive; 58 percent of the people in France; 60 percent of the people in Germany; 54 percent of the people in Pakistan. In Turkey the number is 64 percent. In Jordan it was 71 percent. And yet we speak of a certain moral authority. But it has become clear that the world does not see us in that lens. They believe our motives are much more crass. And when these numbers are combined with comments and observations and revelations by senior administration officials, they are reinforced.

For those of you that have not had the opportunity to read "The Price of Loyalty," which is a book regarding the tenure of the former Secretary of Treasury, Paul O'Neill, let me commend that book to you; and I would specifically direct your attention to page 96 of that book. Because Secretary O'Neill, a traditional Republican widely regarded in business circles, someone who served his country in the Reagan administration and in Bush One, reveals an anecdote that I find disturbing. Let me read for a moment. O'Neill had seen "brewing a battle since the National Security Council meeting on January 30."

Let me interrupt the excerpt that I will quote to inform my colleagues and the viewing audience that this was 1 week after the inauguration after George W. Bush. One week. The anecdote itself that he reveals occurs February 27, less than maybe 5 weeks, after the President was inaugurated. O'Neill: "It was Powell and his moderates at the State Department versus hardliners like Rumsfeld, CHENEY, and Wolfowitz who were already planning the next war in Iraq in the shape of a post-Saddam country."

Now, let us remember, this is before our national tragedy on 9-11, and this is not coming from outside. This is not an opinion being offered by a Member of the House. This is being offered by the former Secretary who was present at this particular meeting of the National Security Council on February 27, 2001.

"Documents were being prepared by the Defense Intelligence Agency," Rumsfeld's intelligence arm, "mapping Iraq's oil fields and exploration areas, and listing companies that might be interested in leveraging the precious asset." Obviously he means oil. "One document headed 'Foreign Suitors For Iraqi Oil Field Contracts' lists companies from 30 countries, their specialties, bidding histories and in some cases their particular areas of interests. An attached document maps Iraq with markings for supergiant oil fields, other oil fields earmarked for production-sharing while demarking the largely undeveloped southwest of the country into nine blocks to be designated for future exploration."

I guess this is a question that I would have for the President, for the Vice President, and for the Secretary of Defense: Why on February 27, months before the attack on the homeland, why was a map being presented at a National Security Council meeting divvying up the oil reserves of Iraq?

That, I daresay and will submit, is a question, Mr. Speaker, that should be answered by the Secretary, by the National Security Adviser, by the Vice President, and by the President. That is a question that cannot linger, that cannot go unanswered, particularly when a majority of people in countries that are our traditional allies have concluded that our main interest in Iraq is not to bring democracy, is not to save lives, but is to secure oil for our energy needs.

And, again, let me remind my friends who are here, I have been joined by my colleagues, the gentleman from Pennsylvania (Mr. HOEFFEL), the gentleman from Hawaii (Mr. ABERCROMBIE), and the ranking member on the Committee on the Judiciary, the gentleman from Michigan (Mr. CONYERS), let me remind ourselves that we are losing international support. And I am convinced that many of the questions that the rest of the world has is based on reports such as this and have a potential to undermine not just our credibility and our moral authority, but to undermine our national security if we are going to do something in terms of international terrorism.

□ 2215

Because if the world concludes, and if we do not respond that this is our motivation, they will turn their backs on us. When this is all combined with obviously many other issues that are out there, I dare say we have a serious problem.

Mr. CONYERS. Mr. Speaker, will the gentleman yield.

Mr. DELAHUNT. I yield to the gentleman from Michigan.

(Mr. CONYERS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. CONYERS. Mr. Speaker, I thank the gentleman so much for allowing this intervention, and I begin by commending my colleagues from Pennsylvania and Hawaii and the gentleman from Massachusetts (Mr. DELAHUNT).

It is my intention to offer into this discussion The New Yorker article entitled *The Gray Zone* by Seymour Hersh, which raises one of these other incidents that the gentleman from Massachusetts (Mr. DELAHUNT) has referred to, and that is, the Abu Ghraib prison in Iraq and the ongoing furor that has taken place around the world.

I would like to ask my colleagues in the course of our discussion this evening whether they feel a need for an investigation conducted from the outside as the 9/11 Commission has, which

it recently concluded, the Warren Commission in terms of the John F. Kennedy assassination, because this problem is beginning to tarnish our Nation's war against terrorism, and without a full and complete and impartial investigation, we will add another way of undermining our national moral authority.

I just wanted to point out that it is mentioned in this article that will be reprinted that, "Rumsfeld's goal was to get a capability in place to take on a high-value target, a standup group to hit quickly," a former high-level intelligence official told me. "He got all the agencies together, the CIA and the NSA, to get pre-approval in place. Just say the code word and go." The operation had across-the-board approval from Rumsfeld and from Condoleezza Rice, the national security adviser. President Bush was informed of the existence of the program, the former intelligence official said."

Here, "Rumsfeld reacted in his usual direct fashion: he authorized the establishment of a highly secret program that was given blanket advance approval to kill or capture and, if possible, interrogate 'high value' targets in the Bush administration's war on terror."

The people, and I conclude with this, "the people assigned to the program worked by the book, the former intelligence official told me," this is Seymour Hersh. "They created code words, and recruited, after careful screening, highly trained commandos and operatives from America's elite forces, Navy SEALs, the Army's Delta Force, and the CIA's paramilitary experts. They also asked some basic questions: 'Do the people working the problem have to use aliases? Yes. Do we need dead drops for the mail? Yes.' No traceability and no budget. And some special-access programs are never fully briefed to Congress."

In other words, a deliberate development of a plan not only to commit these outrageous atrocities that have shocked the world but a way to avoid congressional scrutiny.

I will insert this article that I referred to earlier at this point in the RECORD.

[From The New Yorker, May 17, 2004]

THE GRAY ZONE

(By Seymour M. Hersh)

The roots of the Abu Ghraib prison scandal lie not in the criminal inclinations of a few Army reservists but in a decision, approved last year by Secretary of Defense Donald Rumsfeld, to expand a highly secret operation, which had been focussed on the hunt for Al Qaeda, to the interrogation of prisoners in Iraq. Rumsfeld's decision embittered the American intelligence community, damaged the effectiveness of elite combat units, and hurt America's prospects in the war on terror.

According to interviews with several past and present American intelligence officials, the Pentagon's operation, known inside the intelligence community by several code words, including Copper Green, encouraged physical coercion and sexual humiliation of

Iraqi prisoners in an effort to generate more intelligence about the growing insurgency in Iraq. A senior C.I.A. official, in confirming the details of this account last week, said that the operation stemmed from Rumsfeld's long-standing desire to wrest control of America's clandestine and paramilitary operations from the C.I.A.

Rumsfeld, during appearances last week before Congress to testify about Abu Ghraib, was precluded by law from explicitly mentioning highly secret matters in an unclassified session. But he conveyed the message that he was telling the public all that he knew about the story. He said, "Any suggestion that there is not a full, deep awareness of what has happened, and the damage it has done, I think, would be a misunderstanding." The senior C.I.A. official, asked about Rumsfeld's testimony and that of Stephen Cambone, his Under-Secretary for Intelligence, said, "Some people think you can bullshit anyone."

