

eyes of these men, there was a deep conviction, a significant amount of courage, a tremendous amount of patriotism that is there. They know that their lives are on the line. Since that time from about August 18, I believe that date was, we have seen this unfold to where we know that there have been already two attorneys that have been killed in the process of this trial.

I stand here on the floor of the United States Congress, Mr. Speaker, standing in support and in solidarity of a free and independent judiciary for everyone in this world, but particularly those in Iraq where it will become the second place on the globe where an Arab can get a fair trial, second to Israel.

And where they sit in judgment now of those alleged perpetrators of war crimes, we need to stand with them. We need to send a message across that says free and independent judiciary, rule of law are essential to freedom, and they have got to be independent of the politics that rule also in Iraq. The old Baathist Party, the people that are looking to try to bring leverage for one political reason or another, we have to hold them separate from that and encourage them to stand on that rule of law, which they quoted to me on that hot day in that building in Baghdad back last August.

So I am proud this Congress stands with them, Mr. Speaker, and I appreciate the opportunity to present my argument in support of this resolution before this Congress.

Mr. Speaker, I commend my colleague from Texas for bringing this legislation forward. As you may know, Iraq's march towards democracy has not been easy. They are just now emerging from 24 years of oppression and cruel torture under the rule of Saddam Hussein. Now thanks to the hard work and sacrifice of American and coalition forces, Saddam has been captured. Ironically, he is now receiving the benefits of the fair judicial process he denied to so many.

Last night, I spoke to this House about benchmarks in the progress of the new country. In less than three years, Iraq has gone from a nation suffering under a ruthless dictator to one with a new constitution and only hours away from a democratically elected government. As I have heard from numerous American soldiers in and returning from Iraq, every day the nation is relying less and less on coalition forces for support. At the same time, Iraq is becoming increasingly more capable of providing independent government services.

Mr. Speaker, America stands as a beacon for freedom and justice in the world. And the promising nation of Iraq is now demonstrating similar compassion and commitment to the rule of law. As such, the nation's unbiased judiciary is playing a critical role in its development as a democracy.

Of course, there are those who would like to see Iraq resist freedom and return to brutal dictatorship. The terrorists know that the formation of a strong judiciary threatens their efforts. In turn, some of these terrorists wreak violence against those working to dispense justice in Iraq. The judges and other members

of the Iraqi judiciary who carry on in spite of the terrorists' best efforts are incredibly courageous and need to be recognized for their bravery. Despite threats to their personal safety, members of the Iraqi judiciary remain dedicated to their convictions and continue working toward a better nation for all.

This resolution sends a significant message, recognizing the importance and credibility of an unbiased Iraqi judiciary for a new and democratic Iraq. I am a co-sponsor of this legislation which will encourage our friends abroad who are working so hard to secure a free and democratic Iraq. I urge your support of this important resolution.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. REICHERT). The question is on the motion offered by the gentlewoman from Florida (Ms. ROS-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 534.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. KING of Iowa. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this question will be postponed.

#### CONDEMNING ACTIONS BY SYRIA REGARDING THE ASSASSINATION OF FORMER PRIME MINISTER OF LEBANON

Ms. ROS-LEHTINEN. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 598) condemning actions by the Government of Syria that have hindered the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIC), expressing support for extending the UNIIC's investigative mandate, and stating concern about similar assassination attempts apparently aimed at destabilizing Lebanon's security and undermining Lebanon's sovereignty, as amended.

The Clerk read as follows:

H. RES. 598

Whereas on September 2, 2004, United Nations Security Council Resolution 1559 was adopted by the Security Council to address Syria's continued interference in Lebanese politics, reaffirming strict respect for Lebanon's sovereignty, and stipulating the withdrawal of all non-Lebanese forces from Lebanon and the disbanding and disarmament of all Lebanese and non-Lebanese militias;

Whereas on February 14, 2005, former Prime Minister of Lebanon Rafik Hariri and 22 others were killed in a terrorist bombing orchestrated by unidentified assailants;

Whereas on April 7, 2005, the United Nations Security Council adopted Resolution 1595, under which the Security Council decided to "establish an international independent investigation Commission [the

UNIIC] based in Lebanon to assist the Lebanese authorities in their investigation of all aspects of this terrorist act, including to help identify its perpetrators, sponsors, organizers and accomplices";

Whereas on October 19, 2005, the first report of the United Nations International Independent Investigation Commission (UNIIC), headed by former German prosecutor Detlev Mehlis, found "there is converging evidence pointing at both Lebanese and Syrian involvement in this terrorist act";

Whereas the October 19, 2005, report also asserted that "[g]iven the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to envisage a scenario whereby such a complex assassination plot could have been carried out without their knowledge";

Whereas on October 31, 2005, the United Nations Security Council adopted Resolution 1636, which expressed extreme concern that "Syrian authorities have cooperated in form but not in substance" with the UNIIC, that "several Syrian officials tried to mislead the investigation by giving false or inaccurate statements" and that "Syria's continued lack of cooperation with the inquiry would constitute a serious violation of its obligations";

Whereas on December 12, 2005, the second report of the UNIIC noted that "steady progress" has been made in the Lebanese portion of the investigation that "remains to be matched" in the Syrian portion of the investigation and recommended an extension of the UNIIC's investigative mandate by a "minimum period of six months" since substantive lines of enquiry are far from being completed and "given the slow pace with which the Syrian authorities are beginning to discharge their commitments to the [Security] Council";

