

**EXPRESSING SUPPORT FOR FREEDOM IN HONG
KONG; AND REQUESTING DOCUMENTS
RELATING TO IRAQ'S WEAPONS OF MASS
DESTRUCTION**

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

FIRST SESSION

ON

H. Res. 277 and H. Res. 260

—————
JUNE 17, 2003
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**EXPRESSING SUPPORT FOR FREEDOM IN
HONG KONG; AND REQUESTING
DOCUMENTS RELATING TO IRAQ'S WEAPONS
OF MASS DESTRUCTION**

TUESDAY, JUNE 17, 2003

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

The Committee met, pursuant to call, at 10:10 a.m., in Room 2172, Rayburn House Office Building, Hon. Henry J. Hyde (Chairman of the Committee) presiding.

Chairman HYDE. The Committee will come to order. Pursuant to notice I now call up the resolution, H. Res. 277, "Expressing support for freedom in Hong Kong in advance of the July 9 meeting of the Legislative Council of Hong Kong on the matter of article 23," for purposes of markup and move its favorable recommendation to the House. Without objection, the resolution will be considered as read and open for amendment at any point.

[The resolution, H. Res. 277, follows:]

.....
(Original Signature of Member)

108TH CONGRESS
1ST SESSION

H. RES. _____

Expressing support for freedom in Hong Kong.

IN THE HOUSE OF REPRESENTATIVES

Mr. COX (for himself, Mr. DELAY, Ms. PELOSI, Mr. LANTOS, Mr. GOOD-
LATTE, Mr. FALEOMAVAEGA, Mr. VITTER, Mr. WICKER, Mr. WILSON of
South Carolina, Mr. BURGESS, Mr. KING of Iowa, and Mr. KENNEDY of
Minnesota) submitted the following resolution; which was referred to the
Committee on _____

RESOLUTION

Expressing support for freedom in Hong Kong.

Whereas Hong Kong has long been the world's freest econ-
omy, renowned for its rule of law and its jealous protec-
tion of civil rights and civil liberties;

Whereas the 1984 Sino-British Joint Declaration explicitly
guarantees that all of Hong Kong's freedoms, including
press freedom, religious freedom, and freedom of associa-
tion, will continue for at least 50 years;

Whereas the Government of the People's Republic of China pledged to respect Hong Kong's Basic Law of 1990, which explicitly protects freedom of speech, of the press and of publication, of association, of assembly, of procession, of demonstration, and of communication;

Whereas the Basic Law also explicitly protects freedom of conscience, religious belief, and of religious expression;

Whereas Hong Kong's traditional rule of law, which has guaranteed all of these civil rights and civil liberties, is essential to its continued freedom, and the erosion of that rule of law bodes ill for the maintenance and expansion of both economic freedom and individual civil rights;

Whereas in the United States-Hong Kong Policy Act of 1992 Congress declared: "The human rights of the people of Hong Kong are of great importance to the United States and are directly relevant to United States interests in Hong Kong. A fully successful transition in the exercise of sovereignty over Hong Kong must safeguard human rights in and of themselves. Human rights also serve as a basis for Hong Kong's continued economic prosperity.";

Whereas since Hong Kong became a Special Administrative Region (SAR) of the People's Republic of China on July 1, 1997, the Hong Kong authorities have changed the system of electing representatives to the Legislative Council, added appointed members to District Councils, invited the central government to reverse Hong Kong courts, and declined to permit the entry of some American visitors and other foreign nationals whose views are opposed by the People's Republic of China;

Whereas, despite the provisions of the Basic Law which call for a gradual and orderly process toward democratic elec-

tion of the legislature and chief executive, and which call for universal suffrage, the Government of the Hong Kong SAR and the People's Republic of China have stymied this process;

Whereas the traditional liberties of Hong Kong's 7,000,000 people are now immediately threatened by Hong Kong's proposed "Article 23" laws, which were drafted under strong pressure from the Government of the People's Republic of China, dealing with sedition, treason, and subversion against the Chinese Communist Party, and the theft of state secrets;

Whereas the proposed legislation would give the Hong Kong Government discretion to imprison individuals for "attempting to commit" the undefined crime of "subversion"; would criminalize not only membership in, but even attendance at meetings of, organizations not approved by Beijing; and would threaten freedom of religion, membership in authentic trade unions, political activity of all kinds, and a wide range of public and private expression;

Whereas the proposed legislation would give Hong Kong's Secretary for Security, an appointee of the Government of the People's Republic of China, broad authority to ban organizations it deemed in opposition to the national interest, thereby threatening religious organizations such as the Falun Gong and the Roman Catholic Church;

Whereas under the proposed legislation such basic and fundamental procedural rights as notice and opportunity to be heard could be waived by the appointee of the Government of the People's Republic of China in Hong Kong if honoring these rights "would not be practicable";

Whereas the People's Republic of China's history of arbitrary application of its own criminal law against dissenters, and its pattern of imprisoning and exiling those with whom it disagrees, provide strong reasons to oppose the expansion of Beijing's ability to use its discretion against Hong Kong's freedoms;

Whereas similar subversion laws in the People's Republic of China are regularly used to convict and imprison journalists, labor activists, Internet entrepreneurs, and academics;

Whereas broad segments of the Hong Kong community have expressed strong concerns about, and opposition to, the proposed new laws;

Whereas those members of Hong Kong's Legislative Council elected by universal suffrage oppose the proposed new laws, but are powerless to stop them against the majority of votes controlled directly and indirectly by the Government of the People's Republic of China;

Whereas the scheduled consideration of these proposals to restrict Hong Kong's freedoms in the Legislative Council on July 9, 2003, makes the threat to its people clear and imminent; and

Whereas it is the duty of freedom loving people everywhere to stand with the people of Hong Kong against this dangerous erosion of its long-held and cherished rights: Now, therefore, be it

1 *Resolved*, That the House of Representatives—

2 (1) condemns any restriction of the freedom of

3 thought, expression, or association in Hong Kong,

1 consistent with the United States-Hong Kong Policy
2 Act of 1992;

3 (2) recognizes that because Hong Kong exer-
4 cises considerable influence in international affairs,
5 as a developed economy, financial center, trading
6 entrepot and shipping center, reductions in the exist-
7 ing freedom of the Hong Kong people would be of
8 global significance;

9 (3) urges the Hong Kong Government and the
10 People's Republic of China to withdraw the proposed
11 implementation of Article 23 of the Basic Law inso-
12 far as it would reduce the basic human freedoms of
13 the people of Hong Kong;

14 (4) calls upon the People's Republic of China,
15 the National People's Congress, and any other
16 groups appointed by the Government of the People's
17 Republic of China to leave all revisions of Hong
18 Kong law to a legislature elected by universal suf-
19 frage;

20 (5) urges immediate elections for the Legisla-
21 tive Council of Hong Kong according to rules ap-
22 proved by the Hong Kong people through an elec-
23 tion-law convention, referendum, or both;

24 (6) calls upon the Government of the People's
25 Republic of China to fully respect the autonomy and

1 independence of the chief executive, the civil service,
2 the judiciary, the police of Hong Kong, and the
3 Independent Commission Against Corruption; and

4 (7) calls upon the United States Government,
5 other governments, the people of the United States,
6 and the people of the world to support freedom in
7 Hong Kong by—

8 (A) making clear statements against any
9 limitations on existing human freedoms in
10 Hong Kong; and

11 (B) transmitting those statements to the
12 people and the Government of the People's Re-
13 public of China.

Chairman HYDE. The Chair yields himself 5 minutes for purposes of presenting a statement.

Today's draft resolution on freedom in Hong Kong raises a sober question for all of us to ponder: How does a state balance the need to protect itself from acts of sedition with the equally important need to protect the civil liberties of its citizens? This very same issue arose in the early days of our own Republic, in the year 1798, to be exact. The Adams Administration and the Federalist-controlled Congress used the excuse of the extreme revolutionary fervor coming across the Atlantic from France to pass a series of legislative measures known collectively as the Alien and Sedition Acts. These measures were seen as effectively nullifying the First Amendment guarantees of freedom of speech and freedom of the press. Public uproar was such that Congress repealed one of the measures and allowed the rest to die a natural death through expiration.

The point here is that all governments, as we are acutely aware after the tragic events of September 11th, have the imperative to protect their institutions and citizens from sedition, treason, and terrorism. The question raised is this: Does article 23 of the Basic Law of the Hong Kong Special Administrative Region, to be considered by Hong Kong's Legislative Council this coming July 9th, go beyond legitimate security needs? Does it, like the Alien and Sedition Acts, threaten the civil liberties of the body politic as a whole? There are disturbing indications that the answer to these questions is in the affirmative.

When Hong Kong ended colonial rule on July 1, 1997, and was returned to the sovereignty of the Chinese people, an important pledge was given. That pledge was that, for the next 50 years under a one-country/two-systems formula, Hong Kong would continue to independently exercise those economic and political freedoms which had evolved over time. Those who feared the worst on that July day, almost 6 years ago, the sound of boots in the streets of Hong Kong, found their fears unfounded.

There was no immediate descent of a Bamboo Curtain. Instead, however, like drops of falling water on a rock, there has been a slow erosion of those qualities which made Hong Kong unique. American citizens of certain political or philosophical persuasions have been denied entry. An internationally respected Hong Kong newspaper, whose owners turned their eyes toward Beijing, has fired its most effective and outspoken journalists. An American citizen, released from a Chinese prison partly through the intervention of this Committee, found the attitude of the administration at the Hong Kong university where he taught so hostile that he relocated to the United States. Ever so slowly, the rock of freedom is being washed away by these slow but steady drops. Article 23, in its present form, is a major step forward in that erosion.

But why should the world, and particularly the United States Congress, care about Hong Kong, an island enclave half the world away? As the English poet John Donne noted, however,

"No man is an island, entire of itself. Every man is a piece of the continent, a part of the main."

Hong Kong is also not just an island. It is not only a piece of the Asian continent, but now is a part of the mainland of China. What happens in Hong Kong has significance throughout greater China and beyond in the continent of Asia. The eyes of Taiwan are on the continuing implementation of “one country/two systems,” and specifically on article 23. The eyes of religious organizations are also on Hong Kong. These, notably, have included the Catholic Church and its very effective representative, Bishop Joseph Zen, a prominent voice calling for the preservation of civil and religious liberties. The eyes of Falun Gong practitioners have also turned with increasing disquietude toward the ongoing debate over article 23 and its possible use in the future to suppress the expression of ideas opposed by the Beijing authorities.

John Donne’s poem concludes with the concept that the death of liberty anywhere in the globe diminishes us all because we are involved in mankind. The bell for the slow death of civil liberties is now tolling in Hong Kong as July 9th approaches, and we here do not need to “send to know for whom the bell tolls.”

[The prepared statement of Chairman Hyde follows:]

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

H. RES. 277, EXPRESSING SUPPORT FOR FREEDOM IN HONG KONG

Today’s draft resolution on freedom in Hong Kong raises a sober question for us all to ponder: How does a state balance the need to protect itself from acts of sedition with the equally important need to protect the civil liberties of its citizens?

This very same issue arose in the early days of our own Republic—in the year 1798, to be exact. The Adams Administration and the Federalist-controlled Congress used the excuse of the extreme revolutionary fervor coming across the Atlantic from France to pass a series of legislative measures known collectively as the Alien and Sedition Acts. These measures were seen as effectively nullifying the First Amendment guarantees of freedom of speech and freedom of the press. Public uproar was such that Congress repealed one of the measures and allowed the rest to die a natural death through expiration.

The point here is that all governments, as we are acutely aware after the tragic events of September 11th, have the imperative to protect their institutions and citizens from sedition, treason and terrorism. The question raised is: does Article 23 of the Basic Law of the Hong Kong Special Administrative Region, to be considered by Hong Kong’s Legislative Council this coming July 9th, go beyond legitimate security needs? Does it, like the Alien and Sedition Acts, threaten the civil liberties of the body politic as a whole? There are disturbing indications that the answer to these questions must be given in the affirmative.

When Hong Kong ended colonial rule on July 1, 1997 and was returned to the sovereignty of the Chinese people, an important pledge was given. That pledge was that, for the next fifty years under a “one country, two systems” formula, Hong Kong would continue to independently exercise those economic and political freedoms which had evolved over time. Those who feared the worst on that July day, now almost six years ago—the sound of boots in the streets of Hong Kong—found their fears unfounded. There was no immediate descent of a Bamboo Curtain. Instead, however, like drops of water falling upon a rock, there has been a slow erosion of those qualities which made Hong Kong unique. American citizens of certain political or philosophical persuasions have been denied entry. An internationally respected Hong Kong newspaper, whose owners turned their eyes toward Beijing, has fired its most effective and outspoken journalists. An American citizen, released from a Chinese prison partly through the intervention of this Committee, found the attitude of the administration, at the Hong Kong university where he taught, so hostile that he relocated to the United States. Ever so slowly, the rock of freedom is being washed away by these slow but steady drops. Article 23, in its present form, is a major step forward in that erosion.