The Abu Ghraib story began, in a sense, just weeks after the September 11, 2001, attacks, with the American bombing of Afghanistan. Almost from the start, the Administration's search for Al Qaeda members in the war zone, and its worldwide search for terrorists, came up against major command-and-control problems. For example, combat forces that had Al Qaeda targets in sight had to obtain legal clearance before firing on them. On October 7th, the night the bombing began, an unmanned Predator aircraft tracked an automobile convoy that, American intelligence believed, contained Mullah Mohammad Omar, the Taliban leader. A lawyer on duty at the United States Central Command headquarters, in Tampa, Florida, refused to authorize a strike. By the time an attack was approved, the target was out of reach. Rumsfeld was apoplectic over what he saw as a self-defeating hesitation to attack that was due to political correctness. One officer described him to me that fall as "kicking a lot of glass and breaking doors." In November, the Washington Post reported that, as many as ten times since early October, Air Force pilots believed they'd had senior Al Qaeda and Taliban members in their sights but had been unable to act in time because of legalistic hurdles. There were similar problems throughout the world, as American Special Forces units seeking to move quickly against suspected terrorist cells were compelled to get prior approval from local American ambassadors and brief their superiors in the chain of command.

Rumsfeld reacted in his usual direct fashion: he authorized the establishment of a highly secret program that was given blanket advance approval to kill or capture and, if possible, interrogate "high value" targets in the Bush Administration's war on terror. A special-access program, or SAP—subject to the Defense Department's most stringent level of security—was set up, with an office in a secure area of the Pentagon. The program would recruit operatives and acquire the necessary equipment, including aircraft, and would keep its activities under wraps. America's most successful intelligence operations during the Cold War had been SAPs, including the Navy's submarine penetration of underwater cables used by the Soviet high command and construction of the Air Force's stealth bomber. All the so-called "black" programs had one element in common: the Secretary of Defense, or his deputy, had to conclude that the normal military classification restraints did not provide enough security.

"Rumsfeld's goal was to get a capability in place to take on a high-value target—a standup group to hit quickly," a former high-level intelligence official told me. "He got all the agencies together—the C.I.A. and

the N.S.A.—to get pre-approval in place. Just say the code word and go." The operation had across-the-board approval from Rumsfeld and from Condoleezza Rice, the national-security adviser. President Bush was informed of the existence of the program, the former intelligence official said.

The people assigned to the program worked by the book, the former intelligence official told me. They created code words, and recruited, after careful screening, highly trained commandos and operatives from America's elite forces—Navy SEALs, the Army's Delta Force, and the C.I.A.'s paramilitary experts. They also asked some basic questions: "Do the people working the problem have to use aliases? Yes. Do we need dead drops for the mail? Yes. No traceability and no budget. And some special-access programs are never fully briefed to Congress."

In theory, the operation enabled the Bush Administration to respond immediately to time-sensitive intelligence: commandos crossed borders without visas and could interrogate terrorism suspects deemed too important for transfer to the military's facilities at Guantánamo, Cuba. They carried out instant interrogations—using force if necessary—at secret C.I.A. detention centers scattered around the world. The intelligence would be relayed to the SAP command center in the Pentagon in real time, and sifted for those pieces of information critical to the "white," or overt, world.

Fewer than two hundred operatives and officials, including Rumsfeld and General Richard Myers, chairman of the Joint Chiefs of Staff, were "completely read into the program," the former intelligence official said. The goal was to keep the operation protected. "We're not going to read more people than necessary into our heart of darkness," he said. "The rules are 'Grab whom you must. Do what you want.'"

One Pentagon official who was deeply involved in the program was Stephen Cambone, who was named Under-Secretary of Defense for Intelligence in March, 2003. The office was new; it was created as part of Rumsfeld's reorganization of the Pentagon. Cambone was unpopular among military and civilian intelligence bureaucrats in the Pentagon, essentially because he had little experience in running intelligence programs, though in 1998 he had served as staff director for a committee, headed by Rumsfeld, that warned of an emerging ballistic-missile threat to the United States. He was known instead for his closeness to Rumsfeld. "Remember Henry II—Who will rid me of this meddlesome priest?" the senior C.I.A. official said to me, with a laugh, last week. "Whatever Rumsfeld whimsically says, Cambone will do ten times that much."

Cambone was a strong advocate for war against Iraq. He shared Rumsfeld's disdain for the analysis and assessments proffered by the C.I.A., viewing them as too cautious, and chafed, as did Rumsfeld, at the C.I.A.'s inability, before the Iraq war, to state conclusively that Saddam Hussein harbored weapons of mass destruction. Cambone's military assistant, Army Lieutenant General William G. (Jerry) Boykin, was also controversial. Last fall, he generated unwanted headlines after it was reported that, in a speech at an Oregon church, he equated the Muslim world with Satan.

Early in his tenure, Cambone provoked a bureaucratic battle within the Pentagon by insisting that he be given control of all special-access programs that were relevant to the war on terror. Those programs, which had been viewed by many in the Pentagon as sacrosanct, were monitored by Kenneth deGraffenreid, who had experience in counter-intelligence programs. Cambone got control, and deGraffenreid subsequently left

the Pentagon. Asked for comment on this story, a Pentagon spokesman said, "I will not discuss any covert programs; however, Dr. Cambone did not assume his position as the Under-Secretary of Defense for Intelligence until March 7, 2003, and had no involvement in the decision-making process regarding interrogation procedures in Iraq or anywhere else."

In mid-2003, the special-access program was regarded in the Pentagon as one of the success stories of the war on terror. "It was an active program," the former intelligence official told me. "It's been the most important capability we have for dealing with an imminent threat. If we discover where Osama bin Laden is, we can get him. And we can remove an existing threat with a real capability to hit the United States—and do so without visibility." Some of its methods were troubling and could not bear close scrutiny, however.

By then, the war in Iraq had begun. The SAP was involved in some assignments in Iraq, the former official said. C.I.A. and other American Special Forces operatives secretly teamed up to hunt for Saddam Hussein and—without success—for Iraqi weapons of mass destruction. But they weren't able to stop the evolving insurgency.

In the first months after the fall of Baghdad, Rumsfeld and his aides still had a limited view of the insurgency, seeing it as little more than the work of Baathist "dead-enders," criminal gangs, and foreign terrorists who were Al Qaeda followers. The Administration measured its success in the war by how many of those on its list of the fifty-five most wanted members of the old regime—reproduced on playing cards—had been captured. Then, in August, 2003, terror bombings in Baghdad hit the Jordanian Embassy, killing nineteen people, and the United Nations headquarters, killing twenty-three people, including Sergio Vieira de Mello, the head of the U.N. mission. On August 25th, less than a week after the U.N. bombing, Rumsfeld acknowledged, in a talk before the Veterans of Foreign Wars, that "the dead-enders are still with us." He went on, "There are some today who are surprised that there are still pockets of resistance in Iraq, and they suggest that this represents some sort of failure on the part of the Coalition. But this is not the case." Rumsfeld compared the insurgents with those true believers who "fought on during and after the defeat of the Nazi regime in Germany." A few weeks later—and five months after the fall of Baghdad—the Defense Secretary declared, "It is, in my view, better to be dealing with terrorists in Iraq than in the United States."