Whereas Syria's actions to hinder the UNIIC's investigative efforts include credible reports of the arrest and threatening of close relatives of at least one crucial witness, delay caused by procedural maneuvering, and the report of two witnesses that all Syrian intelligence documents concerning Lebanon have been burned;

Whereas since the assassination of Rafik Hariri, intimidation of the press in Lebanon has increased and a series of attacks and explosions in Lebanon have occurred, targeting political leaders and journalists who have advocated Lebanese sovereignty, including Samir Qassir, May Chidiac, and most recently on December 12, 2005, the assassination of Gebran Tuéni, a Member of the Lebanese Parliament and the general manager of the Lebanese daily *an-Nahar*, which has been a vital editorial voice opposing Syrian political control and influence in Lebanon; and

Whereas Secretary of State Condoleezza Rice on December 12, 2005, expressed outrage at the assassination of Gebran Tuéni and stated: "Syrian interference in Lebanon continues, and it must end completely. The United States will work with its partners on the Security Council and in the region to see that Security Council Resolutions 1595 and 1636 are fully implemented.": Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) condemns the Government of Syria for hindering and failing to cooperate fully in a timely and substantive manner with the investigation of the assassination of former Prime Minister of Lebanon Rafik Hariri conducted by the United Nations International Independent Investigation Commission (UNIIC);

(2) expresses support for extending the investigative mandate of the UNIIC for at a

minimum an additional six-month period as recommended by the UNIIC in order to fully ascertain the responsibility for the assassination of former Prime Minister of Lebanon Rafik Hariri;

(3) states its concern that insecurity in Lebanon could have a destabilizing effect on the region and harm the ability of the people of Lebanon to strengthen democracy and economic prosperity in their country;

(4) expresses its gratitude to—

(A) chief investigator Detlev Mehlis and the UNIIC for their continuing efforts to uncover evidence related to the assassination of Rafik Hariri; and

(B) those who have freely assisted the UNIIC in its investigation;

(5) demands that Syria commit itself to expeditiously fulfill all obligations to cooperate with the UNIIC and to meet all obligations of United Nations Security Council Resolutions 1559, 1595, and 1636;

(6) encourages the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States in the United Nations Security Council to advocate for the application of punitive measures against Syria that target its leadership—including the enactment of punitive sanctions against Syria under Chapter VII of the Charter of the United Nations—if Syria further fails to cooperate fully with the ongoing UNIIC investigation and continues to violate Security Council Resolutions 1559, 1595, and 1636;

(7) urges the Government of the United States to support the extension of the jurisdiction of the UNIIC to cover assassinations and assassination attempts in Lebanon since October 1, 2004; and

(8) urges the President to implement further measures against the Syrian leadership in accordance with the requirements in the Syria Accountability and Lebanese Sovereignty Restoration Act of 2003 (Public Law 108-175), particularly if Syria further fails to cooperate fully with the ongoing UNIIC investigation and continues to violate Security Council Resolutions 1559, 1595, and 1636.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Florida (Ms. ROS-LEHTINEN) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Florida.

#### GENERAL LEAVE

Ms. ROS-LEHTINEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the resolution under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Florida?

There was no objection.

Ms. ROS-LEHTINEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today I rise in support of House Resolution 598, which seeks to condemn the actions by the government of Syria that have hindered the investigation into the assassination of former Prime Minister Hariri, investigations led by Mr. Mehlis.

Since the attempted assassination of Marwan Hamadeh in October 2004, Lebanon has suffered a series of attacks and assassinations that have targeted political leaders and journalists who have been critical of Syria. The assassi-

sation of former Prime Minister Hariri on February 14, 2005, prompted the passage of United Nations Security Council Resolution 1595, which established an international independent investigation commission based in Lebanon to assist the Lebanese Government in finding those responsible for that terrorist attack.

The first report of that commission was delivered on October 19, 2005, and its findings point to Lebanese and Syrian involvement in the assassination of Prime Minister Hariri. The report states: “Given the infiltration of Lebanese institutions and society by the Syrian and Lebanese intelligence services working in tandem, it would be difficult to see a scenario whereby such a complex assassination plot could have been carried out without their knowledge.”

Furthermore, the commission reported on difficulties it was encountering with regard to the cooperation being extended by the Syrian authorities. United Nations Security Council Resolution 1636 extended the mandate of the commission and addressed the urgency of Syria to cooperate with the investigation.

On December 12, 2005, the second report of the commission was delivered. It presented the progress of the investigation, reinforced preliminary findings of Lebanese and Syrian cooperation in the assassination of Prime Minister Hariri, and outlined progress with regard to the form and content of Syrian cooperation with the commission.

That same day, a member of parliament, who was also the publisher of a leading Lebanese newspaper known for its opposition to Syria’s political control and influence in Lebanon, was savagely murdered in a car bomb.

After the assassination of his colleague on June 2, 2005, the parliamentarian and the publisher said the following: “The Lebanese security authorities and the remnants of the Syrian system in Lebanon, and directly the Syrian regime from top to bottom, is responsible for every crime and every drop of blood spilled.”

As this resolution notes, Mr. Speaker, there has been a concerted effort to undermine Lebanon’s security and sovereignty by targeting opinion leaders. The perpetrators of these evil attacks are attempting to silence Lebanon’s most profound thinkers and voices of public opinion. The assassination of these two leaders and the attempted assassination of another one earlier this year indicate that Lebanon’s press and freedom of expression are themselves targeted through the elimination of their leading figures.