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Donne noted, however, “no man is an island, entire of itself . . . Every man is a piece of the continent, a part of the main.” Hong Kong is also not just an island. It is not only a piece of the Asian continent, but now is a part of the mainland of China. What happens in Hong Kong has significance throughout greater China and beyond in the continent of Asia. The eyes of Taiwan are on the continuing implementation of “one country, two systems” and specifically on Article 23. The eyes of religious organizations are also on Hong Kong. These, notably, have included the Catholic Church and its very effective representative, Bishop Joseph Zen, a prominent voice calling for the preservation of civil and religious liberties. The eyes of Falun Gong practitioners have also turned with increasing disquietude toward the ongoing debate over Article 23 and its possible use in the future to suppress the expression of ideas opposed by the Beijing authorities.

John Donne’s poem concludes with the concept that the death of liberty anywhere in the globe diminishes us all because we are involved in mankind. The bell for the slow death of civil liberties is now tolling in Hong Kong as July 9th approaches. And we here do not need to “send to know for whom the bell tolls. It tolls for thee.”

Chairman HYDE. Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. First, I want to identify myself with your thoughtful and eloquent opening statement.

I remember July 1, 1997 vividly because Mrs. Lantos and I attended that singularly painful ceremony as the flag of the Communist Chinese Government replaced the flag of a democratic society in Hong Kong. It was one of the most wrenching, difficult and painful experiences for all of us who believe in free and open and democratic societies, and we were as pained as we possibly could be seeing Hong Kong become part of Communist China.

Mr. Chairman, I strongly support this resolution and urge all of my colleagues to do so as well. At the outset let me emphasize that I have been a strong supporter of Hong Kong for decades. My first visit to Hong Kong was in 1956, and I have been going back to Hong Kong with great regularity ever since. It is one of the most vibrant, exciting, productive, incredibly impressive cities on the face of this planet. The people of Hong Kong make an enormous contribution to the economic and cultural life of the Asia Pacific region, and they set a unique standard for efficiency in government. Hong Kong has been enormously helpful to us in the war against terrorism, particularly cracking down on the use of banks in the Asia Pacific region to launder funds for terrorists.

But, Mr. Chairman, Hong Kong’s hard-earned international reputation is being damaged by the government’s pursuit of so-called article 23 antisediton legislation. The resolution that we are considering this morning expresses our strong concerns regarding this legislation. I hope that its passage will influence consideration of article 23 by the Hong Kong Legislature.

We can all agree that Hong Kong’s government has a responsibility to protect itself from subversion, sedition and terrorism, but article 23, as proposed by the government, goes far beyond accomplishing those legitimate objectives. The legislation will give Hong Kong’s Chief Executive, appointed by a Beijing-backed committee—and I think it is important to underscore this, the Chief Executive of Hong Kong is appointed by a committee which is dominated by the government in Beijing—he would get broad authority to ban organizations if they are prohibited in mainland China for national security reasons.

Such a move clearly erases the distinction between Hong Kong and mainland China, and the preservation of that distinction was the basis of the transfer of authority from the British to Beijing.

If the legislation should pass in its current form, Mr. Chairman, it is highly likely that the Hong Kong Government will quickly be under pressure from Beijing to ban the Falun Gong movement. Now, I am intimately familiar with the Falun Gong movement. My district in San Francisco and in the peninsula south of San Francisco has a very large number of Falun Gong practitioners. One of the most outrageous suppressions of human rights we have seen by the Beijing Government relates to Falun Gong practitioners, and this measure would clearly remove whatever protection Falun Gong practitioners today have in Hong Kong.

The legislation as proposed would undermine whatever minimum freedom the Evangelical Christian groups still preserve in Hong Kong, whatever freedom labor unions have, human rights organizations, and obviously even American citizens such as labor activist Harry Wu, who was prohibited from entry into Hong Kong last year. The ability of targeted organizations to obtain a public hearing can be waived, Mr. Chairman, by the Hong Kong Chief Executive saying it is simply not practicable.

Hong Kong's strength is its commitment to the rule of law. The proposal by the Hong Kong Government calls that commitment into serious question. Hong Kong's democrats, with a small "d," including our good friend Martin Lee, are fighting for Hong Kong's democratic future and its free and open way of life. We in the Congress on a bipartisan basis must support their battle. This resolution that we are considering has the strong support of the Republican and Democratic leadership of the House, it has your support and mine, and I strongly urge all of my colleagues to vote for it.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you.

Mr. Leach.

Mr. LEACH. Thank you, Mr. Chairman. I will be very brief.

This resolution does reflect American values, but it is always awkward for one country to comment on the affairs of another. My personal view is that we ought to recognize that there are two pictures here. One is a big picture that says Hong Kong is doing extraordinarily well, and everyone should understand that. But there is another picture which says that there are some dangers on the horizon which this particular resolution reflects within Hong Kong. And I would only, with great temperance, suggest that we recognize that this is still legislation that is under consideration in Hong Kong and may be modified, that the resolution of this Congress is intended to indicate our hope that the modification is significant, and that Hong Kong not take this step toward pulling back on civil liberties. I think it is at this point a consensus resolution, but one that we as a body should be very cautious about reading too much or too little into.

Thank you very much.

Chairman HYDE. Mr. Bereuter.

Mr. BEREUTER. Thank you very much, Mr. Chairman.

I have visited Hong Kong twice a year, or at least annually, since before the transition as one of my responsibilities in the past, and

there has been an extraordinary amount of exaggerated rhetoric and undue concerns about Hong Kong's transition. I think the most dire predictions about the move to a Special Administrative Region (SAR) have certainly not come true. We are all pleased about that, of course. But we do have a concern about Hong Kong and its citizens, not to mention the fact that Americans constitute the second largest group of foreign nationals in Hong Kong. We have huge business interests there as well.

Hong Kong has always been at the top or near the top of the index of freedoms and free enterprise in the world, and that is their strength. That is what their economic activity in significant part is based upon, especially now that, in fact, they have major competitors on the homeland for many functions that they have pursued in Hong Kong.

Article 23 of the basic law obviously should give us concern and the people of Hong Kong concern. They have deferred a long time in taking action on this. As far as I am concerned, they should continue to defer action on this. There are certain provisions of the basic law that bounce back to the People's National Congress and the people in the PRC. That has always been a potential concern out there, but thus far they have moved gently. There is no doubt there has been a significant amount of self-censorship on the part of the media, which had been one of the most open, aggressive, and diverse in the world.

This resolution, by and large, is not exaggerated. The language is generally not one to which we could take exception. The activities of their Customs Service with ours has been extraordinary. The export controls seem by and large to be working very well. They had, and continue to have, despite some concerns we have about recent changes, the most professionalized civil service in the world. That gives us some reassurance.

I guess I would say just one thing about the Falun Gong. The whereas clause on page 3 which refers to "religious organizations such as the Falun Gong and the Roman Catholic Church" gives me some concern. No one quite knows what the Falun Gong is. To characterize it as a religious organization is certainly not accurate, either. But what is it? Who knows. And I don't think it is up to us to define it. In recent history of Hong Kong SAR, they have by and large treated the Falun Gong with benign neglect, and they have been fortunate to do that. The Falun Gong has gone out of its way to be provocative in Hong Kong to bring about confrontation that, to a large part, hasn't worked because the Hong Kong SAR hasn't reacted violently against it. The only concern I have, therefore, is that perhaps we ought to find different rhetoric to refer to the Falun Gong, in no way negatively about it, but to compare it as a religious organization to the Roman Catholic Church is not quite the fact either.

With this reservation and these statements, Mr. Chairman, I am going to support the resolution offered by Mr. Cox and a bipartisan group. Thank you, Mr. Chairman.

Chairman HYDE. Thank you.

The gentleman from American Samoa, Mr. Faleomavaega.
Mr. FALEOMAVAEGA. Thank you, Mr. Chairman.

I would like to associate myself with the comments made by my colleague and former Chairman of the Asia Pacific Subcommittee, the gentleman from Nebraska Mr. Bereuter, and certainly also to extend my support for this resolution. I appreciate the fact that our Chairman of the Asia Pacific Committee has also made some very eloquent remarks with reference to the concerns that we have with Hong Kong.

I, too, recently had the privilege of visiting Hong Kong and meeting with the Administrative Director. It boils down to the fact that we do have some serious concerns from the very beginning before Hong Kong was transferred back to the People's Republic of China, being a former British colony.

I think we need to watch the situation in Hong Kong. Some of my colleagues may not be aware that 16 million containers come out of Hong Kong and go all over the world, and might also give some consideration or thought about the security interests of our own country because of the tremendous economic standing that this city has not only toward the Asia Pacific region, but certainly toward our own country. So there is that concern.

I, too, would like to offer my strongest hope that my colleagues on the Committee will support this resolution. Thank you, Mr. Chairman.

Chairman HYDE. If there are no amendments, the question occurs on the motion—

Mr. ROHRABACHER. Could I just—

Chairman HYDE. Mr. Rohrabacher.

Mr. ROHRABACHER. Just a note. With due respect to my good friend Mr. Bereuter, I don't believe the Falun Gong is operating in a provocative way. An organization that believes in stretching and doing yoga and meditation—that may be provocative to a dictatorship, but that is not provocative to people who believe in freedom. The Falun Gong believe it is their religion, and that is important. What is important is they have a right, as long as they are not using force on someone else, to practice their religion, and I don't believe that that is provocative.

Mr. BEREUTER. Would the gentleman yield? I thank the gentleman. I did make, I hope effectively, the distinction between Hong Kong, where I think it is absolutely true and—

Mr. ROHRABACHER. Are they breaking windows there? Are they blockading streets?

Mr. BEREUTER. I do not indicate they are acting in this fashion in general. In Hong Kong, they have tried to bring repression down upon themselves in order to make a point. That is unfortunate. Fortunately, up to this point, they have been treated with benign neglect and allowed to do their thing.

Mr. ROHRABACHER. Reclaiming my time. When people who believe in certain things, if people believe very strongly, and they just go out and they are not engaged in an activity that is involved with force and violence, that is not being provocative. That is not bringing something down on themselves. If you live in a dictatorship or you live in a country or in an area like Hong Kong that is becoming progressively more authoritarian, perhaps someone practices their faith in the open and it brings about a response, you don't blame the people who are practicing their faith.

I just would suggest that although certainly I respect the Catholic Church more than I do the Falun Gong simply because of my Western background, people have different outlooks on their religion. I believe those people involved in the Falun Gong are every bit as sincere, and they put their lives on the line in China, and I think they deserve our respect and not to be delineated in a negative way toward comparisons with Western churches.

I would yield to my friend Mr. Ackerman.

Mr. ACKERMAN. I just wanted to comment that in Western societies, people bringing oppression down upon themselves, sometimes it is called civil disobedience and seems to be accepted and applauded sometimes. So I don't know what the problem is if one does things that—

Mr. ROHRABACHER. Reclaiming my time. My guess is this is not even civil disobedience. Civil disobedience includes sitting down before busy roads and blocking this and that.

Chairman HYDE. Would the gentleman yield?

Mr. ROHRABACHER. Falun Gong makes their presence absolutely known.

Chairman HYDE. Would the gentleman yield?

Mr. ROHRABACHER. Yes, I would.

Chairman HYDE. I would just like to direct the Committee back to the subject matter. This is not the merits or demerits of Falun Gong.

Mr. ROHRABACHER. Thank you very much. Wisely said. I yield back.

Chairman HYDE. Mr. Paul.

Mr. PAUL. Thank you.

I want to make a brief comment. Unfortunately, I want to mention the word Falun Gong. Basically I don't see a great deal of harm in resolutions like this, but I am very unenthusiastic about them for the very simple point that you observe right here—the disagreement between Mr. Bereuter and Mr. Rohrabacher, which tells me that we don't have a monopoly on wisdom about what is good for Hong Kong. And, therefore, sometimes I just think we ought to improve ourselves here at home, set a good example, and maybe Hong Kong would do a better job.

I yield back.

Chairman HYDE. I thank the gentleman for his addition to the discussion.

The question occurs on the motion to report the resolution H. Res. 277 favorably. All in favor, say aye. Opposed, nay.

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

Without objection, the staff is directed to make any technical and conforming changes.