Inside the Pentagon, there was a growing realization that the war was going badly. The increasingly beleaguered and baffled Army leadership was telling reporters that the insurgents consisted of five thousand Baathists loyal to Saddam Hussein. "When you understand that they're organized in a cellular structure," General Jon Abizaid, the head of the Central Command declared, "that . . . they have access to a lot of money and a lot of ammunition, you'll understand how dangerous they are."

The American military and intelligence communities were having little success in penetrating the insurgency. One internal report prepared for the U.S. military, made available to me, concluded that the insurgents' "strategic and operational intelligence has proven to be quite good." According to the study:

Their ability to attack convoys, other vulnerable targets and particular individuals has been the result of painstaking surveillance and reconnaissance. Inside information has been passed on to insurgent cells about convoy/troop movements and daily habits of

Iraqis working with coalition from within the Iraqi security services, primarily the Iraqi Police force which is rife with sympathy for the insurgents, Iraqi ministries and from within pro-insurgent individuals working with the CPA's so-called Green Zone.

The study concluded, "Politically, the U.S. has failed to date. Insurgencies can be fixed or ameliorated by dealing with what caused them in the first place. The disaster that is the reconstruction of Iraq has been the key cause of the insurgency. There is no legitimate government, and it behooves the Coalition Provisional Authority to absorb the sad but unvarnished fact that most Iraqis do not see the Governing Council—the Iraqi body appointed by the C.P.A.—as the legitimate authority. Indeed, they know that the true power is the CPA."

By the fall, a military analyst told me, the extent of the Pentagon's political and military misjudgments was clear. Donald Rumsfeld's "dead-enders" now included not only Baathists but many marginal figures as well—thugs and criminals who were among the tens of thousands of prisoners freed the previous fall by Saddam as part of a prewar general amnesty. Their desperation was not driving the insurgency; it simply made them easy recruits for those who were. The analyst said, "We'd killed and captured guys who had been given two or three hundred dollars to 'pray and spray'"—that is, shoot randomly and hope for the best. "They weren't really insurgents but down-and-outers who were paid by wealthy individuals sympathetic to the insurgency." In many cases, the paymasters were Sunnis who had been members of the Baath Party. The analyst said, that the insurgents "spent three of four months figuring out how we operated and developing their own countermeasures. If that meant putting up a hapless guy to go and attack a convoy and see how the American troops responded, they'd do it." Then, the analyst said, "the clever ones began to get in on the action."

By contrast, according to the military report, the American and Coalition forces knew little about the insurgency: "Human intelligence is poor or lacking . . . due to the dearth of competence and expertise. . . . The intelligence effort is not coordinated since either too many groups are involved in gathering intelligence or the final product does not get to the troops in the field in a timely manner." The success of the war was at risk; something had to be done to change the dynamic.

The solution, endorsed by Rumsfeld and carried out by Stephen Cambone, was to get tough with those Iraqis in the Army prison system who were suspected of being insurgents. A key player was Major General Geoffrey Miller, the commander of the detention and interrogation center at Guantánamo, who had been summoned to Baghdad in late August to review prison interrogation procedures. The internal Army report on the abuse charges, written by Major General Antonio Taguba in February, revealed that Miller urged that the commanders in Baghdad change policy and place military intelligence in charge of the prison. The report quoted Miller as recommending that "detention operations must act as an enabler for interrogation."

Miller's concept, as it emerged in recent Senate hearings, was to "Gitmoize" the prison system in Iraq—to make it more focussed on interrogation. He also briefed military commanders in Iraq on the interrogation methods used in Cuba—methods that could, with special approval, include sleep deprivation, exposure to extremes of cold, and heat, and placing prisoners in "stress positions" for agonizing lengths of time. (The Bush Ad-

ministration had unilaterally declared Al Qaeda and other captured members of international terrorist networks to be illegal combatants, and not eligible for the protection of the Geneva Conventions.)

Rumsfeld and Cambone went a step further, however: they expanded the scope of the SAP, bringing its unconventional methods to Abu Ghraib. The commandos were to operate in Iraq as they had in Afghanistan. The male prisoners could be treated roughly, and exposed to sexual humiliation.

"They weren't getting anything substantive from the detainees in Iraq," the former intelligence official told me. "No names. Nothing that they could hang their hat on. Cambone says, 'I've got to crack this thing and I'm tired of working through the normal chain of command. I've got this apparatus set up—the black special-access program—and I'm going in hot. So he pulls the switch, and the electricity begins flowing last summer. And it's working. We're getting a picture of the insurgency in Iraq and the intelligence is flowing into the white world. We're getting good stuff. But we've got more targets'—prisoners in Iraqi jails—'than people who can handle them.'"

Cambone then made another crucial decision, the former intelligence official told me: not only would he bring the SAP's rules into the prisons; he would bring some of the Army military-intelligence officers working inside the Iraqi prisons under the SAP's auspices. "So here are fundamentally good soldiers—military-intelligence guys—being told that no rules apply," the former official, who has extensive knowledge of the special-access programs, added. "And, as far as they're concerned, this is a covert operation, and it's to be kept within Defense Department channels."

The military-police prison guards, the former official said, included "recycled hillbillies from Cumberland, Maryland." He was referring to members of the 372nd Military Police Company. Seven members of the company are now facing charges for their role in the abuse at Abu Ghraib. "How are these guys from Cumberland going to know anything? The Army Reserve doesn't know what it's doing."

Who was in charge of Abu Ghraib—whether military police or military intelligence—was no longer the only question that mattered. Hard-core special operatives, some of them with aliases, were working in the prison. The military police assigned to guard the prisoners wore uniforms, but many others—military intelligence officers, contract interpreters, C.I.A. officers, and the men from the special-access program—wore civilian clothes. It was not clear who was who, even to Brigadier General Janis Karpinski, then the commander of the 800th Military Police Brigade, and the officer ostensibly in charge. "I thought most of the civilians there were interpreters, but there were some civilians that I didn't know," Karpinski told me. "I called them the disappearing ghosts. I'd seen them once in a while at Abu Ghraib and then I'd see them months later. They were nice—they'd always call out to me and say, 'Hey, remember me? How are you doing?'" The mysterious civilians, she said, were "always bringing in somebody for interrogation or waiting to collect somebody going out." Karpinski added that she had no idea who was operating in her prison system. (General Taguba found that Karpinski's leadership failures contributed to the abuses.)

By fall, according to the former intelligence official, the senior leadership of the C.I.A. had had enough. "They said, 'No way. We signed up for the core program in Afghanistan—pre-approved for operations against high-value terrorist targets—and now you want to use it for cabdrivers, brothers-in-law, and people pulled off the

streets”—the sort of prisoners who populate the Iraqi jails. “The C.I.A.’s legal people objected,” and the agency ended its SAP involvement in Abu Ghraib, the former official said.