However, the people of Lebanon see through these cowardly and unjustified acts, and they will not be intimidated. The people of the United States of America stand with the people of Lebanon in their time of sorrow and support their demands to see international investigations into all the unjustified attacks since October 1, 2004.

□ 2345

The United States Government should do all that we can to win the support of the international community and to ensure that the international investigation into the assassination of Prime Minister Hariri is extended so that justice can be served.

I support this resolution and its passage.

Mr. Speaker, I reserve the balance of my time.

Mr. LANTOS. Mr. Speaker, I rise in strong support of this resolution, and yield myself such time as I might consume.

Mr. Speaker, at the outset, I want to commend my friend and fellow Californian, Mr. ISSA, for preparing a significant, important and well-crafted piece of legislation.

Mr. Speaker, Syrian brazenness knows no bounds. With his press conference and report to the U.N. Security Council this week, Detlev Mehlis has made clear that Syrian interference with his investigation into the assassination of former Lebanese Prime Minister Rafiq Hariri has only increased.

We now know for certain what we previously only suspected, that Syria has ignored Security Council warnings and persisted in obstructing Mehlis’s investigation, using delaying tactics, destroying documents, withholding witnesses and pressuring key individuals involved in these matters by threatening their families, all quite sickening, Mr. Speaker.

But on Monday, Syria appears to have reached a new height of cynicism and treachery. The murder of Gebran Tueni, a parliamentarian and the publisher of the most respected Lebanese daily, *an-Nahar*, was a devastating response to Mehlis’s report on the eve of its release. Of course, Mr. Speaker, Syria denies involvement in the assassination, but, like so many hit jobs before it, including the one on Hariri, it has all the hallmarks of a product “made in Damascus.”

Tueni is the latest of several courageous leaders to be the object of a murderous Syrian attack. All of these victims have had one thing in common: A strong commitment to Lebanese independence and sovereignty and the powerful opposition to Syria’s control of Lebanon.

Tueni is a special case. His newspaper emerged in recent years as the leading journalistic opponent to the Syrian occupation, and he is the second journalist of that newspaper to be killed in the past 6 months. The former occupiers bided their time, but they got their revenge just a few short months after Tueni prophetically and tragically told the world in August that he was on the top of Syria’s list of those marked for assassination.

I would ask, Mr. Speaker, for a moment of silence from this body for Mr. Tueni and all the others, including Prime Minister Hariri, who have lost their lives this year in Syria’s murderous and shadowy war on Lebanese

patriots. If my colleagues would join me in a moment of silence for these Lebanese heroes who gave their lives for their country's independence.

Thank you.

On October 31, the U.N. Security Council passed Resolution 1636 which warned that "Syria's continued lack of cooperation with the U.N. inquiry would constitute a serious violation of its obligations."

Mr. Speaker, in my view, the clock has now run out on Syria. With its arrogant disregard for human life and all international norms, Damascus has now put the ball squarely in our court. I suggest that we respond, and do so forcefully.

I fully support this resolution's call for the administration to use its influence in the Security Council to seek punitive measures against the Syrian leadership and to utilize all the tools made available in the Syria Accountability and Lebanese Sovereignty Restoration Act to convince the Assad regime in Damascus that its behavior carries a heavy price. We cannot let the cruel regime in Damascus escape unscathed. Its crimes in Lebanon are but one dimension of Syrian transgressions against all standards of decency.

We could go on at length citing Syria's support for terrorists, including the Iraqi terrorists, and its internal repression of all peaceful dissent and its more than 2,000 political prisoners, including most recently the arrest last month of Dr. Kamal al-Labwani following his visit here as a guest of our Department of State's International Visitors Program.

Mr. Speaker, I would be remiss were I not to make one additional observation: International pressure on Syria to withdraw from Lebanon began in a serious way in September 2004 with the passage of U.N. Security Council Resolution 1559, but that resolution not only called for Syrian withdrawal, it also called for the disarming and disbanding of Hezbollah and all other Lebanese militias. That latter point has been woefully neglected by the international community, as well as by the Lebanese government, which has even seen fit to include a Hezbollah representative in its cabinet. Now I fear international, and Lebanese, neglect is coming home to roost.

The shadowy figures who are carrying out Syria's instructions to murder Lebanese patriots may or may not be Hezbollah operatives. But I do know that as long as Hezbollah remains armed, there will be thousands of killers available to carry out the Syrian regime's evil whims, thousands of jihadist killers who are loyal to Syria and care not a whit for Lebanese unity or Lebanese independence.

Mr. Speaker, I strongly support this resolution, which sends a powerful message to the Assad regime. I urge all of my colleagues to do likewise.

Mr. Speaker, I reserve the balance of my time.

Ms. ROS-LEHTINEN. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from California (Mr. ISSA), the author of this resolution.

(Mr. ISSA asked and was given permission to revise and extend his remarks.)

Mr. ISSA. Mr. Speaker, I would like to thank Madam Chairman for the time, but also as the subcommittee chairwoman, you were instrumental in our ability to be able to bring this legislation to the floor quickly.

Mr. LANTOS particularly not only aided in bringing this to the floor, but, Mr. Speaker, this was a piece of legislation that was drafted and then aid was given on a bipartisan basis to make it a better, more comprehensive piece of legislation, and I am grateful for that.