Pursuant to notice, I now call up H. Res. 260, requesting the President to transmit to the House of Representatives, not later than 14 days after the date of the adoption of this resolution, documents or other materials in the President's possession relating to Iraq's weapons of mass destruction for the purpose of markup, and move its unfavorable recommendation to the House. Without objection, the resolution will be considered as read and open for amendment at any point.

[The resolution, H. Res. 260, follows:]

108TH CONGRESS
1ST SESSION

H. RES. 260

Requesting the President to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents or other materials in the President's possession relating to Iraq's weapons of mass destruction.

IN THE HOUSE OF REPRESENTATIVES

JUNE 5, 2003

Mr. KUCINICH (for himself, Ms. LEE, Ms. WOOLSEY, Ms. SCHAKOWSKY, Ms. WATSON, Mr. HINCHEY, Mr. SERRANO, Mr. GRIJALVA, Mr. FARR, Mr. CONYERS, Mr. JACKSON of Illinois, Ms. CARSON of Indiana, Mr. OWENS, Mr. VAN HOLLEN, Mrs. MALONEY, Ms. JACKSON-LEE of Texas, Mr. GEORGE MILLER of California, Ms. KAPTUR, Mr. SCOTT of Virginia, Mr. NADLER, Mr. STARK, Mr. FRANK of Massachusetts, Ms. WATERS, Mr. RAHALL, Mr. McDERMOTT, Mr. BROWN of Ohio, Mr. CUMMINGS, Mr. LEWIS of Georgia, Mrs. JONES of Ohio, Mr. HONDA, Ms. SOLIS, Mr. TOWNS, and Mr. PAYNE) submitted the following resolution; which was referred to the Committee on International Relations

RESOLUTION

Requesting the President to transmit to the House of Representatives not later than 14 days after the date of the adoption of this resolution documents or other materials in the President's possession relating to Iraq's weapons of mass destruction.

1 *Resolved*, That the President is requested to transmit
2 to the House of Representatives not later than 14 days
3 after the date of the adoption of this resolution documents

1 or other materials in the President's possession that pro-
2 vides specific evidence for the following claims relating to
3 Iraq's weapons of mass destruction:

4 (1) On August 26, 2002, the Vice President in
5 a speech stated: "Simply stated, there is no doubt
6 that Saddam Hussein now has weapons of mass de-
7 struction . . . What he wants is time, and more time
8 to husband his resources to invest in his ongoing
9 chemical and biological weapons program, and to
10 gain possession of nuclear weapons."

11 (2) On September 12, 2002, in a speech to the
12 United Nations General Assembly, the President
13 stated: "Right now, Iraq is expanding and improving
14 facilities that were used for the production of bio-
15 logical weapons . . . Iraq has made several attempts
16 to buy high-strength aluminum tubes used to enrich
17 uranium for a nuclear weapon."

18 (3) On October 7, 2002, in a speech in Cin-
19 cinnati, Ohio, the President stated: "It [Iraq] pos-
20 sesses and produces chemical and biological weap-
21 ons. It is seeking nuclear weapons . . . And surveil-
22 lance photos reveal that the regime is rebuilding fa-
23 cilities that it had used to produce chemical and bio-
24 logical weapons."

1 (4) On January 7, 2003, the Secretary of De-
2 fense at a press briefing stated: “There is no doubt
3 in my mind but that they currently have chemical
4 and biological weapons.”.

5 (5) On January 9, 2003, in his daily press
6 briefing, the White House spokesperson stated: “We
7 know for a fact that there are weapons there [in
8 Iraq].”.

9 (6) On March 16, 2003, in an appearance on
10 NBC’s “Meet The Press”, the Vice President stated:
11 “We believe he [Saddam Hussein] has, in fact, re-
12 constituted nuclear weapons. I think Mr. El Baradei
13 frankly is wrong.”.

14 (7) On March 17, 2003, in an Address to the
15 Nation, the President stated: “Intelligence gathered
16 by this and other governments leaves no doubt that
17 the Iraq regime continues to possess and conceal
18 some of the most lethal weapons ever devised.”.

19 (8) On March 21, 2003, in his daily press brief-
20 ing the White House spokesperson stated: “Well,
21 there is no question that we have evidence and infor-
22 mation that Iraq has weapons of mass destruction,
23 biological and chemical particularly . . . all this will
24 be made clear in the course of the operation, for
25 whatever duration it takes.”.

1 (9) On March 24, 2003, in an appearance on
2 CBS's "Face the Nation", the Secretary of Defense
3 stated: "We have seen intelligence over many
4 months that they have chemical and biological weap-
5 ons, and that they have dispersed them and that
6 they're weaponized and that, in one case at least,
7 the command and control arrangements have been
8 established."

9 (10) On March 30, 2003, in an appearance on
10 ABC's "This Week", the Secretary of Defense stat-
11 ed: "We know where they [weapons of mass destruc-
12 tion] are, they are in the area around Tikrit and
13 Baghdad."

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Chairman HYDE. The Chair yields himself 5 minutes for purposes of a statement.

On June 5th, Mr. Kucinich of Ohio introduced H. Res. 260, a resolution of inquiry requesting the President to transmit to the House of Representatives documents in the President's possession relating to Iraq's weapons of mass destruction. Mr. Kucinich's resolution requests that the President transmit to Congress specific evidence for 10 claims by senior Administration officials relating to Iraq's weapons of mass destruction. These officials include the President, three statements; Vice President, two statements; Secretary of Defense, three statements; and the White House spokesperson, two statements.

Prior to the introduction of the pending resolution on May 22nd, the House Permanent Select Committee on Intelligence, otherwise known as HPSCI, formally initiated a far more comprehensive review of these issues than could occur in any of our offices in response to the simple production of paper as called for in H. Res. 260. Chairman Porter Goss and Ranking Democrat Jane Harman wrote to the Director of Central Intelligence that it is now time to reevaluate U.S. intelligence regarding the amount or existence of weapons of mass destruction in Iraq and that country's linkages to terrorist groups such as al Qaeda.

Requesting that the Director of Central Intelligence respond by July 1st, the HPSCI says it intends to "ensure that the intelligence analysis relayed to our policymakers from the Intelligence Community was accurate, unbiased, and timely." Its broad review will include an evaluation of the quality and quantity of sources and methods, an assessment of how and what analysis developed and whether it changed over time, and a study of any dissenting views that were developed in the Intelligence Community.

In their press release of June 12th, Chairman Goss and Ranking Member Harman announced their bipartisan commitment to continue the HPSCI's serious, focused and comprehensive review of these issues and provide additional details on how they plan to do so. They note that the Director of Central Intelligence (DCI) has offered the full cooperation of the Intelligence Community to assist the HPSCI in its review. In fact, the DCI has already begun to provide a significant volume of information containing highly classified information to the HPSCI. It was done weeks ahead of the requested date of July 1. The HPSCI plans to continue its oversight of these intelligence issues as it has conducted oversight through the years. It will hold Committee hearings, closed and open, as appropriate. Most importantly for our purposes today, however, is that the HPSCI voted to grant under appropriate security conditions and House rules access to any Member of the House who wishes to review the documentation provided to the HPSCI by the DCI in response to its letter of May 22nd.

The HPSCI Chairman and Ranking Member recently forwarded to Tom Lantos and me copies of their May 22nd request and informed us of their vote granting access to Members. The DCI's ongoing and timely transmittal of relevant intelligence information to the HPSCI and the HPSCI's vote granting access to the information to any Member of the House render moot, as a matter of substance, the resolution of inquiry. The HPSCI is especially well-suit-

ed to handle these highly classified documents and conduct this review. For this Committee to duplicate the HPSCI efforts in collecting the same documents would be a waste of time and taxpayers' money. It is in no one's interest, least of all this Committee, to collect a second set of intelligence documents. Any Member who avails himself or herself of the opportunity to see the materials HPSCI is collecting will see at least the same materials that would be produced under this resolution. Consequently, it is my intention to have H. Res. 260 reported adversely.

I now turn to my esteemed colleague, Mr. Lantos, for any remarks he may wish to make.

[The prepared statement of Mr. Hyde follows:]

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

H. RES. 260, REQUESTING THE PRESIDENT TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES NOT LATER [THAN] 14 DAYS AFTER THE DATE OF THE ADOPTION OF THIS RESOLUTION DOCUMENTS IN THE PRESIDENT'S POSSESSION RELATING TO IRAQ'S WEAPONS OF MASS DESTRUCTION.

On June 5, Mr. Kucinich of Ohio introduced H. Res. 260, a resolution of inquiry requesting the President to transmit to the House of Representatives documents in the President's possession relating to Iraq's weapons of mass destruction.

Mr. Kucinich's resolution requests that the President transmit to Congress "specific evidence" for ten claims by senior administration officials "relating to Iraq's weapons of mass destruction." These officials include the President (three statements), Vice President (two statements), Secretary of Defense (three statements), and "the White House spokesperson" (two statements).

Prior to the introduction of the pending resolution, on May 22nd, the House Permanent Select Committee on Intelligence (HPSCI) formally initiated a far more comprehensive review of these issues than could occur in any of our offices in response to the simple production of paper as called for in H. Res. 260. Chairman Porter Goss and Ranking Democrat Jane Harman wrote to the Director of Central Intelligence (DCI) "that it is now time to reevaluate U.S. intelligence regarding the amount or existence of weapons of mass destruction (WMD) in Iraq and that country's linkages to terrorist groups, such as al-Qaida."

Requesting that the DCI respond by July 1st, the HPSCI says it intends to "ensure that the intelligence analysis relayed to our policymakers from the Intelligence Community was accurate, unbiased, and timely." Its broad review will include an evaluation of the quality and quantity of sources and methods, an assessment of how and what analysis developed and whether it changed over time, and a study of any dissenting views that were developed in the intelligence community.

In their press release of June 12th, Chairman Goss and Ranking Member Harman announced their "bi-partisan commitment" to continue the HPSCI's "serious, focused, and comprehensive review" of these issues, and provide additional details on how they plan to do so. They note that the DCI has offered the full cooperation of the Intelligence Community to assist the HPSCI in its review. In fact, the DCI has *already begun to provide a significant volume of information*, containing highly classified information, to the HPSCI. It was done *weeks ahead of the requested date of July 1*.

The HPSCI plans to continue its oversight of these intelligence issues as it has conducted oversight through the years. It will hold committee hearings, closed and open, as appropriate.

Most importantly for our purposes today, however, is that the *HPSCI voted to grant, under appropriate security conditions and House Rules, access to any Member of the House* who wishes to review the documentation provided to the HPSCI by the DCI in response to its letter of May 22nd. The HPSCI Chairman and Ranking Member recently forwarded to me and Tom Lantos copies of their May 22 request and informed us of their vote granting access to Members.

The DCI's ongoing and timely transmittal of relevant intelligence information to the HPSCI and the HPSCI's vote granting access to the information to any Member of the House render moot as a matter of substance the Sponsor's resolution of inquiry. The HPSCI is especially well suited to handle these highly classified docu-

ments and conduct this review. For this committee to duplicate the HPSCI efforts in collecting the same documents would be a waste of time and taxpayer's money. It is in no one's interests, least of all this committee, to collect a second set of intelligence documents. Any member who avails himself or herself of the opportunity to see the materials HPSCI is collecting will see at least the same materials that would be produced under this resolution.

Consequently, it is my intention to have H. Res. 260 reported adversely.

Mr. LANTOS. Mr. Chairman, I believe the subject of this resolution is extremely important. I think it is important that we all recognize that there is general surprise that only a few discoveries have been made so far with respect to Iraq's weapons of mass destruction since the fall of Baghdad. It remains unclear whether Saddam Hussein destroyed his programs prior to our military action, whether the weapons remain hidden in some obscure corner of Iraq, or whether Saddam Hussein moved these weapons outside the country to another country, possibly Syria. In any case, Congress must be involved in determining the nature and scope of the intelligence regarding Iraq's weapons of mass destruction programs, given that this issue was important in the decision to take military action against Iraq.

However, the information on Iraq's weapons of mass destruction program is not a foreign policy issue, but rather some of our most highly sensitive intelligence materials. The examination of such information should be in the hands of the House Permanent Select Committee on Intelligence. In this regard, I think it is wholly appropriate that Chairman Goss and Ranking Democratic Member Harman of that Committee have initiated a review and evaluation of this intelligence information as it relates to Iraq's weapons of mass destruction.

I also commend our colleagues on the Intelligence Committee for providing access to all the information they have to any Member of the House of Representatives under appropriate security conditions and consistent with House rules.

Given that the central information asked for in this resolution is already being addressed in the appropriate forum, namely the House Intelligence Committee, and given that every Member will have access to the information should they so desire, I believe the current resolution is duplicative and, therefore, unnecessary.