The C.I.A.’s complaints were echoed throughout the intelligence community. There was fear that the situation at Abu Ghraib would lead to the exposure of the secret SAP, and thereby bring an end to what had been, before Iraq, a valuable cover operation. “This was stupidity,” a government consultant told me. “You’re taking a program that was operating in the chaos of Afghanistan against Al Qaeda, a stateless terror group, and bringing it into a structured, traditional war zone. Sooner or later, the commandos would bump into the legal and moral procedures of a conventional war with an Army of a hundred and thirty-five thousand soldiers.”

The former senior intelligence official blamed hubris for the Abu Ghraib disaster. “There’s nothing more exhilarating for a pissant Pentagon civilian than dealing with an important national security issue without dealing with military planners, who are always worried about risk,” he told me. “What could be more boring than needing the cooperation of logistical planners?” The only difficulty, the former official added, is that, “as soon as you enlarge the secret program beyond the oversight capability of experienced people, you lose control. We’ve never had a case where a special-access program went sour—and this goes back to the Cold War.”

In a separate interview, a Pentagon consultant, who spent much of his career directly involved with special-access programs, spread the blame. “The White House subcontracted this to the Pentagon, and the Pentagon subcontracted it to Cambone,” he said. “This is Cambone’s deal, but Rumsfeld and Myers approved the program.” When it came to the interrogation operation at Abu Ghraib, he said, Rumsfeld left the details to Cambone. Rumsfeld may not be personally culpable, the consultant added, “but he’s responsible for the checks and balances. The issue is that, since 9/11, we’ve changed the rules on how we deal with terrorism, and created conditions where the ends justify the means.”

Last week, statements made by one of the seven accused M.P.s, Specialist Jeremy Sivits, who is expected to plead guilty, were released. In them, he claimed that senior commanders in his unit would have stopped the abuse had they witnessed it. One of the questions that will be explored at any trial, however, is why a group of Army Reserve military policemen, most of them from small towns, tormented their prisoners as they did, in a manner that was especially humiliating for Iraqi men.

The notion that Arabs are particularly vulnerable to sexual humiliation became a talking point among pro-war Washington conservatives in the months before the March, 2003, invasion of Iraq. One book that was frequently cited was “The Arab Mind,” a study of Arab culture and psychology, first published in 1973, by Raphael Patai, a cultural anthropologist who taught at, among other universities, Columbia and Princeton, and who died in 1996. The book includes a twenty-five-page chapter on Arabs and sex, depicting sex as a taboo vested with shame and repression. “The segregation of the sexes, the veiling of the women . . . and all the other minute rules that govern and restrict contact between men and women, have the effect of making sex a prime mental preoccupation in the Arab world,” Patai wrote. Homosexual activity, “or any indication of homosexual leanings, as with all other expressions of sexuality, is never given any

publicity. These are private affairs and remain in private.” The Patai book, an academic told me, was “the bible of the neocons on Arab behavior.” In their discussions, he said, two themes emerged—“one, that Arabs only understand force and, two, that the biggest weakness of Arabs is shame and humiliation.”

The government consultant said that there may have been a serious goal, in the beginning, behind the sexual humiliation and the posed photographs. It was thought that some prisoners would do anything—including spying on their associates—to avoid dissemination of the shameful photos to family and friends. The government consultant said, “I was told that the purpose of the photographs was to create an army of informants, people you could insert back in the population.” The idea was that they would be motivated by fear of exposure, and gather information about pending insurgency action, the consultant said. If so, it wasn’t effective; the insurgency continued to grow.

“This shit has been brewing for months,” the Pentagon consultant who has dealt with SAPs told me. “You don’t keep prisoners naked in their cell and then let them get bitten by dogs. This is sick.” The consultant explained that he and his colleagues, all of whom had served for years on active duty in the military, had been appalled by the misuse of Army guard dogs inside Abu Ghraib. “We don’t raise kids to do things like that. When you go after Mullah Omar, that’s one thing. But when you give the authority to kids who don’t know the rules, that’s another.”

In 2003, Rumsfeld’s apparent disregard for the requirements of the Geneva Conventions while carrying out the war on terror had led a group of senior military legal officers from the Judge Advocate General’s (JAG) Corps to pay two surprise visits within five months to Scott Horton, who was then chairman of the New York City Bar Association’s Committee on International Human Rights. “They wanted us to challenge the Bush Administration about its standards for detentions and interrogation,” Horton told me. “They were urging us to get involved and speak in a very loud voice. It came pretty much out the blue. The message was that conditions are ripe for abuse, and it’s going to occur.” The military officials were most alarmed about the growing use of civilian contractors in the interrogation process, Horton recalled. “They said there was an atmosphere of legal ambiguity being created as a result of a policy decision at the highest levels in the Pentagon. The JAG officers were being cut out of the policy formulation process.” They told him that, with the war on terror, a fifty-year history of exemplary application of the Geneva Conventions had come to an end.

The abuses at Abu Ghraib were exposed on January 13th, when Joseph Darby, a young military policeman assigned to Abu Ghraib, reported the wrongdoing to the Army’s Criminal Investigations Division. He also turned over a CD full of photographs. Within three days, a report made its way to Donald Rumsfeld, who informed President Bush.

The inquiry presented a dilemma for the Pentagon. The C.I.D. had to be allowed to continue, the former intelligence official said. “You can’t cover it up. You have to prosecute these guys for being off the reservation. But how do you prosecute them when they were covered by the special-access program? So you hope that maybe it’ll go away.” The Pentagon’s attitude last January, he said, was “Somebody got caught with some photos. What’s the big deal? Take care of it.” Rumsfeld’s explanation to the White House, the official added, was reassuring. “We’ve got a glitch in the program. We’ll prosecute it. The cover story was that some kids got out of control.”

In their testimony before Congress last week, Rumsfeld and Cambone struggled to convince the legislators that Miller’s visit to Baghdad in late August had nothing to do with the subsequent abuse. Cambone sought to assure the Senate Armed Services Committee that the interplay between Miller and Lieutenant General Ricardo Sanchez, the top U.S. commander in Iraq, had only a casual connection to his office. Miller’s recommendations, Cambone said, were made to Sanchez. His own role, he said, was mainly to insure that the “flow of intelligence back to the commands” was “efficient and effective.” He added that Miller’s goal was “to provide a safe, secure and humane environment that supports the expeditious collection of intelligence.”

It was a hard sell. Senator Hillary Clinton, Democrat of New York, posed the essential question facing the senators:

If, indeed General Miller was sent from Guantánamo to Iraq for the purpose of acquiring more actionable intelligence from detainees, then it is fair to conclude that the actions that are at point here in your report [on abuses at Abu Ghraib] are in some way connected to General Miller’s arrival and his specific orders, however they were interpreted, by those MPs and the military intelligence that were involved. . . . Therefore, I for one don’t believe I yet have adequate information from Mr. Cambone and the Defense Department as to exactly what General Miller’s orders were . . . how he carried out those orders, and the connection between his arrival in the fall of ’03 and the intensity of the abuses that occurred afterward.