Mr. Speaker, it is a difficult task to keep coming to the well and asking for Congress to help in a war of words, a war of diplomacy that now wages in Lebanon and in Syria, but it is a better war to fight than a war with tanks and blood. What we are doing here with this resolution is we are saying to Syria that we want to avoid war; we are saying to Lebanon that we want to avoid war; but with the help of the French, the Germans, the United Nations, the entire world, we will in fact see that the murderers of Rafiq Hariri are brought to justice. But, more importantly, I think we send the message that diplomacy is in fact an alternative to war, but it is not an alternative to war forever.

President Bush should be commended for the years of work that first Secretary Powell and now Secretary Rice have done in order to try to convince and cajole Syria to come in to the world of nations, to abandon its occupation of Lebanon, which it did not do without global pressure, and further to come clean about its support for Hezbollah, to certainly come clean for its support of various groups that have committed at least 12 separate bombings in Lebanon.

I do not believe that Syria will hear this. I believe I am here tonight speaking, Mr. Speaker, to the American people and to the rest of the world in saying that, yes, we are using diplomacy to anyone who would possibly hear it. We are doing it with the United Nations, we are doing it in concert with every nation, every nation that rejects terrorism we are doing it with. But I think it is very clear that on a bipartisan basis, the House of Representatives in voting for this resolution is making it clear that we stand together against the kinds of activities that it is clear Syria has been implicated with.

I have met with Bashar Assad. I met with him in 2001 and 2002 and 2003 and 2004. My hope was that he would embrace the West. He had been educated in the West, he had all that it would take to understand the benefits that would come from that, and he said he wanted them.

But at the same time I met with Prime Minister Rafiq Hariri, both here

in the United States on his many trips and in Lebanon, and you could see how he was unable to enjoy the fruits of a democracy and a people that were able to bring an economy, even under adverse conditions, to more than twice the GDP of the region, and certainly far greater than Syria has ever had. In fact, Prime Minister Hariri had a model for Syria, but Syria would not follow it, and ultimately that schism between the two cultures led to people who were adverse to what Prime Minister Hariri stood for killing him.

Today we do want to bring them to justice, but today, Mr. Speaker, it is very clear that we are using diplomacy. The Bush administration and this Congress is using diplomacy as an alternative to war, but as someone who recognizes that today, in President Bush's speech at about 11 o'clock today, he talked about there being one democracy in the Arab world.

Mr. Speaker, I do not normally correct the President, but there are two democracies in the Arab world. Clearly Lebanon is a democracy, with a long history of being a democracy. Mr. Speaker, it will not be a functional democracy, it will not be a democracy that people like our President will speak of in those terms, until the outside forces that have dominated their very ability to exercise that democracy are pushed out, by diplomacy, if possible, by greater measures of the UN and the rest of the world if necessary.

Mr. Speaker, I call for all of my fellow Members to vote for this resolution and to stand tall in support of Lebanon's attempt to be a real democracy in the Arab world.

Ms. ROS-LEHTINEN. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. LANTOS. Mr. Speaker, I am pleased to yield 1 minute to my friend the gentleman from Ohio (Mr. KUCINICH).

(Mr. KUCINICH asked and was given permission to revise and extend his remarks.)

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Mr. KUCINICH. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I would just like to say briefly that I think that our Nation would be much more persuasive in our attempts to try to change the behavior within Syria if we also acknowledged that there are the news reports about a covert war in Iraq that has expanded in recent months to Syria, and that bombing has been taking place along the Syrian border.

I think it is going to be kind of difficult for us to engage Syria in discussions when they may be getting indications that we are attacking their country.

[From the *New Yorker*, Dec. 12, 2005]

ANNALS OF NATIONAL SECURITY, UP IN THE AIR

WHERE IS THE IRAQ WAR HEADED NEXT?

(By Seymour M. Hersh)

In recent weeks, there has been widespread speculation that President George W. Bush,

confronted by diminishing approval ratings and dissent within his own party, will begin pulling American troops out of Iraq next year. The Administration's best-case scenario is that the parliamentary election scheduled for December 15th will produce a coalition government that will join the Administration in calling for a withdrawal to begin in the spring. By then, the White House hopes, the new government will be capable of handling the insurgency. In a speech on November 19th, Bush repeated the latest Administration catchphrase: "As Iraqis stand up, we will stand down." He added, "When our commanders on the ground tell me that Iraqi forces can defend their freedom, our troops will come home with the honor they have earned." One sign of the political pressure on the Administration to prepare for a withdrawal came last week, when Secretary of State Condoleezza Rice told Fox News that the current level of American troops would not have to be maintained "for very much longer," because the Iraqis were getting better at fighting the insurgency.

A high-level Pentagon war planner told me, however, that he has seen scant indication that the President would authorize a significant pullout of American troops if he believed that it would impede the war against the insurgency. There are several proposals currently under review by the White House and the Pentagon; the most ambitious calls for American combat forces to be reduced from a hundred and fifty-five thousand troops to fewer than eighty thousand by next fall, with all American forces officially designated "combat" to be pulled out of the area by the summer of 2008. In terms of implementation, the planner said, "the drawdown plans that I'm familiar with are condition-based, event-driven, and not in a specific time frame"—that is, they depend on the ability of a new Iraqi government to defeat the insurgency. (A Pentagon spokesman said that the Administration had not made any decisions and had "no plan to leave, only a plan to complete the mission.")