Now, Mr. Chairman, I would hope that our Committee would be able to arrive at a unanimous decision on this matter by declaring that the resolution is moot by virtue of the fact that all the information requested in the resolution is available to every single Member of the House of Representatives. Therefore, the resolution submitted by Mr. Kucinich is duplicative, redundant, unnecessary, and moot.

I think psychologically rejecting this resolution is not the wisest course of action. There are clearly political implications in this, and I would be grateful if we could have some discussion about finding some other mechanism of indicating that, in our judgment, Mr. Kucinich's resolution has already been addressed by the House Intelligence Committee; therefore, our Committee, not wishing to duplicate the effort of the Intelligence Committee, merely recognizes the importance of the resolution and recognizes the fact that what it asks for, namely making available all the documents, has already been done at the request of the Intelligence Committee. And

an outright rejection of the resolution, I do think, does not fully carry the implications that I suspect most, if not all, of us would like to carry.

Thank you, Mr. Chairman.

Chairman HYDE. Thank you.

Who seeks recognition?

Mr. Bereuter.

Mr. BEREUTER. Thank you very much, Mr. Chairman.

I agree with the Chairman's characterization of what has happened in HPSCI, and as the Vice Chairman of that Committee, I wanted to just supplement it by saying that the DCI, in discussions with Chairman Goss and Ranking Member Jane Harman, agreed that all of the raw data from all the Intelligence Committees will be made available to all Members under appropriate security arrangements in HPSCI. In fact, last Thursday we had a vote. It was not a unanimous vote. There are concerns about making it available to the 400 plus Members of the House as well as the Intelligence Committee, and, of course, it does put limitations in the future on what Members can say after they review it.

But already all of the information has been provided by the Central Intelligence Agency to the Committee. It is being organized. There are tens of thousands of pages. Today the information from the Defense Intelligence Agency is beginning to arrive, and it, again, will be tens of thousands of pages. All of the raw data from the Intelligence Community that related to Iraqi weapons of mass destruction (WMD) will be provided.

One of the security arrangements, of course, that will be implemented is that Members must have signed the oath of nondisclosure. I think there are four Members of the House of Representatives who have not signed it. But by the end of the week, I would expect that the first of the information, all of it from the CIA, would be available for Members to read if they care to, and certainly very shortly thereafter, all of it, including the DIA material, will be available.

That is the update. I do think it makes moot the request of Mr. Kucinich. Thank you.

Chairman HYDE. Ms. Lee of California.

Ms. LEE. Thank you, Mr. Chairman.

First, let me just thank you and our Ranking Member for holding this markup today. I am a cosponsor of this resolution. I believe we have approximately 35 Members on it, which really asks the questions I believe that are vital to the public interest, and it asks the questions on which we do need the answers. This Committee is responsible for establishing our foreign policy and certainly should request this information as part of our future efforts to seek multi-lateral support for our foreign policy efforts.

Last fall the Congress, of course, voted to give the President broad authority to go to war. Many Members voted for the use of force because the Administration convinced them that Iraq had large quantities of weapons of mass destruction, and that those weapons posed a dire threat to the security of the United States and our allies. To date, the United States forces have yet to find any real weapons of mass destruction. Now, we all know that does not prove that they aren't there. They may well be. I believe we

should bring in more IAEA and United Nations inspectors to help seek out, secure and destroy them if they are hidden in Iraq.

Many of us believed before the war, and continue to believe, that the inspections process needed more time to identify and destroy weapons of mass destruction, but this delay in finding any such weapons and new reports about possibly an allegedly distorted intelligence really forces us to look more closely at the evidence on hand last fall that helped convince many Members of Congress and many members of the American public that war was justified. This resolution of inquiry asks those questions specifically focused to responses that I believe people deserve a right to know.

Administration officials told us that Iraq had tens of thousands of chemical and biological weapons. Vice President Cheney even stated, and I believe this is a quote from him:

“We believe that Saddam Hussein has, in fact, reconstituted nuclear weapons.”

These weapons of mass destruction, we were told, not only justified a preemptive war, but that that demanded one because of this information.

Now, we all know that intelligence is often murky and inconclusive, and that is the nature of the business. But the Administration went to the American people, the Congress and the United Nations and said it was crystal clear that Iraq posed an imminent threat. So we must ask, was there truly convincing evidence, or were weapons of mass destruction, as Deputy Defense Secretary Paul Wolfowitz has stated, “The one reason everyone could agree on”?

This resolution of inquiry seeks to get out the truth. Americans deserve to hear the truth. They have the right to hear it, and Congress certainly has a right to know.

I am glad that the intelligence committees are also looking at the origin of this war, but this is also a matter for the International Relations Committee as well. What happens when this or some future President tells the world community that we have conclusive evidence of weapons of mass destruction in some of the most dangerous places in the world?

As I said earlier, we recognize that the credibility of the United States is essential in gaining multilateral support for our foreign policy, so this Committee certainly should move forward with support of this resolution. Weapons of mass destruction do pose enormous potential dangers. That is what makes this discussion so important.

And, Mr. Chairman, finally let me just say I do not believe this should be a partisan issue, and it should not matter whether one supported the bombing and the war against Iraq. This resolution merely asks for answers that Congress has a right to know, and certainly this Committee has a right to ask these questions. So I hope that we see this also as a foreign policy issue with regard to this resolution and support this resolution. I urge a favorable recommendation.

Thank you. I yield the balance of my time.

Chairman HYDE. Mr. Hoeffel.

Mr. HOEFFEL. Thank you, Mr. Chairman. I would like to agree with the comments of Mr. Lantos. I agree with him that the

Kucinich resolution may be redundant, but does not deserve to be reported unfavorably. There must be an accounting regarding the weapons of mass destruction.

I am one of the Members who voted in favor of the military authority based upon my belief that Saddam Hussein had to be disarmed of weapons of mass destruction. We need to account both for what has happened to those weapons—bluntly put, we have to figure out where the hell they are, and what has happened to them, and we also have to account for what appears to be either inaccurate intelligence or misused intelligence. It is the responsibility of this Committee to be involved in that process, and we should not duck that responsibility.

H. Res. 260, as the Chairman has pointed out, lists 10 statements by the Administration regarding weapons of mass destruction stating in absolute certainty that Iraq had them and was developing more. Mr. Kucinich actually missed a key statement of the President that he made in the Rose Garden September 26th, 2002, when the President said that,

“The Iraqi regime possesses biological and chemical weapons. The Iraqi regime is building the facilities necessary to make more biological and chemical weapons.”

At the very same time the Defense Intelligence Agency was circulating a report that has just become public, but it was circulated to the White House in September 2002, which stated there was,

“No reliable information on whether Iraq is producing or stockpiling chemical weapons or whether Iraq has or will establish its chemical agent production facilities.”

The President and his advisors were being told by the Defense Intelligence Agency that there was no reliable information about Iraq’s activities, and yet the President and his advisors were publicly and, to many of us on this Committee, privately assuring us at the White House that Iraq had weapons of mass destruction.

Iraq certainly had them at some point. There is no question about that. And Hussein used them in the past in a murderous way. That is beyond dispute. But there is a growing credibility gap faced by the Administration on what information they were provided by the intelligence agencies and what they did with that information. Did they believe what they wanted to believe at the White House? Did they just hear what they wanted to hear, or did they tell Congress what they wanted us to hear?

Mr. ROHRABACHER. Will the gentleman for a question? Would the gentleman be satisfied with answering these questions behind closed doors with the appropriate intelligence Committees to protect American sources of information, et cetera? Would that be satisfactory, or is the gentleman making the case that unless we make this totally public knowledge, he wouldn’t find that acceptable?

Mr. HOEFFEL. Reclaiming my time, I think there has got to be a public accounting of all of this. I am sure there is some information that has to remain classified and private. I don’t argue that. And I am glad the Intelligence Committee has become involved in this process. I don’t want as a Member of this Committee to vote unfavorably on the Kucinich resolution. This is my chance to vote.

And I think the International Relations Committee ought to step up to the plate. I am sure some of this information has to be kept confidential and classified, but there has got to be a public accounting, and we ought to be part of that process.

I yield back the balance of my time.

Chairman HYDE. Ms. Berkley.

Ms. BERKLEY. I would gladly yield to the other side of the aisle.

Chairman HYDE. Very well. Then we will avoid a serious problem.

Mr. Gallegly.

Mr. GALLEGLY. Thank you, Mr. Chairman.

I will be brief, but I was listening carefully to Ms. Lee's comments, and I couldn't agree with her more that this is an issue that should not be a partisan issue. There are a lot of issues around here that by their sheer nature are partisan. This is, of the issues that we have dealt with, one of the most nonpartisan issues that we deal with.

I would remind Ms. Lee that if you look at the H. Res. 260, by its list of sponsors it tends to be very partisan. I would also tell her—and the Members of this Committee—that while not everyone is in complete agreement with the findings of HPSCI on whether this information should be released or not, that is a very bipartisan Committee and by bipartisan support has agreed to release this information under a very controlled environment. I think it must be controlled because of the sensitivity.

I would just like to ask Ms. Lee if she has a problem with the controlled mechanisms of HPSCI, and, further, does this not achieve her goal with the possible exception of being a more controlled environment?

Ms. LEE. Thank you very much.

Let me just say I agree with HPSCI in terms of the classified nature of some of this information, as my colleague just mentioned certainly, some of it must be kept classified for obvious reasons. I do believe, however, that the questions asked in this resolution are questions that need to be answered and that the public has a right to know. Where there is a need for classified information, then certainly the HPSCI jurisdiction makes sense.

I would suggest, also, in terms of this resolution, which is very narrow, it is very specific with regard to the questions. It would be quite an effort, I think, toward bipartisanship if would you go on as a cosponsor of this amendment and make it bipartisan. Also, again, I think that this Committee deserves to have some say and some input and some review of it, because we are the Committee that establishes our foreign policy. There are enormous implications for U.S. foreign policy.

Mr. GALLEGLY. Reclaiming my time.

In response to the gentlelady's request to join as a cosponsor in order to make this bipartisan, I can assure you that will not happen, as you will find as we get to the vote. I appreciate your comments. The fact remains that HPSCI has acted on this. There is still concern of whether that is appropriate or not. But in any event, I would ask my colleagues to decline H. Res. 260.

I yield back.

Chairman HYDE. The gentlelady from Nevada.

Ms. BERKLEY. Thank you, Mr. Chairman.

I voted in favor of the resolution to go into Iraq. I believe at the time I was reflecting accurately the views and wishes of my constituents. Whenever I went home, and that was every weekend, I appeared on television. I spoke on radio. I gave interviews to the newspapers in Las Vegas, sharing with them what I knew regarding the weapons of mass destruction and the potential in a very short amount of time for the Iraqi Government to obtain nuclear weapons and the ability to use those weapons against people, nations in the region and elsewhere throughout the globe.

I appreciate what Mr. Bereuter said about the other Committee, in fact, having confidential inquiries and making them available to the rest of us. I will definitely avail myself of that. But as Mr. Hoeffel has said, there is our option to vote and express our wishes and our concerns and our desires. I have received in the last couple of weeks scores of letters, e-mails, phone calls from my constituents urging me to demand—and I am going to quote this—“an explanation regarding why the U.S. has not found any weapons of mass destruction in Iraq.” Even though I believe my constituents were supportive of my vote, they want to know why, and they want to know where, and they want to know what possessed me to vote.

Now, I am not sure I wouldn't have voted in favor of this resolution anyway, but I must say that I voted in large part because of my concern of weapons of mass destruction and nuclear capability. Reporting out this resolution with an unfavorable report, I think, would be very unsatisfying to me and certainly to my constituents. I think we owe it to them to vote in a manner that Mr. Lantos suggests, going on record saying we do want answers, and we think the public and America is entitled to know.

Thank you, Mr. Chairman.

Chairman HYDE. Mr. King of New York.

Mr. KING. Thank you, Mr. Chairman.

First of all, I think it is important to note that after every war, every engagement, the intelligence process should be reviewed. In fact, my recollection is that after the first Gulf War, one of the criticisms of our intelligence agencies was they underestimated the amount of chemical and biological weapons that Saddam Hussein had. I remember in the 1990s even the IAEA did a thorough investigation of the Iraqi nuclear program and concluded there were none. It was only later, when defectors came out, it was pointed out there was a very extensive nuclear program.