Sometime before the Abu Ghraib abuses became public, the former intelligence official told me, Miller was “read in”—that is, briefed—on the special-access operation. In April, Miller returned to Baghdad to assume control of the Iraqi prisons; once the scandal hit, with its glaring headlines, General Sanchez presented him to the American and international media as the general who would clean up the Iraqi prison system and instill respect for the Geneva Conventions. “His job is to save what he can,” the former official said. “He’s there to protect the program while limiting any loss of core capability.” As for Antonio Taguba, the former intelligence official added, “He goes into it not knowing shit. And then: ‘Holy cow! What’s going on?’

If General Miller had been summoned by Congress to testify, he, like Rumsfeld and Cambone, would not have been able to mention the special-access program. “If you give away the fact that a special-access program exists,” the former intelligence official told me, “you blow the whole quick-reaction program.”

One puzzling aspect of Rumsfeld’s account of his initial reaction to news of the Abu Ghraib investigation was his lack of alarm and lack of curiosity. One factor may have been recent history: there had been many previous complaints of prisoner abuse from organizations like Human Rights Watch and the International Red Cross, and the Pentagon had weathered them with ease. Rumsfeld told the Senate Armed Services Committee that he had not been provided with details of alleged abuses until late March, when he read the specific charges. “You read it, as I say, it’s one thing. You see these photographs and it’s just unbelievable. . . . It wasn’t three-dimensional. It wasn’t video. It wasn’t color. It was quite a different thing.” The former intelligence official said that in his view, Rumsfeld and other senior Pentagon officials had not studied the photographs because “they thought what was in there was permitted under the rules of engagement,” as applied to the SAP. “The photos,” he added, “turned out to be the result of the program run amok.”

The former intelligence official made it clear that he was not alleging that Rumsfeld or General Myers knew that atrocities were committed. But, he said, "it was their permission granted to do the SAP, generically, and there was enough ambiguity, which permitted the abuses."

This official went on, "The black guys"—those in the Pentagon's secret program—"say we've got to accept the prosecution. They're vaccinated from the reality." The SAP is still active, and "the United States is picking up guys for interrogation. The question is, how do they protect the quick-reaction force without blowing its cover?" The program was protected by the fact that no one on the outside was allowed to know of its existence. "If you even give a hint that you're aware of a black program that you're not read into, you lose your clearances," the former official said. "Nobody will talk. So the only people left to prosecute are those who are undefended—the poor kids at the end of the food chain."

The most vulnerable senior official is Cambone. "The Pentagon is trying now to protect Cambone, and doesn't know how to do it," the former intelligence official said.

Last week, the government consultant, who has close ties to many conservatives, defended the Administration's continued secrecy about the special-access program in Abu Ghraib; "Why keep it black?" the consultant asked. "Because the process is unpleasant. It's like making sausage—you like the result but you don't want to know how it was made. Also, you don't want the Iraqi public, and the Arab world, to know. Remember, we went to Iraq to democratize the Middle East. The last thing you want to do is let the Arab world know how you treat Arab males in prison."

The former intelligence official told me he feared that one of the disastrous effects of the prison-abuse scandal would be the undermining of legitimate operations in the war on terror, which had already suffered from the draining of resources into Iraq. He portrayed Abu Ghraib as a "a tumor" on the war on terror. He said, "As long as it's benign and contained, the Pentagon can deal with the photo crisis without jeopardizing the secret program. As soon as it begins to grow, with nobody to diagnose it—it becomes a malignant tumor."

The Pentagon consultant made a similar point. Cambone and his superiors, the consultant said, "created the conditions that allowed transgressions to take place. And now we're going to end up with another Church Commission"—the 1975 Senate committee on intelligence, headed by Senator Frank Church, of Idaho, which investigated C.I.A. abuses during the previous two decades. Abu Ghraib had sent the message that the Pentagon leadership was unable to handle its discretionary power. "When the shit hits the fan, as it did on 9/11, how do you push the pedal?" the consultant asked. "You do it selectively and with intelligence."

"Congress is going to get to the bottom of this," the Pentagon consultant said. "You have to demonstrate that there are checks and balances in the system." He added, "When you live in a world of gray zones, you have to have very clear red lines."

Senator John McCain, of Arizona, said, "If this is true, it certainly increases the dimension of this issue and deserves significant scrutiny. I will do all possible to get to the bottom of this, and all other allegations."

"In an odd way," Kenneth Roth, the executive director of Human Rights Watch, said, "the sexual abuses at Abu Ghraib have become a diversion for the prisoner abuse and the violation of the Geneva Conventions that is authorized." Since September 11th, Roth added, the military has systematically used

third-degree techniques around the world on detainees. "Some JAGS hate this and are horrified that the tolerance of mistreatment will come back and haunt us in the next war," Roth told me. "We're giving the world a ready-made excuse to ignore the Geneva Conventions. Rumsfeld has lowered the bar."

Mr. ABERCROMBIE. Mr. Speaker, would the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Hawaii.

Mr. ABERCROMBIE. Mr. Speaker, the gentleman from Michigan gave a quote there concerning the briefing of Congress. Could the gentleman read that again and attribute where the source of that comment was? Was that an observation or was that a direct quote from someone? Perhaps he can read that text.

Mr. CONYERS. No. This was from the author of the article, Seymour Hersh, the part that determined that the existence of a program was to avoid traceability, to have no budget that was reportable. So we did not have anything to even oversight, and then also that they could avoid congressional scrutiny and a requirement or obligation for being briefed to Congress.

Mr. ABERCROMBIE. So we can make absolutely sure, this is Mr. Hersh reporting what information was coming to him, that that was the intent of this approach; is that correct?

Mr. CONYERS. Yes, but what I am trying to do is give us the basis of why there ought to be an investigation. I wish I could vet all of these statements, assertions, and I have as many questions as the gentleman probably does.

The problem is that we are now confronted with taking a few reservists and throwing them into a court-martial situation, when clearly this problem that has been exposed started with more than a few privates and corporals and sergeants, determining how they were going to commit these abuses; that this was sanctioned. This was planned, and I repeat again, the President was informed of the existence of the program, a former intelligence official talking to Seymour Hersh said.

This is an award-winning writer on the American government scene for many years. I need to know more, but I am certainly not going to walk away from this highly complex information that has been presented to us.

Mr. HOEFFEL. Mr. Speaker, would the gentleman yield?

Mr. DELAHUNT. I yield to the gentleman from Pennsylvania.

Mr. HOEFFEL. Mr. Speaker, I thank the gentleman from Michigan (Mr. CONYERS) for bringing the Seymour Hersh article to the attention of the House today. I read that this afternoon, and I agree with my colleague, the impact of that article clearly is this was a planned special operation that did not originate with the privates and the sergeants but at the highest levels of the Bush administration.