A key element of the drawdown plans, not mentioned in the President's public statements, is that the departing American troops will be replaced by American airpower. Quick, deadly strikes by U.S. warplanes are seen as a way to improve dramatically the combat capability of even the weakest Iraqi combat units. The danger, military experts have told me, is that, while the number of American casualties would decrease as ground troops are withdrawn, the over-all level of violence and the number of Iraqi fatalities would increase unless there are stringent controls over who bombs what.

"We're not planning to diminish the war," Patrick Clawson, the deputy director of the Washington Institute for Near East Policy, told me. Clawson's views often mirror the thinking of the men and women around Vice-President Dick Cheney and Defense Secretary Donald Rumsfeld. "We just want to change the mix of the forces doing the fighting—Iraqi infantry with American support and greater use of airpower. The rule now is to commit Iraqi forces into combat only in places where they are sure to win. The pace of commitment, and withdrawal, depends on their success in the battlefield."

He continued, "We want to draw down our forces, but the President is prepared to tough this one out. There is a very deep feeling on his part that the issue of Iraq was settled by the American people at the polling places in 2004." The war against the insurgency "may end up being a nasty and murderous civil war in Iraq, but we and our allies would still win," he said. "As long as the Kurds and the Shiites stay on our side, we're set to go. There's no sense that the world is

caving in. We're in the middle of a seven-year slog in Iraq, and eighty percent of the Iraqis are receptive to our message."

One Pentagon adviser told me, "There are always contingency plans, but why withdraw and take a chance? I don't think the President will go for it"—until the insurgency is broken. "He's not going to back off. This is bigger than domestic politics."

Current and former military and intelligence officials have told me that the President remains convinced that it is his personal mission to bring democracy to Iraq, and that he is impervious to political pressure, even from fellow Republicans. They also say that he disparages any information that conflicts with his view of how the war is proceeding.

Bush's closest advisers have long been aware of the religious nature of his policy commitments. In recent interviews, one former senior official, who served in Bush's first term, spoke extensively about the connection between the President's religious faith and his view of the war in Iraq. After the September 11, 2001, terrorist attacks, the former official said, he was told that Bush felt that "God put me here" to deal with the war on terror. The President's belief was fortified by the Republican sweep in the 2002 congressional elections; Bush saw the victory as a purposeful message from God that "he's the man," the former official said. Publicly, Bush depicted his reelection as a referendum on the war; privately, he spoke of it as another manifestation of divine purpose.

The former senior official said that after the election he made a lengthy inspection visit to Iraq and reported his findings to Bush in the White House: "I said to the President, 'We're not winning the war.' And he asked, 'Are we losing?' I said, 'Not yet.' The President, he said, "appeared displeased" with that answer.

"I tried to tell him," the former senior official said. "And he couldn't hear it."

There are grave concerns within the military about the capability of the U.S. Army to sustain two or three more years of combat in Iraq. Michael O'Hanlon, a specialist on military issues at the Brookings Institution, told me, "The people in the institutional Army feel they don't have the luxury of deciding troop levels, or even participating in the debate. They're planning on staying the course until 2009. I can't believe the Army thinks that it will happen, because there's no sustained drive to increase the size of the regular Army." O'Hanlon noted that "if the President decides to stay the present course in Iraq some troops would be compelled to serve fourth and fifth tours of combat by 2007 and 2008, which could have serious consequences for morale and competency levels."

Many of the military's most senior generals are deeply frustrated, but they say nothing in public, because they don't want to jeopardize their careers. The Administration has "so terrified the generals that they know they won't go public," a former defense official said. A retired senior C.I.A. officer with knowledge of Iraq told me that one of his colleagues recently participated in a congressional tour there. The legislators were repeatedly told, in meetings with enlisted men, junior officers, and generals that "things were fucked up." But in a subsequent teleconference with Rumsfeld, he said, the generals kept those criticisms to themselves.

One person with whom the Pentagon's top commanders have shared their private views for decades is Representative John Murtha, of Pennsylvania, the senior Democrat on the House Defense Appropriations Subcommittee. The President and his key aides

were enraged when, on November 17th, Murtha gave a speech in the House calling for a withdrawal of troops within six months. The speech was filled with devastating information. For example, Murtha reported that the number of attacks in Iraq has increased from a hundred and fifty a week to more than seven hundred a week in the past year. He said that an estimated fifty thousand American soldiers will suffer "from what I call battle fatigue" in the war, and he said that the Americans were seen as "the common enemy" in Iraq. He also took issue with one of the White House's claims—that foreign fighters were playing the major role in the insurgency. Murtha said that American soldiers "haven't captured any in this latest activity"—the continuing battle in western Anbar province, near the border with Syria. "So this idea that they're coming in from outside, we still think there's only seven percent."

Murtha's call for a speedy American pull-out only seemed to strengthen the White House's resolve. Administration officials "are beyond angry at him, because he is a serious threat to their policy—both on substance and politically," the former defense official said. Speaking at the Osan Air Force base, in South Korea, two days after Murtha's speech, Bush said, "The terrorists regard Iraq as the central front in their war against humanity. . . . If they're not stopped, the terrorists will be able to advance their agenda to develop weapons of mass destruction, to destroy Israel, to intimidate Europe, and to break our will and blackmail our government into isolation. I'm going to make you this commitment: this is not going to happen on my watch."