So I think intelligence evaluation and evaluation of the agencies that conduct that intelligence is always important after a war has been conducted. There has been—even though it is said this is non-partisan and bipartisan, both in the comments today and remarks today and also remarks made over the past several weeks, somehow there is the implication that this Administration has done something different from previous Administrations. So I think it is important to place in context that in the spring of 1998, President Clinton said unequivocally that Saddam Hussein had weapons of mass destruction, chemical and biological, and was working toward a nuclear program. In December 1998, President Clinton launched a preemptive attack on Iraq because of the weapons of mass destruction. In December 2000, the Defense Department under Sec-

retary Cohen released a report stating that Iraq was well on its way toward a sophisticated nuclear program. This past September, former Vice President Gore, when he gave his major speech on Iraq said that, based on his experience as Vice President and the intelligence that he had seen during the years of the Clinton Administration, Saddam Hussein had a very extensive chemical and biological weapons program, and he had the weapons secreted throughout the country.

Just yesterday the Democratic Leadership Council put out a statement saying if the Bush Administration was wrong on this, so was every other major intelligence agency in the world, including the British, the French, the Germans, the Russians. Hans Blix, in the final report that he put out back in February, said his only difference with U.S. intelligence was he thought the amount of anthrax actually increased; that the amount of anthrax that was possessed by Saddam Hussein had actually gone up in recent years.

The real question to ask is if all of the intelligence agencies in a Democratic Administration and a Republican Administration both believe there are weapons of mass destruction, I think there is a very legitimate reason to look into what the basis of that intelligence was. But to somehow put this in a partisan tone and suggest it was done differently under the Republicans than the Democrats does, to me, a discredit to our foreign policy. It also sends a wrong signal to the world.

I think that is the context in which this resolution is being offered. I think we should go through—

Mr. HOFFEL. Would the gentleman yield?

Mr. KING. Yes.

Mr. HOFFEL. Could the gentleman identify any comments today that suggested this was handled any differently by Democratic Administrations compared to Republican Administrations?

Mr. KING. People who were saying they were assured by the White House, say that the resolution itself only refers to statements made in this Administration.

If there is to be a true analysis of intelligence gathering, you should have one mean compared to the other to see if there has been a change between 2002 and 1998, 2001 and 1999. To me, that is the only way you can have a fair understanding as to what changed.

For instance, to me, it would be a very real issue if it turns out that suddenly there were no weapons of mass destruction in Iraq in 2002, but yet they were there in 1998, then that is a really important intelligence question to look into to find out what happened to the weapons during those 4 years.

So, for this to go forward on a real basis, it should be done in more of a nonpartisan way; and I think certainly in these first stages, it should be done in a way which is not open to the public, not subject to political distortion, but done through regular order. That would convince me and convince most people this was being done in an intelligent way to go forward, because I agree with some of the other speakers who did say that decisions ought to be made in the future as to whether or not countries have weapons of mass destruction.

It is important that we know how accurate our intelligence is and how accurate it isn't. Those are real legitimate questions, but I think it should be done in a way which does not suggest there is a hint of partisanship, because then it could end up going both ways, and no one needs that.

Ms. LEE. Would the gentleman yield, please?

Mr. KING. Yes, I will yield to Ms. Lee.

Ms. LEE. Thank you very much. I appreciate your comments, but I also know that there is one difference at this point in terms of the basis upon which I think that this resolution should be supported and why we have a right—at least the Congress, this Committee and the public, have a right to know. The authorization to use force and the bombing of Iraq certainly moved forward as a result of this Administration's putting forth this information.

Secondly, of course, American taxpayer money is there, and we voted, what was, I believe, close to \$80 billion for this activity and this war. Given that, those are two clear distinctions in terms of moving forward with this policy, and I think that people deserve to know with regard to the intelligence that was presented that served as the basis for this support.

Mr. KING. Reclaiming my time, if I could just say that I don't look at it so much as moving forward as a logical extension of the policy which existed for the past 5 years, and we didn't do taxpayer analysis of how much it costs.

President Clinton, to launch a preemptive attack on Iraq in 1998—which I supported, by the way—and I also believe that what we are saying here is that this Administration was building on the logical path of intelligence from one Administration to the other. When Paul Wolfowitz says, this is the one issue everyone agreed on, he is right; this is the one issue that the prior Administration and this Administration agreed on—with every major intelligence agency in the world.

So to me it does go out of order, away from the concept of doing it the orderly way by saying we should adopt this resolution. It is implying that something was wrong, and I am saying, let's go through regular order. Let's have it done through the Intelligence Committees. Let's have the records made available to us, but let's not make it a public show at this stage. There is plenty of time for it, and I think that this is the way it should be done, in regular order.

To adopt this resolution or to report it favorably, to me, would be giving credence to charges that are out there, which I think so far have not in any way been proven. If something is wrong, that will come out in due course. Let's not jump the gun.

Chairman HYDE. The gentleman's time has expired.

The gentleman from California, Mr. Lantos.

Mr. LANTOS. Thank you very much, Mr. Chairman. It seems to me there is profound confusion in this discussion as to what, in fact, we are debating. So I will try my best to clarify that confusion and then ask unanimous consent to submit a resolution.

There are two issues here. One is the issue of policy, on which debate will continue ad nauseam and ad infinitum. Long after the term of this Congress the wisdom of the policy will be debated, and

some of the discussions this morning were part of that debate. That is not what the resolution is about.

The resolution calls for making available for all Members of Congress all the documents under proper safeguards. That is the essence of the resolution.

I have great sympathy for my colleagues who do not wish to vote against the resolution, and I will not vote against the resolution because that would imply an attempt to suppress the right of Members of Congress to obtain all the information to which they are entitled.

I will not vote for the resolution because that clearly has very severe political ramifications. What we have to deal with this morning is whether or not the Kucinich resolution is moot or not. It is my judgment—and I would like permission to read a one-paragraph letter that both the Chairman and I received from the Chairman and Ranking Member of the Intelligence Committee. The letter makes it clear that what the resolution asks for, what the Kucinich resolution asked for, has already been done. Therefore, the resolution is moot, redundant and duplicative. If we state that it is moot, redundant and duplicative, we remove it from, in my judgment, the political arena.

This is what Chairman Goss and Ranking Member Harman wrote, dated June 16, and this letter is addressed to me. There is an identical letter addressed to the Chairman:

“Dear Mr. Lantos,

“I am writing to inform you that the House Permanent Select Committee on Intelligence voted on Thursday, June 12th, to permit Members of the House who wish, under appropriate security conditions and House rules, to review certain documents provided to the Intelligence Committee by the Director of Central Intelligence. The documentation at issue is that which the Director of Central Intelligence provided to the Intelligence Committee in response to a letter from the two of us. A copy of that letter is enclosed.

“Specifically we would request detailed information from the Intelligence Community on the questions relating to Iraqi weapons of mass destruction and Iraq’s ties to terrorist groups.

“Please let me know if the Committee can be of any assistance to the International Relations Committee,

“Sincerely, Porter Goss and Jane Harman.”

Mr. Chairman, I ask unanimous consent to present a motion.

Chairman HYDE. Is there objection?

Mr. ROYCE. Mr. Chairman, I would like to object.

I will reserve my right to object.

Mr. LANTOS. And I want to thank my friend for just reserving the right rather than objecting.

I will read my motion, and I am asking you to listen to the motion very carefully, because I believe it accommodates those of my colleagues who do not wish to vote “no” on the Kucinich resolution, and I am one of those, but who also do not wish to further complicate and confuse this very legitimate national debate, since the Intelligence Committee’s action has fully responded to the Kucinich

motion. To insist on this Committee doing the same is a political move, not a legitimate move to obtain information.

My motion reads as follows:

I move that H. Res. 260 be ordered to be reported by the Committee to the House of Representatives without recommendation, because the matter is moot.

Chairman HYDE. Does the gentleman insist on his objection?

Mr. ROYCE. Yes, I do, Mr. Chairman. I am going to object.

Chairman HYDE. Your objection is heard.

Mr. ACKERMAN. Mr. Chairman.

Chairman HYDE. Well, the Chairman is going to recognize himself for 5 minutes. Those of you who are reluctant to vote against the Kucinich resolution, I would suggest take a pass and vote "present," because I am reluctant to give the Kucinich resolution vitality when it does not deserve vitality.

Why do we have a House Select Committee on Intelligence? Why do we have a Senate Select Committee on Intelligence, bipartisan, with staff trained in the handling of classified information, with facilities for storage, with facilities for hearings? We have those Committees for the very reason that this resolution is brought forward: To evaluate, analyze and report on matters concerning intelligence.

Now, I do not view voting for the Kucinich resolution as anything but a vote of "no confidence" in our Intelligence Committees. What is it seeking? You are seeking documentation backing up certain statements made by Administration people. You are going to get that. It is how you are going to get it, which vessel will contain it, the Select Committee on Intelligence or the House Committee on International Relations?

Ms. WATSON. Mr. Chairman, would you yield for just a second?

Chairman HYDE. When I am through. It doesn't matter, as long as you are going to get the information, it is going to be available to all the people all the time, whenever, under whatever laws of classification exist.

And so this is redundant, this is unnecessary, and if we give it vitality by voting for it, we are voting "no confidence" in our Intelligence Committee.

Now, there are lots of reasons why it is a bad idea. One of them is security. Leaks are an absolute plague for the intelligence services. Sometimes it takes years to put people in place who are going to provide critical intelligence when you need it, and these people are jeopardized every time their existence is bandied about through Committee, through commission, through media. Security is very, very important. It is very hard to recruit people to do dangerous intelligence work if they know they are not going to be protected.

Maximum protection exists in the Intelligence Committee, and, Ms. Lee, if you want to read every one of the thousands of documents, you will have an opportunity. You will be in a nice room where it can't be bugged, and you can read till your little eyes get sore. But it will all be there, and you won't miss a thing, I can assure you, and even Mr. Delahunt can read all about everything he wants to.

Why should we duplicate that, the thousands of pages and documents duplicated here? It just is illogical and not very sensible.

Mr. MENENDEZ. Mr. Chairman.

Ms. LEE. Mr. Chairman.

Mr. DELAHUNT. Mr. Chairman.

Mr. ACKERMAN. Mr. Chairman.

Chairman HYDE. I can't see. Who is seeking?

Mr. MENENDEZ. I am seeking recognition.

Chairman HYDE. Ms. Watson.

Ms. WATSON. Thank you so much, Mr. Chairman.

I think that with dropping certain subsections of the resolution and just asking straight out, clearly, that the Members of the House of Representatives, within 14 days that they then be given the materials that can go public. I think that this would help us in so many ways.

We establish credibility. We put our ambassador corps in an untenable position as they try to explain in the countries where they are posted what our foreign policy is and was at the time. So I think if we leave out the statements that some people could see as partisan, just amend those out and go with a request to transmit to the Members of the House that information that can be made public, we assist Secretary Powell, we assist ourselves in regaining credibility.

I did not vote for the resolution, but I do have to report back to my constituents as well. And somebody mentioned the action of this Administration was just a continuation of other Administrations, but the difference here is none of those went to war. We did, and we went to war based on what we were told.

So please give us the information that will give us the credibility—

Mr. PENCE. Will the gentlelady yield?

Ms. WATSON. Yes—give us the credibility as we return back to our districts.

Mr. PENCE. Does the gentlelady yield?

Chairman HYDE. Mr. Royce.

Mr. ROYCE. Thank you, Mr. Chairman. I wanted to explain to the Ranking Member, for whom I have great respect, my feeling about the importance of objecting to his motion.

I think that when we reflect on the fact that the author of this particular motion, Mr. Kucinich, who has appeared before us a number of times, refuses to sign the oath of nondisclosure required of any Member of Congress who wishes to have access to these classified documents and its secrets; when we reflect on the fact that the documents are being transmitted to our Intelligence Committee and that every one of us is going to have an opportunity to examine those documents—and I intend to examine them; and furthermore, when we consider the fact that our Permanent Intelligence Committee's jurisdiction over this, its examination is going to be broader in scope than this particular resolution; when we consider the fact that as a practical matter, this motion brought by Mr. Kucinich is moot and therefore should be reported unfavorably for the record; and the fact that it is duplicative in the sense that he was here before this Committee last spring with a motion on some 14,000 pages, as I recall, and I believe that none of his co-sponsors actually took the time to go up to the Intelligence Committee and go through those documents, I think at the end of the day and especially hearing that Mr. Kucinich is going to bring for-

ward further resolutions in the future on this subject, it is indeed moot, and we should report this unfavorably.

And that is why I had to take exception with the motion.

Mr. LANTOS. Will my friend yield?

Mr. ROYCE. I will.

Mr. LANTOS. You just used the term "moot." That is precisely the substance of my resolution. We all know what will happen if the majority insists on deflecting the resolution: There will be a divided vote on an issue which substantively does not divide us.

We are all in agreement that the Kucinich resolution is moot. The Intelligence Committee's action has rendered it moot. If we can all say that it is moot, we remain united. If the majority insists on deflecting a resolution, it will demonstrate and underscore the division that so far we have succeeded in preventing to a very large extent on this Committee.