But the question I wanted to ask my colleague, what I got out of the article

was that not only was this a very clear attempt, if the article is accurate, by the Bush administration to set up an intelligence-gathering mechanism and operation that would be free and clear of any congressional oversight, but that they were taking these procedures and methods from Afghanistan, where we were clearly fighting terrorists and had terrorists in custody, and were interrogating terrorists and where we had announced, rightly or wrongly, that the Geneva Conventions would not apply. Then we were taking these methods and procedures to a more traditional war zone in Iraq and applying them to the detainees in the Iraqi prisons, notably Abu Ghraib, where the detainees were a bunch of people off the street, street criminals, rock throwers, hoodlums, maybe some terrorists, but certainly a wide number of just disaffected Iraqis who got swept up by the police and by the Army in an urban setting that was a traditional war zone. Yet, here the American operation was using these same interrogation approaches that we have been using against known terrorists in a lawless situation in Afghanistan.

This seems to me to be the root of the problem. First off, there is clear accountability to the very top of the Defense Department and the White House, and every time those gentlemen talk about just a few bad apples, it sets my hackles on edge because clearly they are trying to avoid accountability and responsibility.

The fundamental error they made was, in my judgment, taking this from a terror interrogation into interrogation of street criminals and routine suspects that have so badly backfired on our image in Iraq.

So I wonder, does the gentleman read the article the same way as I do?

Mr. CONYERS. I do, because they said they were taking people walking off the streets, taxi drivers, in-laws of somebody who may be more seriously implicated, and that they were bringing in an expert from Guantanamo. They do not make them enemy combatants so that these folks have no rights under the Geneva Conventions whatsoever, and the whole thing reads like an absolute nightmare. They are naming names and they are naming strategies. This so-called, what do we call it, the secret access program.

Mr. HOEFFEL. Very aptly known as SAP, S-A-P.

Mr. DELAHUNT. Mr. Speaker, reclaiming my time for a moment, because I know we are joined by our friend, the gentleman from Washington (Mr. INSLEE), and again, I think we are coming back to an issue that has to be discussed here, and that is an issue of competence.

There is nobody in this chamber that is not committed to making every effort, every responsible effort to end the threat of terrorism, not just against the United States but all over the globe. What I think the world has concluded, as most Americans have concluded, is that the information that

was provided to this administration indicating that there was weapons of mass destruction in Iraq and that there were linkages between Saddam Hussein and al Qaeda were absolutely false, absolutely false.

What we have learned is that much of this information was provided by an exiled group called the Iraqi National Congress, headed by this particular gentleman here with the sunglasses on whose name is Ahmed Chalabi, who for years was working to return to Iraq.

Mr. Chalabi is an interesting and controversial figure, of course, because during his exile he lived for a time in Jordan, and while he was there, he was charged with and accused and convicted of the crime of embezzlement in the amount of some \$30 million. He was sentenced to a term of 22 years in prison. Somehow during his exile he became friendly with or developed relationships with Richard Pearl, who formerly served on the Defense Advisory Board, with the Vice President Mr. CHENEY, and with others in the so-called neo-conservative movement.

□ 2230

And they believed what he had to say. And it has been proven to be false.

And I thought what was particularly interesting was that this past weekend our Secretary of State, Colin Powell, made a statement, I think it was on "Meet the Press," that he now believes, and I am reading again from the New York Times dated today, that "he now believes that the Central Intelligence Agency was deliberately misled about evidence that Saddam Hussein was developing unconventional weapons."

Now, stop for a moment to think of this, that the Secretary of State, who made the presentation before the world at the United Nations, who built the case for this White House and for this President, now indicates that he was or the CIA was misled. The report goes on, "He hinted at widespread reports," this is Secretary Powell, "of fabrications by an engineer who provided much of the critical information about the so-called bioweapons labs. Intelligence officials have since found that the engineer was linked to the Iraqi National Congress, an exiled group that was pressing President Bush to unseat Mr. Hussein." This is a quote by the Secretary of State. "It turned out that the sourcing was inaccurate and wrong and, in some cases, deliberately misleading," Mr. Powell said in an interview broadcast from Jordan, "and for that I am disappointed and I regret it."

Mr. INSLEE. Mr. Speaker, if the gentleman will yield.

Mr. DELAHUNT. I yield.

Mr. INSLEE. Mr. Speaker, my constituents are tired of being suckered with false information that both precipitated and continue this war in Iraq, and they want some accountability of what happened with such a massive amount of misinformation given to the

American people leading up to this war. They want accountability, and they deserve accountability.

We offered today an amendment to the defense authorizations bill to be considered this week that will give Americans some accountability on the source of this information, of Mr. Chalabi's rogue group, this alleged Iraqi National Congress. And there is nothing congressional about it. It is a bunch of folks that want to go back in and run Iraq and who convinced the neoconservatives who are behind this war that we would all be greeted with rose petals because Mr. Chalabi would be seen as the great savior of Iraq.

This great fantasy was bought hook, line and sinker by the President of the United States and the administration, and it was a fraud. And it is time for the American taxpayers to have accountability here.

Now, what I am told, and I want to make sure it is true, but I am told taxpayers are still paying this group, this group that gave us, apparently willfully, or potentially willfully, false information leading to this war. We are still paying \$350,000 a month for their great services in Iraq. What did this group do for the American people? It got us into a war based on false administration they gave to the administration. The administration was all too happy to accept that there were weapons of mass destruction there; that there was a connection to 9-11 and that they would be greeted as liberators, the three legs of this stool, all of which were false. And we are still paying these people.

So we will offer an amendment, hopefully tomorrow it will be allowed, I hope the majority will allow it to be considered, which will cut that money off, assuming the things I have suggested are true; and I believe they are. So we need some accountability here of this group. We cannot continue it.

And I want to make sure people understand how dire this is and how hoodwinked this administration was. And, frankly, I think they were patsies for this group. We paid millions of dollars very shortly after the Iraqi Army collapsed to fly into Iraq, I am told like some 800 or 900 of the cohorts and the coconspirators, if I can use the pejorative term that I think is appropriate here, of Mr. Chalabi's. We flew them into Baghdad, and it was going to be the sort of great saviors flying in that would be the recipient of all these rose petals and would quickly reestablish them as the functioning government of Iraq.

Surprise. They were not really welcomed with open arms in Baghdad. Totally failed. Wasted our millions of dollars, and they are still taking money from the taxpayers. Now, here is one mistake, at least one mistake the administration ought to own up to and fix so we do not continue pouring money down a rat hole in Iraq with the Iraqi National Congress, which has not helped us one wit.

Because, frankly, what Iraq needs is a real congress which is elected by the Iraqi people. These guys who are under indictment in Jordan, you cannot parachute him in and expect him to be welcomed as the savior of Iraq.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman will yield on that point.

Mr. INSLEE. Let me say one more thing. We need elections sooner rather than later in Iraq to vest them with their own destiny, and I will offer an amendment to do that as well.

I yield to the gentleman from Hawaii (Mr. ABERCROMBIE).

Mr. ABERCROMBIE. Mr. Speaker, on that point, perhaps one of my esteemed colleagues could enlighten me as to the status of Mr. Chalabi and his brethren with respect to the sovereignty issue that is supposed to come to full fruition on June 30. I am unable to determine from my inquiries as to exactly where the United Nations representative, Mr. Chalabi, and Mr. Bremer cross paths.