"The President is more determined than ever to stay the course," the former defense official said. "He doesn't feel any pain. Bush is a believer in the adage 'People may suffer and die, but the Church advances.' He said that the President had become more detached, leaving more issues to Karl Rove and Vice President Cheney. "They keep him in the gray world of religious idealism, where he wants to be anyway," the former defense official said. Bush's public appearances, for example, are generally scheduled in front of friendly audiences, most often at military bases. Four decades ago, President Lyndon Johnson, who was also confronted with an increasingly unpopular war, was limited to similar public forums. "Johnson knew he was a prisoner in the White House," the former official said, "but Bush has no idea."

Within the military, the prospect of using airpower as a substitute for American troops on the ground has caused great unease. For one thing, Air Force commanders, in particular, have deep-seated objections to the possibility that Iraqis eventually will be responsible for target selection. "Will the Iraqis call in air strikes in order to snuff rivals, or other warlords, or to snuff members of your own sect and blame someone else?" another senior military planner now on assignment in the Pentagon asked. "Will some Iraqis be targeting on behalf of Al Qaeda, or the insurgency, or the Iranians?"

"It's a serious business," retired Air Force General Charles Homer, who was in charge of allied bombing during the 1991 Gulf War, said. "The Air Force has always had concerns about people ordering air strikes who are not Air Force forward air controllers. We need people on active duty to think it out, and they will. There has to be training to be sure that somebody is not trying to get even with somebody else." (Asked for a comment, the Pentagon spokesman said there were plans in place for such training. He also noted that Iraq had no offensive airpower of its own, and thus would have to rely on the United States for some time.)

The American air war inside Iraq today is perhaps the most significant—and under-reported—aspect of the fight against the insurgency. The military authorities in Baghdad and Washington do not provide the press with a daily accounting of missions that Air Force, Navy, and Marine units fly or of the tonnage they drop, as was routinely done during the Vietnam War. One insight into the scope of the bombing in Iraq was supplied by the Marine Corps during the height of the siege of Falluja in the fall of 2004. “With a massive Marine air and ground offensive under way,” a Marine press release said, “Marine close air support continues to put high-tech steel on target. . . . Flying missions day and night for weeks, the fixed wing aircraft of the 3rd Marine Aircraft Wing are ensuring battlefield success on the front line.” Since the beginning of the war, the press release said, the 3rd Marine Aircraft Wing alone had dropped more than five hundred thousand tons of ordnance. “This number is likely to be much higher by the end of operations,” Major Mike Sexton said. In the battle for the city, more than seven hundred Americans were killed or wounded; U.S. officials did not release estimates of civilian dead, but press reports at the time told of women and children killed in the bombardments.

In recent months, the tempo of American bombing seems to have increased. Most of the targets appear to be in the hostile, predominantly Sunni provinces that surround Baghdad and along the Syrian border. As yet, neither Congress nor the public has engaged in a significant discussion or debate about the air war.

The insurgency operates mainly in crowded urban areas, and Air Force warplanes rely on sophisticated, laser-guided bombs to avoid civilian casualties. These bombs home in on targets that must be “painted,” or illuminated, by laser beams directed by ground units. “The pilot doesn’t identify the target as seen in the pre-brief—the instructions provided before takeoff—a former high-level intelligence official told me. “The guy with the laser is the targeteer. Not the pilot. Often you get a ‘hotread’”—from a military unit on the ground—and you drop your bombs with no communication with the guys on the ground. You don’t want to break radio silence. The people on the ground are calling in targets that the pilots can’t verify.” He added, “And we’re going to turn this process over to the Iraqis?”

The second senior military planner told me that there are essentially two types of targeting now being used in Iraq: a deliberate site-selection process that works out of airoperations centers in the region, and “adaptive targeting”—supportive bombing by prepositioned or loitering warplanes that are suddenly alerted to firefights or targets of opportunity by military units on the ground. “The bulk of what we do today is adaptive,” the officer said, “and it’s divorced from any operational air planning. Airpower can be used as a tool of internal political coercion, and my attitude is that I can’t imagine that we will give that power to the Iraqis.”

This military planner added that even today, with Americans doing the targeting, “there is no sense of an air campaign, or a strategic vision. We are just whacking targets—it’s a reversion to the Stone Age. There’s no operational art. That’s what happens when you give targeting to the Army—they hit what the local commander wants to hit.”

One senior Pentagon consultant I spoke to said he was optimistic that “American air will immediately make the Iraqi Army that much better.” But he acknowledged that he, too, had concerns about Iraqi targeting. “We

have the most expensive eyes in the sky right now,” the consultant said. “But a lot of Iraqis want to settle old scores. Who is going to have authority to call in air strikes? There’s got to be a behavior-based rule.”

General John Jumper, who retired last month after serving four years as the Air Force chief of staff, was “in favor of certification of those Iraqis who will be allowed to call in strikes,” the Pentagon consultant told me. “I don’t know if it will be approved. The regular Army generals were resisting it to the last breath, despite the fact that they would benefit the most from it.”

A Pentagon consultant with close ties to the officials in the Vice-President’s office and the Pentagon who advocated the war said that the Iraqi penchant for targeting tribal and personal enemies with artillery and mortar fire had created “impatience and resentment” inside the military. He believed that the Air Force’s problems with Iraqi targeting might be addressed by the formation of U.S.-Iraqi transition teams, whose American members would be drawn largely from Special Forces troops. This consultant said that there were plans to integrate between two hundred and three hundred Special Forces members into Iraqi units, which was seen as a compromise aimed at meeting the Air Force’s demand to vet Iraqis who were involved in targeting. But in practice, the consultant added, it meant that “the Special Ops people will soon allow Iraqis to begin calling in the targets.”