I thank my friend for yielding.

Mr. ROYCE. If I could reclaim, I will remind the gentleman that at the end of the day we voted unanimously, as I recall, on Mr. Kucinich's resolution, in the spring, to reject it.

It is true that we all concur that the resolution is moot, but from that and from the arguments that I laid forward and the Chairman of this Committee has expressed, the conclusion I derive is that it should be reported unfavorably for just that reason.

I thank the gentleman.

Chairman HYDE. Mr. Ackerman.

Mr. ACKERMAN. Mr. Chairman, I am deeply troubled by this entire process and some of the things that have been said here.

First, I find it inappropriate that my good friend from California, for whom I do have the deepest of respect, objected first to Mr. Lantos's well-thought-out and compromising intention of bringing this to a nonpartisan conclusion.

And second, I find it dreadful that he would indicate that Members should vote against this in a punitive way against Mr. Kucinich, because he objects somehow to Mr. Kucinich's right as a Member of the House of Representatives to refuse to sign a document. His refusal to sign that document in and of itself disables him from seeing the very documents even if his resolution passed according to the rules of the House; but to suggest that we vote against this because somehow it offends us that he has taken a position within his rights offends me.

Let me also say that duplicative though it might be and redundant though it probably is, I cannot vote against this resolution. I am one who was among the most ardent and vocal of supporters of going in and taking out Saddam Hussein, even absent the weapons-of-mass-destruction argument, because I deeply believe that never again, never again should the world tolerate a dictator who commits mass murders against groups of people and sit idly by and pretend it hasn't happened. So I would have voted for it anyway.

If the arguments of the Administration in its presenting the evidence of the Intelligence Community to this Committee, to our Congress and to the American people is what we are talking about here, and the Chairman rightly and appropriately asked questions, then what would the purpose and function of the Intelligence Committee be were we to do this?

I asked the question, what is the purpose of the International Relations Committee if we do nothing. At the end of my time, I would ask the Chairman if he would consider this Committee having hearings, not on sources and methods, which is appropriately the purview of the Intelligence Committee, not with the intention of somebody leaking what is in documents or making public things that would not necessarily be in the public's interest to have divulged, but to discuss policy which is the purview of this Committee.

Were the intelligence books cooked? Was bad information presented to us to ease our way? I would have voted anyway without that extra greasing. Did somebody slant the truth? Did somebody lie to the President? Did the President not tell the truth to the American people?

That is what people are really asking. It has nothing to do with the intelligence report, but whether they were skewed, whether somebody lied to subvert our Constitution and to try to get us into a war that some people, not necessarily myself or some others, that some people might necessarily not have agreed with. That is what is at stake here, the heart and soul of the democratic process and the ability of the American people to believe in an Administration that it voted for—at least some of the American people—and wanting to have confidence and faith that the Administration is telling them the truth, the whole truth and nothing but the truth.

I am troubled by the fact that these intelligence reports that conclusively, according to everybody, said this is what the case was and asked us and the American people to swallow it whole, then suddenly switched to other arguments as soon as we were in the war and that was taken care of, we can now talk about democracy and Administration changing and democracy building and all those other things that the Administration is well known for supporting.

What that was all about on a policy level is really what this Committee, the International Relations Committee, should be discussing. How did we come to that policy? Was it an honest conclusion based on honest information, or was it garbage in, garbage out?

Chairman HYDE. The gentleman's time has expired.

Mr. ACKERMAN. As promised, I would like to ask the Chairman if this Committee, with all due respect, could have hearings on our policy—not the intelligence reports, but on our policy with regard to what happened in getting us into Iraq.

Chairman HYDE. I think it is very important that we have such hearings. I think it is within our jurisdiction and our purview, but I would like to wait until we get all the information available so that we can base our hearings not on partial or fractional information, but the whole story.

Mr. ACKERMAN. That would be the purpose of the hearings, Mr. Chairman, I would think.

Chairman HYDE. Well, at the appropriate time, I would agree; I think it is very important that this Committee discuss policy and the basis for arriving at that policy.

Mr. ACKERMAN. I thank the Chairman for that commitment.

Chairman HYDE. All right.

The next gentleman seeking recognition is Mr. Pence.

Mr. PENCE. Thank you, Mr. Chairman.

I want to speak in opposition to the Kucinich resolution with the honest frustration that it seems that some in the minority on this Committee don't want to take "yes" for an answer. I will say again, Mr. Chairman, I truly believe, as your comments and to some extent the Ranking Member's comments had suggested, some in the minority won't take "yes" for an answer.

Mr. Kucinich asked for this resolution of inquiry, which is a parliamentary device used to get documents from the Executive Branch, for documents from the Executive Branch. The House Permanent Select Committee on Intelligence is in the process of obtaining all related documents, which will be available to every Member of Congress under appropriate security conditions. It is the proper function, Mr. Chairman, I believe of the House Permanent Select Committee on Intelligence to review intelligence, which is what this information is. So it seems quite clear that some won't take "yes" for an answer.

This is, to correct the record, the second Administration in a row to take us to war against Iraq because it possessed weapons of mass destruction. Several on the other side have talked about this as something that was brand-new, hadn't happened before; but obviously the regime of Saddam Hussein, recipients of cruise missiles in 1998 at the decision of President Clinton, who explained it because it was necessary to attack Iraq's chemical, biological and nuclear weapons programs that "threatened its neighbors."

Certainly the regime of Saddam Hussein saw themselves the subject of an American military action in 1998 justified because the Clinton Administration concluded, based upon intelligence assessments, that Iraq was in possession of weapons of mass destruction. So let me say also, this is the second American Administration to take us to war against Iraq because it possessed weapons of mass destruction.

I am all in favor of this information being made available under appropriate security conditions to Members of Congress, but let me say that, as Mr. Ackerman just shared, I would have strongly supported the decision to go to war based simply on what was in the public domain, based on an appalling and Stalin-like record on human rights, based on association with terrorist organizations across the region, testimony which we heard here and was presented to the world community before the UN, and also overwhelming evidence of a multidecades excursion into various weapons of mass destruction.

Some have said today, they wondered if the books were cooked. They said that it was either inaccurate or misused intelligence information. Well, speaking, Mr. Chairman, just about what is in the public domain, I don't get it. Every member of the United Nations Security Council in September voted in favor of UN Resolution 1441, which Secretary of State Powell said, sitting right there before this Committee, the very first assertion of 1441 is that Iraq had possession of weapons of mass destruction. We all scratch our heads, it seems, many in this Congress and in the national debate over what happened to our intelligence assessments suggesting that somehow our Intelligence Community was drawing different

conclusions than the intelligence communities of every nation on the Security Council.

I point again to a unanimous decision by the Security Council in UN Resolution 1441 premised on the conclusion by every member of that body—dare I say it, including France, including Germany, including Russia—that Iraq at that time, in the months immediately preceding Operation Iraqi Freedom, was in possession of a massive program of weapons of mass destruction.

Certainly, the people of Kurdistan, the people of Iran have cemeteries full of victims of Iraq's WMD program, and I—

Mr. ACKERMAN. Would the gentleman yield?

Mr. PENCE. I will allow you to find your own time.

And in 1991 Iraq admitted to 10,000 nerve gas warheads and 412 tons of chemical weapons in its disclosures to UNSCOM.

So to believe that Iraq had no WMD program, Mr. Chairman, we have to believe the best of Saddam Hussein and the worst of George W. Bush. We have to believe that Saddam Hussein, after expelling weapons inspectors in 1998, privately and voluntarily destroyed his entire program of weapons of mass destruction and cleverly told no one in the civilized world about that.

Chairman HYDE. The gentleman's time has expired.

The gentleman from New Jersey, Mr. Menendez.

Mr. MENENDEZ. Thank you, Mr. Chairman. Mr. Chairman, I bristle as I listen to how some would seek to categorize a vote on this resolution, because as far as I am concerned, the search for truth isn't partisan. It is a search for truth.

And if, also, we have the shifting justification for engagement in Iraq which leads to part of the cynicism here, I agree that human rights violations and terror connections exist, but that wasn't the overwhelming reason for this Administration's justification; and if that is our basis for intervention, let us get ready, because there are a series of countries in the world in which human rights violations and terror connections are clearly evident.

I have a real problem with statements made about our colleagues, as to their rights. I echo Mr. Ackerman's. You know, many Members have expressed to me on both sides of the aisle their frustration with the process in which you go to these informational opportunities, intelligence opportunities on the Floor, and you hear less than what you can get on CNN, but then are constrained, because you have attended such a session, from speaking about the very issues that the American people and your constituency come and ask you about.

So that is a real concern for many Members, and this resolution, in essence, arises from the growing credibility gap that exists.

You know, when the President came before us at the State of the Union speech and said to the Congress collectively, and to the American people, in that speech that Iraq had received large amounts of uranium from an African nation and that that statement was at least partially based on counterfeit documents claiming the uranium came from Niger and that the CIA knew that the information was false, false, and sent a fax to the White House, and yet it ended up in the President's State of the Union speech as fact before the entire Congress and the country, you begin to have a serious gap in credibility.

And when you read in the mainstream press that CIA analysts are reporting that they felt pressured to find evidence of weapons of mass destruction that supported the Administration's position, you have to really raise questions, especially when America's sons and daughters were sent to war, and many of them did not return, when you use the Nation's treasury in pursuit of this engagement.

We listened to the Administration when it said that the Iraqi regime possesses—not “may possess,” but “possesses”—biological and chemical weapons and is building the facilities necessary to make more biological and chemical weapons. The President said that in September of last year. Well, clearly we must have known where those facilities were that the President made such an absolute statement.

We listened when it said that, “the Iraqi regime continues to possess and conceal some of the most lethal weapons ever devised,” in March of this year. We listened when it said that, “there is no doubt that Saddam has these weapons of mass destruction.” We listened when we were told time and time again, with absolute certainty, without equivocation; and that was the justification by which we were asked to vote on war.

So it is fitting and appropriate, and I really reject my colleague's comments about partisanship, because I tell you, after the last 8 years of seeing, hearing and investigation, of Committees controlled by the Republican majority during the Clinton Administration on just about everything under the sun, with multiple hearings and multiple investigations, when you even questioned the actions of the President when he took those missile attacks against terrorist camps in Iraq and you raised a howl that it was all for political purpose, and now you seek it as the cover.

Well, the Intelligence Committee doesn't have a proxy for my vote, nor do I believe that there is an opportunity here. While we have to preserve methods and practices and sources, and we can do that, we also owe an accounting to the American people; and that is what the heart of the spirit of the Kucinich resolution is all about. And if you just can't simply have the opportunity to present it in the manner in which Mr. Lantos presented it, then you certainly don't deserve the vote of any Member of this Committee.

Chairman HYDE. The gentleman's time has expired.

The gentleman from Texas, Mr. Paul.

Mr. PAUL. Thank you, Mr. Chairman. Mr. Chairman, I would like to express some reservations on voting this resolution unfavorably. I listened carefully to the Ranking Member's arguments, and in many ways I think he makes a good point that this is a moot vote that we are making here today.

I have also listened carefully to the Chairman's statement about the possible advice to those who have deep concern about this vote, considering even voting “present,” indicating that maybe this is a partisan fight rather than real fight over a serious issue.

I work on a few basic assumptions. I happen to believe that personal privacy is the essence of all liberty. I happen to also believe that government secrecy is the enemy of liberty. So, therefore, I have a great deal of concern about what is going on in the government, and I believe that the Congress and certainly the people

have the right to know what is going on, and the more secrecy in government, the worse off the people are.

We have been in Iraq now for 13 years. My big concern is, we don't fully understand all the ramifications of what has happened and what is going on and what could happen. There are predictions—and it would not be unbelievable to expect us to be in Iraq for another 13 years—that should concern all of us.

Now, I believe that this right is a basic right. It is stated very clearly in the Declaration of Independence that governments derive their just powers from the consent of the governed, which means that the people tell the government what they are allowed to do, and therefore the people do have this basic right to know. But this issue is a little bit more confusing, especially when you look at the possibility that what we are doing here is literally moot.

I would like to take a minute to address the subject of partisanship. I would hope that I have a little bit of credibility on arguing about partisanship as compared to some others, but I think all issues, every piece of legislation should be done on the merits. I, for one, disapprove of the narrow partisan arguments, and yet I am afraid this is what is happening today.

If we took this resolution, if it is a moot resolution, I could throw that argument back to the side that is opposing the Kucinich resolution: Well, why not vote for it, we have already done it, so it has no meaning, and just pass it; instead of using it as an argument, let's not do it because we have already done it. So you could use it to pass the resolution, but evidently there is a lot of partisan argument and maneuvering going on here, which, of course, makes me very uncomfortable.