And to the degree or extent that they are in contact with one another, let alone in league with one another, exactly what the elements of that sovereignty will be with respect to this Iraqi governing council and Mr. Chalabi. Do any of my colleagues have any information on that or is everybody as much in the dark as I believe the American people and the Iraqi people are?

Mr. DELAHUNT. Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. HOEFFEL).

Mr. HOEFFEL. Well, I was just going to say that we have as much of a clue as the American officials in Iraq have, which is no clue at all. I do not think anybody has any idea what is going to happen on June 30.

Mr. ABERCROMBIE. Well, Mr. Speaker, may I ask the gentleman to take the time back on that point?

Mr. HOEFFEL. Sure.

Mr. ABERCROMBIE. I, unfortunately, believe that we probably have a pretty good idea what is going to happen at that point. I believe that the American Armed Forces will be set adrift on a desert sea of anxiety, insecurity, and ineptitude.

The gentleman from Massachusetts (Mr. DELAHUNT) has characterized the present situation with respect to our policy as one of rampant incompetence, but I think that it is unfortunately all too safe to say that that will manifest itself on June 30 with an utter incapacity to discern even momentarily what the military mission of the United States Armed Forces will be at that point, other than to try to survive the day, survive the week, survive the month, survive any stop-loss that the Secretary of Defense might impose on the troops there and then get home.

Mr. Speaker, I yield back to the gentleman from Massachusetts (Mr. DELAHUNT).

Mr. DELAHUNT. Well, Mr. Speaker, I do not think we have the answers. But, again, let me go back to this issue of

competence, because the President of the United States described the Secretary of Defense as a superb leader. I reject that description. I reject that description out of hand. One only has to see example after example, such as the relationship, and not just a single incident, with Mr. Chalabi. Clearly, the Kingdom of Jordan, which has been a steadfast ally of the United States, was insulted by the appointment of this individual, who is a convicted felon, to the Iraqi Governing Council.

King Abdulla of Jordan was here. I and several other members of the Committee on International Relations, I believe I was joined by my colleague here tonight, the gentleman from Pennsylvania (Mr. HOFFEL), at a luncheon when I posed the question to the King, and congratulated him, by the way, for moving towards the democratization, if you will, of Jordan, whether he was ever consulted by Secretary Rumsfeld or by the President about the appointment of Mr. Chalabi. And he said, no, he was not even consulted. Yet here is an individual who established a bank, one of the largest banks in Jordan, then embezzled, according to the conviction, millions of dollars, causing the bank to collapse; and he then escaped from Jordan.

When asked just recently about Ahmed Chalabi potentially becoming the prime minister in the interim government, what King Abdulla said was, "He was not the ideal choice." I dare say that was extremely diplomatic.

But at the same time let me go and quote another individual who has earned the respect of Members of this body and the American people, David Kay. Remember David Kay? He was assigned the task by this President, by this Secretary of Defense to go find the weapons of mass destruction; and he came back and said there are no weapons of mass destruction, Mr. President, and testified before the United States Senate that we were all wrong. We were all wrong.

But, of course, this White House, Mr. Bush and Mr. CHENEY and Mr. Rumsfeld cannot acknowledge that they were wrong. They were wrong about the weapons of mass destruction. They were wrong about the links between al Qaeda and Saddam Hussein. And now we find ourselves in a quagmire.

But this is what Mr. Kay had to say, who, by the way, was one of the most hawkish members of the United Nations monitors that went out and that was part of that inspection team, and who actually supported the war. But here is what he had to say. He now believes the Western countries' intelligence agencies got it wrong for two reasons. He is referring to the weapons of mass destruction. First, they were manipulated by Ahmed Chalabi and other dissidents whose central interest was ousting Saddam.

Just mentioning the name of the Iraqi National Congress leader makes Kay laugh. There is a guy who is so transparent. Chalabi asked me once,

and again this is Mr. Kay speaking, why are you so concerned about the weapons of mass destruction? No one cares about weapons of mass destruction. And when asked by Tom Brokaw was he embarrassed, no, his response was, we are heroes in error.

Well that error has cost the American taxpayers hundreds of billions of dollars, the lives of American young men and women, and the loss of American moral authority and prestige in the war. Mr. Chalabi, that is disgraceful. That is disgraceful.

Mr. ABERCROMBIE. Mr. Speaker, if the gentleman will yield.

Mr. DELAHUNT. I yield to the gentleman.

Mr. ABERCROMBIE. Perhaps it would be useful for us to note at this point that Mr. Chalabi does not occupy his position as a result of unilateral action on his part. Mr. Chalabi occupies this position because of the overt policies of this administration. The reason he is there, the reason that we are unable at this stage, at this stage, just prior to June 30, to say exactly what his position will be in the future is because he continues to receive the favor of this administration. He is there because Mr. Bush saw that he went there. He is there because he is supported to this day, to this moment by this administration.

Everything that has been said concerning him this evening is true. It is factual. It is contextual. We understand the meaning of what he said when he said we were heroes in error. And I happened to see that announcement; and let me tell my colleagues the words do not convey the sense of triumph, the sense of disdain, the condescending attitude or sense of his countenance when he pronounced those words. He was pleased with himself that he had been able to mislead the administration and that he was getting away with it.

It is one thing to deliberately mislead someone. They may not know what was going on. They may not know what happened. Maybe they should have known. Maybe they should have been paying more attention in the administration, but to give them the widest benefit of a doubt, perhaps they did not. But once someone announces to your face that you have been misled, and deliberately so, to continue to receive the favor of the person who made the appointment and allows it to continue, tells more about the person who does the appointing and ostensibly holds the power than it does about Mr. Chalabi.

□ 2245

Mr. DELAHUNT. Mr. Speaker, it can be summed up in one word, incompetence, and a lack of leadership and an inability to wage a war against terrorism that will succeed.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. HOFFEL).

Mr. HOFFEL. Mr. Speaker, just over a year ago at one of our first Iraq

Watches, I recounted a visit that Mr. Chalabi paid to my office, as I think he did to most members of the Committee on International Relations in October 2002, just before the vote here in the House on the war authority on Iraq.

I talked to Mr. Chalabi for 10 or 15 minutes. He had an aide with him, and my chief of staff was with me. They left, and I turned to my aide and I said, That is the kind of man that my grandfather would have called a four-flusher. I do not think I have used that term since my grandfather died in the 1980s. I am not quite sure what it means. I think it must come from poker where a player has four cards for a flush, does not have the fifth, and you are all hot air and cannot be trusted and you are just a spin doctor.

That is exactly the impression that I got from Ahmed Chalabi that day, that he was spinning. He was spinning me, he was spinning the Congress, he was not a man of substance and not someone we should trust.

The sad fact is, as my colleagues have said here tonight, the administration trusted him. Paul Wolfowitz trusted him, Doug Faith, Donald Rumsfeld trusted him, and because those individuals trusted him, our President trusted him; and he is not worthy of our trust. As a matter of fact, I think we need to talk about all of this talk about resignations in the Department of Defense. I do not think we should allow those civilian authorities in the DOD the luxury of resigning. The President ought to fire them. He ought to fire Rumsfeld and Faith for the bad advice they have given him, for believing in people like Chalabi, for the lack of planning in Iraq, for sending troops over there without enough numbers, without the armored vehicles to keep them safe.