Robert Pape, a political-science professor at the University of Chicago, who has written widely on American airpower, and who taught for three years at the Air Force’s School of Advanced Airpower Studies, in Alabama, predicted that the air war “will get very ugly” if targeting is turned over to the Iraqis. This would be especially true, he said, if the Iraqis continued to operate as the U.S. Army and Marines have done—plowing through Sunni strongholds on search-and-destroy missions. “If we encourage the Iraqis to clear and hold their own areas, and use airpower to stop the insurgents from penetrating the cleared areas, it could be useful,” Pape said. “The risk is that we will encourage the Iraqis to do search-and-destroy, and they would be less judicious about using airpower—and the violence would go up. More civilians will be killed, which means more insurgents will be created.”

Even American bombing on behalf of an improved, well-trained Iraqi Army would not necessarily be any more successful against the insurgency. “It’s not going to work,” said Andrew Brookes, the former director of airpower studies at the Royal Air Force’s advanced staff college, who is now at the International Institute for Strategic Studies, in London. “Can you put a lid on the insurgency with bombing?” Brookes said. “No. You can concentrate in one area, but the guys will spring up in another town.” The inevitable reliance on Iraqi ground troops’ targeting would also create conflicts. “I don’t see your guys dancing to the tune of someone else,” Brookes said. He added that he and many other experts “don’t believe that airpower is a solution to the problems inside Iraq at all. Replacing boots on the ground with airpower didn’t work in Vietnam, did it?”

The Air Force’s worries have been subordinated, so far, to the political needs of the White House. The Administration’s immediate political goal after the December elections is to show that the day-to-day conduct of the war can be turned over to the newly trained and equipped Iraqi military. It has already planned heavily scripted change-of-command ceremonies, complete with the lowering of American flags at bases and the raising of Iraqi ones.

Some officials in the State Department, the C.I.A., and British Prime Minister Tony Blair’s government have settled on their candidate of choice for the December elections—Iyad Allawi, the secular Shiite who served until this spring as Iraq’s interim Prime Minister. They believe that Allawi can gather enough votes in the election to emerge, after a round of political bargaining, as Prime Minister. A former senior British adviser told me that Blair was convinced that Allawi “is the best hope.” The fear is that a government dominated by religious Shiites, many of whom are close to Iran, would give Iran greater political and military influence inside Iraq. Allawi could counter Iran’s influence; also, he would be far more supportive and cooperative if the Bush Administration began a drawdown of American combat forces in the coming year.

Blair has assigned a small team of operatives to provide political help to Allawi, the former adviser told me. He also said that there was talk late this fall, with American concurrence, of urging Ahmad Chalabi, a secular Shiite, to join forces in a coalition with Allawi during the post-election negotiations to form a government. Chalabi, who is notorious for his role in promoting flawed intelligence on weapons of mass destruction before the war, is now a deputy Prime Minister. He and Allawi were bitter rivals while in exile.

A senior United Nations diplomat told me that he was puzzled by the high American and British hopes for Allawi. “I know a lot of people want Allawi, but I think he’s been a terrific disappointment,” the diplomat said. “He doesn’t seem to be building a strong alliance, and at the moment it doesn’t look like he will do very well in the election.”

The second Pentagon consultant told me, “If Allawi becomes Prime Minister, we can say, ‘There’s a moderate, urban, educated leader now in power who does not want to deprive women of their rights.’ He would ask us to leave, but he would allow us to keep Special Forces operations inside Iraq—to keep an American presence the right way. Mission accomplished. A coup for Bush.”

A former high-level intelligence official cautioned that it was probably “too late” for any American withdrawal plan to work without further bloodshed. The constitution approved by Iraqi voters in October “will be interpreted by the Kurds and the Shiites to proceed with their plans for autonomy,” he said. “The Sunnis will continue to believe that if they can get rid of the Americans they can still win. And there still is no credible way to establish security for American troops.”

The fear is that a precipitous U.S. withdrawal would inevitably trigger a Sunni-Shiite civil war. In many areas, that war has, in a sense, already begun, and the United States military is being drawn into the sectarian violence. An American Army officer who took part in the assault on Tal Afar, in the north of Iraq, earlier this fall, said that an American infantry brigade was placed in the position of providing a cordon of security around the besieged city for Iraqi forces, most of them Shiites, who were “rounding up any Sunnis on the basis of whatever a Shiite said to them.” The officer went on, “They were killing Sunnis on behalf of the Shiites,” with the active participation of a militia unit led by a retired American Special Forces soldier. “People like me have gotten so downhearted,” the officer added.

Meanwhile, as the debate over troop reductions continues, the covert war in Iraq has expanded in recent months to Syria. A composite American Special Forces team, known as an S.M.U., for “special-mission unit,” has been ordered, under stringent cover, to target suspected supporters of the Iraqi insurgency across the border. (The Pentagon had

no comment.) "It's a powder keg," the Pentagon consultant said of the tactic. "But, if we hit an insurgent network in Iraq without hitting the guys in Syria who are part of it, the guys in Syria would get away. When you're fighting an insurgency, you have to strike everywhere-and at once."