Chairman HYDE. Would the gentleman yield?

Mr. PAUL. I would be glad to yield.

Chairman HYDE. The gentleman is known as a watchdog over the Treasury, and does the gentleman have an idea what it would cost to deliver thousands and thousands of documents to the chambers of this Committee and maintain security over them 24 hours a day?

Mr. PAUL. If the gentleman would yield back, I don't know exactly, but I do not believe the number of dollars would be the determining factor here if it is a legitimate function of government.

My main concern is the function of government when it is illegitimate; and when we spend those dollars, I quite frequently will vote against those. So I am still, you know, deliberating this in my own mind, what is best, and I have certainly listened to the advice of both sides.

But, indeed, in many ways I wish we could be nonpartisan and philosophic about this; and I will just continue to listen and sort it out. And I yield back the balance of my time.

Chairman HYDE. Mr. Blumenauer.

Mr. BLUMENAUER. Thank you, Mr. Chairman, and I appreciate the tenor of my colleague from Texas' comments.

I don't think this is partisan, and I would have no objection to adding to this resolution the inquiry into what motivated the assessment of the Clinton Administration. I think history will show that this Congress historically has done far too little in terms of

dealing with these issues, the motivation of Administrations, Republican or Democrat.

History shows that Kennedy's missile gap, which may have determined the outcome of the 1960 election, was fiction. We know that President Johnson's Gulf of Tonkin resolution was questionable, to say the least. We have had documentation with the Nixon Administration, with the Reagan Administration. We have got Iran contra. I mean, the list goes on.

To the extent we do our job here, seeking the information, Congress and the American public are better served, and it is not by any stretch of the imagination partisan unless we choose to make it so.

I do think it is fiction to assume, regardless of the disposition of the Kucinich resolution, that this controversy is going to fade away. It is occurring every day. The question is whether we are going to play a role or whether the American public is going to get its information through hearings that are televised through BBC or Seymour Hersh in *The New Yorker* or the periodic links that are going to occur in the various and sundry news articles.

It is going to continue every day until there is either a full accounting or somehow the weapons of mass destruction, after months of looking, are somehow discovered. And even then, if it is not done carefully, openly, transparently, questions will continue.

It is not adequate, in my judgment, to just look at this issue as it relates to the CIA responding to the Intelligence Committee. Every Member of this Committee who has been following the events knows that there is great debate about how fractured this is within the Administration itself, different sources of information.

But it is not just within the Administration; it is what role is Congress going to play in our policy-making decision. Referencing Mr. Menendez's point, there are millions of people who have been starved by North Korea, which has admitted that it has got weapons of mass destruction and is distributing more. There are thousands of people dying every week in Congo. We need to look into our souls to make sure that we are playing our role legitimately, dealing with how we are going to manage these things forward.

Mr. Chairman, you and Mr. Lantos have been, I think, an island of bipartisan cooperation. I admire how this Committee has been run during a difficult Congress where there have been choppy waters and lots of disagreement; and your efforts at comity and respect for all Members here is deeply appreciated by this Member and, I think, by the American public that has watched our deliberations.

And I am heartened by your willingness, Mr. Chairman, to add hearings at an appropriate time; but I would respectfully hope that that time is sooner rather than later because the historic role of this Committee, with the unique leadership that you and Mr. Lantos provide, can help chart this in a reasonable and thoughtful fashion above partisan politics, providing the information that the American public has a right to get.

And ultimately the American public will get it; it is a question whether it will be BBC, other sources, or whether it will be late in the game for history. It will help for history, but won't help this Congress in our decision-making process for the next 2 years.

Thank you, and I yield back.

Chairman HYDE. I appreciate what the gentleman has said, and this whole issue revolves around access to information, and that access to information is being provided through the Intelligence Committee. And so this is interesting rhetoric and a lot of good ideas, but the relevance escapes me.

Access to every bit of information your heart desires will be available, is available, continually, through the Intelligence Committee. That is a channel that we all ought to rely on. It is bipartisan, and that ought to solve the problem.

But nonetheless, the Chair is pleased to recognize Mr. Schiff.

Mr. SCHIFF. I thank the Chairman.

Members, the basis of the authorization to use force against Iraq was Iraq's possession of weapons of mass destruction. There may have been several other reasons advanced along the course of the months as a prelude to war, and indeed there are a great many benefits of toppling Saddam Hussein, the discovery of mass graves I think probably the most clear indication of the great importance in removing Saddam Hussein.

But, nonetheless, the reason advanced by the Administration when it asked for congressional authorization to use force in Iraq was the possession of weapons of mass destruction; and for, I think, the great majority of our Members, myself included, the basis of our vote to grant that authorization was the evidence presented by the Administration of the possession of weapons of mass destruction.

I find it interesting—I don't think I have ever heard so many of my colleagues on the other side of the aisle quote the Clinton Administration so often and so favorably as in this context, and I think when we see that happen, it raises a red flag, given that is a rare occurrence.

Now, I still think that weapons of mass destruction may very well be found. We may be, by analogy, in week two of the war. If you remember week two when people were questioning whether we were in a quagmire, whether we were getting bogged down, this may be week two of the aftermath of the war, the pause before we find the weapons of mass destruction; and as some of my colleagues have pointed out, I think not only the intelligence, but common sense dictated strongly that Iraq possessed chemical and biological weapons and was pursuing a nuclear weapons program.

But notwithstanding that we may find these weapons of mass destruction, I don't think it is too early—indeed, I am certain it is not too early—to begin the investigation now of why at least some of our intelligence, perhaps much of our intelligence, may have been erroneous. For, indeed, there have been locations for which we believe there were chemical or biological or nuclear weapons programs which have proved to be inaccurate and not the case.

Congress made the most important decision that Congress makes on the basis of our intelligence in the broader war on terrorism. Our security will be increasingly dependent on the quality of our intelligence, and in the wake of the debate, the fractious debate in the world community over Iraq, our standing in the world will be in some part dependent on the resolution of this question of Iraq's program of weapons of mass destruction.

Now, I understand the argument that is being made, that the Intelligence Committee is pursuing this, that there will be tens of thousands of pages of intelligence documents made available to all the Members of Congress; but I don't think this is adequate. Indeed, often in litigation when one party wishes to hide something, it hides something by providing everything, by providing a mountain of documents and saying, There, you find it.

The fact that we can have for all the Members tens of thousands of pages of classified information that we can go to a room and review is not an adequate substitute for rigorous inquiry, and that is what I think we should have. It should be bipartisan. It should be in the interest of identifying any lapses that we have in our security, of identifying whether there was any politicization of the intelligence process and improving our intelligence capability in the future.

This, I believe, given that all of us voted on the resolution to authorize the use of force, is too important to be delegated to one Committee; it is too important to be relegated to a warehouse full of documents. I think this inquiry should be done as much as possible publicly, and when not possible publicly, it should be done privately in classified session. But I think without the ability not simply to have access to the volumes of documents that are available, but to have access to the Administration—to be able to ask questions, to be able to fault questions, to be able to require the Administration to work with us to do the assimilation of those documents—we cannot have a meaningful inquiry.

And so today I oppose the motion to report unfavorably this measure, and whether it takes the form of a “no recommendation” resolution or it takes the form of a hearing in this Committee or in other Committees, I think it is the obligation of each and every one of us that voted on this resolution to make sure that we have a bipartisan, rigorously intelligent hearing into the intelligence process.

Chairman HYDE. The gentleman's time has expired.

Mr. Leach.

Mr. LEACH. Thank you, Mr. Chairman. I want to return to the word “moot” and then the powers of the Chairman.

Everybody in this Committee recognizes there is a degree of mootness to the resolution. What is of interest to me is that once the Committee acts—and it can act any way whatsoever—the Chairman has the authority to bring this to the Floor, whatever the action is.

And so, I would simply raise this suggestion: That whatever position the Committee takes, it is not the most important thing to bring this to the Floor if the Executive Branch fully complies with the Intelligence Community's recommendations. If it doesn't, then I think it would be the majority view of this Committee that this resolution should be brought.

The point I am making is very simple: That I believe there is consensus in this Committee that this is moot if there is cooperation with the Intelligence Committee; and thus our action, whatever it is, is irrelevant unless there is no cooperation. That is the triggering mechanism for whether or not a resolution should come to the Floor.

And so, I would simply suggest whatever result occurs, if there is no cooperation of the Executive Branch, the Chairman should feel that it is the consensus of the Committee that he come forth. If there is thorough cooperation, it may not be necessary.

Chairman HYDE. Would the gentleman yield?

Mr. LEACH. Yes, of course.

Chairman HYDE. I am sure the gentleman understands that a resolution of inquiry can be brought again and again and again, and so if this one fails because it is rejected as redundant and inappropriate, a month from now, or sooner, somebody can bring another one. You can bring one, and it will have to be dealt with. So at such time as noncooperation becomes an issue, that is plenty of time for this remedy to be availed of.

Mr. LEACH. I thank the Chair.

Chairman HYDE. Mr. Faleomavaega.

Mr. FALEOMAVAEGA. Thank you, Mr. Chairman. Mr. Chairman, if I keep pronouncing this acronym HPSCI–SSCI, I am going to get the hiccups.

I recall I reluctantly also supported the resolution with the hope that the Administration would pursue diplomatic avenues with the United Nations. In my honest opinion, unfortunately, I don't think Secretary of State Powell was given full support by the Administration in his pursuit of the diplomatic route in resolving this issue.

Mr. Chairman, taking our country to war is, in my humble opinion, is the most serious issue that any Congress or any President would ever want to undertake, given the fact that human lives are at stake. We learned this bitter lesson in the Vietnam War.

And those of us who experienced that awful crisis in the 10-year period when some 58,000 of our soldiers lost their lives, 300,000 were wounded, and some 2 million Vietnamese were killed, coming back home was a very unfortunate experience even in our own country.

Mr. Chairman, it seems to me our intelligence community is getting all kinds of hits with the proposed resolution; but the irony of all this, Mr. Chairman, is that we have not even established a national commission to look into what happened to the intelligence community before the 9/11 crisis. I sincerely hope that perhaps, Mr. Chairman, this Committee will undertake, under its initiative, to conduct a series of oversight hearings on what happened before 9/11. We haven't even done this. Two years later, nothing has been done.

I don't think there is anyone here that would ever question the motive and the integrity of Mr. Kucinich for introducing this resolution. He has always been a critic of the war against Iraq, and I don't think he is doing this because he is running for President. I think he is just simply a reflection of what his constituents are expecting him to pursue and to follow on this issue.

And I think—in my humble opinion, Mr. Chairman, the central issue here, the whole problem with the Iraq crisis, is whether Saddam Hussein had in his possession weapons of mass destruction, especially nuclear weapons. If this posed a clear and imminent danger to our national security, therefore, we needed to wage war against Saddam Hussein, because our security was at risk.

Our intent was not to liberate the Iraqis against Saddam Hussein. At least that is my observation and view of what had happened in this crisis. But I do hope, Mr. Chairman—I think what our Ranking Member, Mr. Lantos, suggested that this issue be taken as a bipartisan issue and not one of partisanship.

And with that, Mr. Chairman, I would like to turn the rest of my time to the gentlelady from California.

Ms. LEE. Thank you, and I would like to thank the gentleman for yielding. As a cosponsor of the resolution, I want to just quickly make a couple of points. First of all, this is no political move on behalf of the cosponsors of this resolution. Many of us, all of us, believe that the public has a right to know the intelligence which was presented to the Congress, which subsequently resulted in taxpayer dollars being spent with regard to the bombing and the war against Iraq.

Secondly, let me just remind this Committee that the Administration came to this Committee and sought support and received support for the resolution to use force. This Committee has been involved in this overall policy question, and I don't think it is unreasonable to allow this Committee to ask the questions. We were asked to vote for it, and many on this Committee—for the most part, most on this Committee—voted for the Administration's resolution to use force. So it is not, I think, inappropriate for this resolution to move forward out of this Committee.

And, finally, let me just say, none of us who have cosponsored this resolution are asking for Top Secret information or classified information to be released to the public. We understand the issue with regard to sources and methods, and certainly most of us will go over and look, as the Chairman said, at the 10,000-plus pages; but that, I believe, will not suffice in terms of the public knowing what the basis was for the Congress voting their taxpayer dollars to support this war.

So, Mr. Chairman, I think that with regard to our foreign policy implications, the credibility of the United States, that this Committee, the International Relations Committee, certainly has a right to ask these questions. And I believe this resolution should move forward with a favorable recommendation.

Mr. SMITH OF MICHIGAN. Rep. Faleomavaega, would the gentleman yield?