The failures of leadership in the Department of Defense are so great, including believing Chalabi, that the civilian leadership ought to go. While the President is at it, he ought to get rid of George Tenet for the bad intelligence regarding the failure of the weapons of mass destruction intelligence.

The only person that ought to resign in the administration is Colin Powell, because his advice is not being listened to, but that is another matter.

Mr. INSLEE. Mr. Speaker, I think the gentleman has put his finger on what we ought to call the Chalabi principle in the Bush administration. The Chalabi principle is this: If you tell the truth, you get fired by the President. If you tell a falsehood, you get promoted and praised.

That is a pretty strong statement, but let us look at the facts. General Shinseki told the truth. He said we are going to need several hundred thousand troops to prevent massive looting and anarchy after the army collapses, and it was true; so they canned him. General Zinni said the same thing; he gracefully was allowed to retire. Joe Wilson told the truth and pointed out that the President told a significant

falsehood to the American people and Congress in the State of the Union address, asserting that Iraq was getting uranium to build a nuclear weapon. He told the truth and so the President's people punished Mr. WILSON's wife by outing her CIA employment, which should be a Federal crime.

So if you tell the truth in the Bush administration, you can be canned, punished, and your wife's career gets destroyed. But if you tell a falsehood, like Mr. Chalabi's outfit who gave us repeated misinformation, according to the Secretary of State, you get praised, you get the President trying to get you an in in the new government in Iraq, and you get \$350,000 a month of taxpayers' money, together with the millions of dollars we spent trying to parachute them into Baghdad to form a new government, which was an abject failure, you are praised.

If you are Paul Wolfowitz, who told the Congress that oil revenues would pay for this and we would be greeted with rose petals, you are praised by the President.

And if you are the Defense Secretary, if you are wrong about WMD, wrong about the connection with 9/11, wrong about the number of troops we need, and wrong about not having armor and how we are going to pay for it and how much it is going to cost, if you are wrong about not having early elections, the Vice President says you are the best Secretary of Defense America has ever had. This is the Chalabi principle. We need to break this.

This is one of the things wrong with our Iraqi policy. The people telling the truth are not listened to, and the people fouling up get promoted. That needs to change.

Mr. DELAHUNT. Mr. Speaker, what is interesting is that David Kay, highly respected, the man that was charged by this President, it did not take him too long to conclude that Mr. Chalabi was transparent, a manipulator, a con man, if you will.

In addition to all that the gentleman has said, do my colleagues remember when the President of the United States delivered the State of the Union address this year, in January of 2004, who was sitting up right there in the gallery in the Bush family box? Does the gentleman remember?

Mr. HOEFFEL. I remember. It was Mr. Chalabi.

Mr. DELAHUNT. It boggles the mind, it is such rank incompetence, it is such an inability to see reality, to be fooled. It is not incompetence, it is gross negligence. In some other forum it might almost be funny, but here it is so tragic because it is not just about this President and this Vice President, but it is about war and peace and the American people and how we are viewed in the world, and it is the blood of our children, and it is mortgaging our future.

We should walk away from Mr. Chalabi now and begin to restore the confidence of the world in our ability

to match reality and our dreams and aspirations.

Mr. ABERCROMBIE. Mr. Speaker, I would suggest that these discussions that we have held and are holding weekly on the floor here are meant to communicate with our colleagues and with the American people. This is our forum to do it. I think those who may be observing our proceedings here today need to take up, if they believe what we have said tonight, the cause of having Mr. Bush remove his support from Mr. Chalabi.

I think people across the country have to ask their representatives, as well as communicate with the White House. They have to ask their Representatives and Senators, do you support this Chalabi administration and the Iraqi Governing Council? Do you support Mr. Chalabi being a part of this sovereignty movement after June 30? If you do, there have to be serious questions about your competence to be holding office and acting on our behalf.

This is a question that needs to be asked. Americans need not feel impotent, they need not feel they are merely observers of what other people are doing to you and doing to this country. You can demand of your elected Representatives and Senators, where do you stand on this Chalabi issue?

It is not a matter of getting an individual, I am sure we all agree. He is representative of a failure of leadership. His position in the Iraqi Governing Council is an insult to those people who have been wounded and who have been killed during this war. It is an insult to those of us who uphold genuine ideas about freedom and democracy and their spread. So long as this man is there, being the official representative of the United States to the Iraqi Governing Council, to that same degree will we be disenabled from achieving any of these goals, regardless of how one feels about going to war in Iraq or not.

This is what needs to be done. You have to demand of your representatives, where do you stand on this issue of his continued presence as being officially supported by the United States of America?

Mr. DELAHUNT. Let me reclaim my time for a moment. I think it is important for Americans to understand that during the course of this week, we will be debating a bill that is described as the defense reauthorization bill. It is our purpose collectively as members of this informal group that came to being as a result of the gentleman from Pennsylvania's brainstorm almost a year ago now, this informal group is going to make every single effort to eliminate the funding and the authority for the funding for the Iraqi National Congress that is receiving some \$4 million a year, as the gentleman indicates. For what, we do not know. For bad information, for self-aggrandizement, for certainly not the best interests of the United States.

We again, as the gentleman suggests, recommend that anyone who is inter-

ested in this issue, that shares our concern and our belief that this is very much a linchpin to beginning to restore our international respect and support, to contact their Senators and their Representatives to assist in this effort, to read about, not just listen to our comments, but to become engaged, educate themselves as to the role of this individual in the course of the past several years and the consequences to the United States simply because there were people in this administration, so-called neoconservatives that were looking for a reason to go to war in Iraq long before our national tragedy of September 11.

Mr. ABERCROMBIE. This is why it is so important, and I want to make sure everyone understands. We can do this. We do have a bill coming up this week, and if we are able to get on the agenda on the floor, we can stop the support for this group. It is fundamental to advancing the genuine interests of the United States and reestablishing some semblance of a foundation on behalf of freedom that we stop Chalabi from being represented on the Governing Council, as having the support of the United States of America.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Ms. CARSON of Indiana (at the request of Ms. PELOSI) for today on account of personal reasons.

Mr. DEFAZIO (at the request of Ms. PELOSI) for today on account of official business in the district.

Ms. KILPATRICK (at the request of Ms. PELOSI) for today on account of personal business.

Ms. WOOLSEY (at the request of Ms. PELOSI) for today on account of medical reasons.

Mr. BACHUS (at the request of Mr. DELAY) for today on account of travel delay.

Mr. ENGLISH (at the request of Mr. DELAY) for today on account of travel delay.

Mr. LEACH (at the request of Mr. DELAY) for today and the balance of the week on account of leading an official United States delegation to Taiwan.

Mr. TAUZIN (at the request of Mr. DELAY) for today and the balance of the week on account of medical reasons.

Mr. TIAHRT (at the request of Mr. DELAY) for today on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. PALLONE) to revise and extend their remarks and include extraneous material:)

Mrs. MCCARTHY of New York, for 5 minutes, today.