Mr. LANTOS. Mr. Speaker, we have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. REICHERT). The question is on the motion offered by the gentlewoman from Florida (Ms. Ros-LEHTINEN) that the House suspend the rules and agree to the resolution, H. Res. 598, as amended.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. LANTOS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 2 minutes a.m.), the House stood in recess subject to the call of the Chair.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

5661. A letter from the Secretary, Department of Health and Human Services, transmitting the twenty-fifth annual report on the implementation of the Age Discrimination Act of 1975 by departments and agencies which administer programs of Federal financial assistance, pursuant to 42 U.S.C. 6106a(b); to the Committee on Education and the Workforce.

5662. A letter from the Chairperson, National Council on Disability, transmitting a copy of the NCD's "National Disability Policy: A Progress Report," as required by Section 401(b)(1) of the Rehabilitation Act of 1973, as amended, covering the period from December 2003 through December 2004, pursuant to 29 U.S.C. 781(a)(8); to the Committee on Education and the Workforce.

5663. A letter from the Secretary, Department of Energy, transmitting the semiannual report on the activities of the Office of Inspector General for the period April 1, 2005 to September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5664. A letter from the Secretary, Department of Homeland Security, transmitting the semiannual report of the Inspector General for the period April 1, 2005 through September 30, 2005, to the Committee on Government Reform.

5665. A letter from the Acting Director, Division of Policy, Planning and Program Development, OFCCP, Department of Labor, transmitting the Department's final rule — Obligation to Solicit Race and Gender Data

for Agency Enforcement Purposes (RIN: 1215-AB45) received October 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5666. A letter from the Director, Holocaust Memorial Museum, transmitting the Museum's 2004 through 2005 Annual Report and 2006 calendar; to the Committee on Government Reform.

5667. A letter from the Executive Director, Interstate Commission on the Potomac River Basin, transmitting the audited Sixty-Fourth Financial Statement for the period October 1, 2003 to September 30, 2004, pursuant to 31 U.S.C. 3512(c)(3); to the Committee on Government Reform.

5668. A letter from the Chairman, Merit Systems Protection Board, transmitting the Board's Performance and Accountability Report for FY 2005, required by the Government Performance and Results Act, the Accountability of Tax Dollars Act, and the Federal Managers Financial Integrity Act; to the Committee on Government Reform.

5669. A letter from the Chairman, National Endowment for the Arts, transmitting pursuant to the "Accountability of Tax Dollars Act of 2002" and related guidance from the Office of Management and Budget, the Endowment's Performance and Accountability Report for FY 2005; to the Committee on Government Reform.

5670. A letter from the Chairman, Railroad Retirement Board, transmitting the semiannual report on activities of the Office of Inspector General for the period April 1, 2005, through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(d); to the Committee on Government Reform.

5671. A letter from the Chairman, Securities and Exchange Commission, transmitting the semiannual report on activities of the Inspector General for the period of April 1, 2005 through September 30, 2005 and the Management Response for the same period, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5672. A letter from the Administrator, Small Business Administration, transmitting the semiannual report of the Office of Inspector General for the period April 1, 2005 through September 30, 2005, pursuant to 5 U.S.C. app. (Insp. Gen. Act) section 5(b); to the Committee on Government Reform.

5673. A letter from the Assistant Secretary for Fish, Wildlife and Parks, Department of the Interior, transmitting the Department's final rule — Endangered and Threatened Wildlife and Plants; Final Determination Concerning Critical Habitat for the San Miguel Island Fox, Santa Rosa Island Fox, Santa Cruz Island Fox, and Santa Catalina Island Fox (RIN: 1018-AT78) received November 14, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5674. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting the Department's final rule — Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Proper Offices for Recording of Mining Claims [WO 630-1610-EI-25-2Z] (RIN: 1004-AD77) received November 18, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5675. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Illinois Regulatory Program [Docket No. IL-103-FOR] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5676. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Alaska Regulatory Program [SATS No. AK-006-FOR] received November 29, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

ant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5677. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — North Dakota Regulatory Program [ND-048-FOR, Amendment No. XXXV] received November 22, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5678. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processor Vessels Using Pot Gear in the Bering Sea and Aleutian Islands Management Area [Docket No. 041126332-5039-02; I.D. 111705A] received December 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5679. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration's final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska [Docket No. 041126333-5040-02; I.D. 102605A] received December 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

5680. A letter from the Assistant Attorney General, Department of Justice, transmitting a copy of a report required by Section 202(a)(1)(C) of Pub. L. 107-273, the "21st Century Department of Justice Appropriations Authorization Act," related to certain settlements and injunctive relief, pursuant to 28 U.S.C. 530D Public Law 107-273, section 202; to the Committee on the Judiciary.

5681. A letter from the Director, Office of Surface Mining, Department of the Interior, transmitting the Department's final rule — Civil Penalty Adjustments (RIN: 1029-AC48) received November 17, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5682. A letter from the Acting Director, FEMA, Department of Homeland Security, transmitting notification that funding under Title V, subsection 503(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded \$5 million for the response to the emergency declared as a result the influx of evacuees from areas struck by Hurricane Katrina beginning on August 29, 2005 in the State of Georgia, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

5683. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of an editorial entitled, "US Veterans Health Care Healed Itself — So Can Our (Canadian) Medicare System"; to the Committee on Veterans' Affairs.

5684. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Health Savings Account Eligibility During A Cafeteria Plan Grace Period [Notice 2005-86] received December 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5685. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Withholding on Payments to Partnerships, Trusts and Estates (Rev. Proc. 2005-77) received December 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5686. A letter from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Gains Derived from Dealings in Property (Rev. Rul. 2005-74) received December 5, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.