Mr. FALEOMAVAEGA. If I have any more time, Mr. Chairman.

Chairman HYDE. The gentleman does not have any more time.

Mr. SMITH OF MICHIGAN. But you would have otherwise?

Mr. FALEOMAVAEGA. I would have otherwise.

Chairman HYDE. The Chair would like to recognize one more speaker and get to a vote. So the one more speaker has white hair and is in the front row here, and he is from Massachusetts.

Mr. DELAHUNT. That is very good intelligence, Mr. Chairman. I asked the Vice Chair of the Intelligence Committee, Mr. Bereuter, if he would return, because I have some questions.

First, let me say this. I associate myself with the remarks of both Mr. Hoeffel and Mr. Menendez, as well as Mr. Ackerman. I have no doubt that eventually the truth will out, and I think we should be honest among ourselves that most likely we will be reading about this, most likely in the Washington Times. I would commend

to you Mr. Bill Gertz's column; he has more information than I daresay the Intelligence Committee has about what in fact occurred.

So having said that, I would direct these questions to Mr. Bereuter. I have a particular concern about who makes the classification.

Is there a process—the Chairman referred to the laws of classification. Is what we are talking about here total access to all of the information, including the raw data, or is that just simply restricted to the Chair, the Chairs of the House and Senate Intelligence Committees and the Ranking Members? Because we did have an experience on the Government Reform Committee—and the former Chairman is not here—where Mr. Burton had to threaten contempt to secure documents that were some 40 years old in his investigation of the FBI.

I really would like somebody to explain to me, to Members of the Committee and the American people, the classification process itself, who has access, who does not, who makes the decisions. Because in the end, this is about the confidence of the American people in this institution and in the Executive Branch.

Mr. BEREUTER. Well, the degree of classification on three major classes are defined by law. Each agency has a responsibility for classifying such information that the entity generates. That is subject to an interagency review upon complaint or concern that the classification is not appropriate.

There is a so-called Gang-of-Four or Gang-of-Eight among the leadership of the House and Senate. On certain occasions, such as the launch of a military operation or the beginning of a covert operation and its exact timing has already been made available to the Intelligence Committee generally, we do examine all of the findings under which covert action is launched. That is a matter of the timeliness of the matter presented. Before the war began in Iraq, for example, the Gang-of-Four or probably the Gang-of-Eight, were notified exactly when it was going to happen. But as far as the information with respect to WMD or missile development in the matter of Iraq, there is no such limitation. And all Members of the Intelligence Committee will have access to all of that information.

The one thing I need to be perfectly clear and complete in my disclosure is that the single refined product, called the Presidential Daily Briefing, is not made available to the Congress. All of the raw material that goes into that Presidential Daily Brief, the PDB, is restricted to the President under a variety of previous claims of executive privilege.

Mr. DELAHUNT. Just reclaiming my time, I have concern that the relationship of this institution and the Executive Branch, in terms of determining what is classified and what is not classified, is murky at best and not clearly defined. Because, I dare say, I have confidence in every Member of this body on both sides of the aisle in terms of their desire to maximize protection for sources as well as methods. And I think it is very important, and I concur with Mr. Paul, that government secrecy is something that should be limited to its most significant degree possible, otherwise we will lose the confidence of the American people and these so-called credibility gaps will mushroom.

Chairman HYDE. The gentleman's time has expired.

Mr. SMITH OF MICHIGAN. May I have unanimous consent for 30 seconds?

Chairman HYDE. Unanimous consent is granted for Mr. Smith of Michigan to have 30 seconds.

Mr. SMITH OF MICHIGAN. As a former intelligence officer, I agree too much information is classified without being justified for that classification. Let me say in this resolution the suggestion is not partisan, it is not political; I would suggest that the implication is prove to me, Mr. President, that you knew what you were talking about, that it is somewhat of a critical effort to obtain information to prove him wrong. I think you either trust your Administration or you don't. I think it is a tremendous mistake to make this into a partisanship situation. With that I yield back.

Chairman HYDE. The gentleman's time—all time has expired. The question occurs on the motion to report the resolution H.R. 260 unfavorably. And the Clerk will call the roll. Before the Clerk calls the roll, the Chair would like to make a unanimous consent request. Very unusually, Mr. Lantos, the Ranking Democrat, had an important mission to fulfill and asked if he could be recorded as present. I have no objection, if no one else has an objection. And therefore, the—

Mr. LEACH. Reserving being the right to object, I think this is a precedent that is unfortunate.

Chairman HYDE. Do you object?

Mr. LEACH. I do object.

Chairman HYDE. Very well. The Clerk will call the roll.

Ms. RUSH. Mr. Leach.

Mr. LEACH. Aye.

Ms. RUSH. Mr. Leach votes yes.

Mr. Bereuter.

Mr. BEREUTER. Pass for a clarification.

Ms. RUSH. Mr. Smith of New Jersey. Mr. Burton.

Mr. Gallegly.

Mr. GALLEGLY. I pass.

Ms. RUSH. Ms. Ros-Lehtinen.

Chairman HYDE. There seems to be confusion over what we are voting on. We are—

Mr. ACKERMAN. Not on this side.

Chairman HYDE. You know exactly what you want. I know. The question is on my motion to report the Kucinich Resolution of Inquiry unfavorably.

Mr. BEREUTER. Could we begin the rollcall again?

Chairman HYDE. We certainly can. Will you start the call again, Ms. Rush?

Ms. RUSH. Mr. Bereuter

Mr. BEREUTER. Aye.

Ms. RUSH. Mr. Bereuter votes yes. Mr. Smith of New Jersey.

Mr. Burton.

Mr. Gallegly.

Mr. GALLEGLY. Aye.

Ms. RUSH. Mr. Gallegly votes yes.

Ms. Ros-Lehtinen.

Ms. ROS-LEHTINEN. Aye.

Ms. RUSH. Ms. Ros-Lehtinen votes yes.

Mr. Ballenger
Mr. BALLENGER. Yes.
Ms. RUSH. Mr. Ballenger votes yes.
Mr. Rohrabacher.
Mr. ROHRABACHER. I pass for now.
Ms. RUSH. Mr. Royce.
Mr. ROYCE. Aye.
Ms. RUSH. Mr. Royce votes yes.
Mr. King.
Mr. KING. Aye.
Ms. RUSH. Mr. King votes yes.
Mr. Chabot.
Mr. CHABOT. Aye.
Ms. RUSH. Mr. Chabot votes yes.
Mr. Houghton.
Mr. HOUGHTON. Aye.
Ms. RUSH. Mr. Houghton votes yes.
Mr. McHugh.
Mr. Tancredo.
Mr. TANCREDO. Aye.
Ms. RUSH. Mr. Tancredo votes yes.
Mr. Paul.
Mr. PAUL. Present.
Ms. RUSH. Mr. Paul votes present.
Mr. Smith.
Mr. SMITH OF MICHIGAN. Aye.
Ms. RUSH. Mr. Smith of Michigan votes yes.
Mr. Pitts.
Mr. PITTS. Aye.
Ms. RUSH. Mr. Pitts votes yes.
Mr. Flake.
Mr. FLAKE. Aye.
Ms. RUSH. Mr. Flake votes yes.
Mrs. Davis.
Mrs. JO ANN DAVIS OF VIRGINIA. Aye.
Ms. RUSH. Mrs. Davis votes yes.
Mr. Green.
Mr. GREEN. Aye.
Ms. RUSH. Mr. Green votes yes.
Mr. Weller.
Mr. WELLER. Aye.
Ms. RUSH. Mr. Weller votes yes.
Mr. Pence.
Mr. PENCE. Aye.
Ms. RUSH. Mr. Pence votes yes.
Mr. McCotter.
Mr. McCOTTER. Aye.
Ms. RUSH. Mr. McCotter votes yes.
Mr. Janklow.
Mr. JANKLOW. Aye.
Ms. RUSH. Mr. Janklow votes yes.
Mrs. Harris.
Mrs. HARRIS. Aye.
Ms. RUSH. Mrs. Harris votes yes.

Mr. Lantos.
Mr. Berman.
Mr. Ackerman.
Mr. ACKERMAN. Can we begin this vote again? No? No.
Ms. RUSH. Mr. Ackerman votes no.
Mr. Faleomavaega.
Mr. FALEOMAVAEGA. Present.
Ms. RUSH. Mr. Faleomavaega votes present.
Mr. Payne.
Mr. Menendez.
Mr. MENENDEZ. No.
Ms. RUSH. Mr. Menendez votes no.
Mr. Brown.
Mr. Sherman.
Mr. SHERMAN. No.
Ms. RUSH. Mr. Sherman votes no.
Mr. Wexler.
Mr. WEXLER. No.
Ms. RUSH. Mr. Wexler votes no.
Mr. Engel.
Mr. ENGEL. No.
Ms. RUSH. Mr. Engel votes no.
Mr. Delahunt.
Mr. DELAHUNT. No.
Ms. RUSH. Mr. Delahunt votes no.
Mr. Meeks.
Ms. Lee.
Ms. LEE. No.
Ms. RUSH. Ms. Lee votes no.
Mr. Crowley.
Mr. CROWLEY. No.
Ms. RUSH. Mr. Crowley votes no.
Mr. Hoeffel.
Mr. HOFFFEL. No.
Ms. RUSH. Mr. Hoeffel votes no.
Mr. Blumenauer.
Mr. BLUMENAUER. No.
Ms. RUSH. Mr. Blumenauer votes no.
Ms. Berkley.
Ms. BERKLEY. No.
Ms. RUSH. Ms. Berkley votes no.
Mrs. Napolitano.
Mrs. NAPOLITANO. No.
Ms. RUSH. Mrs. Napolitano votes no.
Mr. Schiff.
Mr. SCHIFF. No.
Ms. RUSH. Mr. Schiff votes no.
Ms. Watson.
Ms. WATSON. No.
Ms. RUSH. Ms. Watson votes no.
Mr. Smith of Washington.
Ms. McCollum.
Mr. Bell.
Mr. BELL. No.

Ms. RUSH. Mr. Bell votes no.

Chairman HYDE.

Chairman HYDE. Yes.

Ms. RUSH. Chairman Hyde votes yes.

Chairman HYDE. Mr. Burton.

Mr. BURTON. Aye.

Ms. RUSH. Mr. Burton votes yes.

Chairman HYDE. Mr. McHugh.

Mr. MCHUGH. Votes aye.

Ms. RUSH. Mr. McHugh votes yes.

Chairman HYDE. Mr. Rohrabacher.

Mr. ROHRABACHER. How am I recorded?

Ms. RUSH. You passed.

Mr. ROHRABACHER. I vote present.

Ms. RUSH. Mr. Rohrabacher votes present.

Chairman HYDE. Have all voted who wish? The Clerk will report.

Ms. RUSH. On this vote, there are 23 ayes, 15 noes and 3 present.

Chairman HYDE. The ayes then have it, and the motion to report unfavorably—

Mr. DELAHUNT. A parliamentary inquiry.

Chairman HYDE. The motion to report unfavorably is adopted.

The gentleman from Massachusetts.

Mr. DELAHUNT. I wonder if we could be granted additional time for the drafting of additional—

Chairman HYDE. You will be granted such time as the rules provide for dissenting views and minority views. And the rule is 2 days. The Committee stands adjourned.

[Whereupon, at 12:14 p.m., the Committee was adjourned.]

APPENDIX

MATERIAL SUBMITTED FOR THE HEARING RECORD

PORTER J. GOSS, FLORIDA, CHAIRMAN
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NANCY PELOSI, DEMOCRATIC LEADER

U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE
WASHINGTON, DC 20515-6415

Room 4406, U.S. Capitol
DCE: 224-4111
PATRICK B. MURPHY, STAFF DIRECTOR
L. CHRISTINE HEALEY, DEMOCRATIC COUNSEL

May 22, 2003

The Honorable George J. Tenet
Director of Central Intelligence
Central Intelligence Agency
Washington, D.C. 20505

Dear Director Tenet:

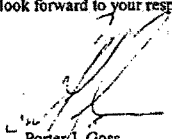
The House Permanent Select Committee on Intelligence (HPSCI) believes that it is now time to reevaluate US intelligence regarding the amount or existence of weapons of mass destruction (WMD) in Iraq and that country's linkages to terrorist groups, such as al-Qaida. As you know, the existence of—and danger posed by—WMD in Iraq and the concern that these capabilities could be transferred to terrorists groups remains of vital interest. The Committee wants to ensure that the intelligence analysis relayed to our policymakers from the Intelligence Community (IC) was accurate, unbiased, and timely—in light of new information resulting from recent events in Iraq.

The Committee is interested in learning, in detail, how the intelligence picture regarding Iraqi WMD was developed and would appreciate your answers to the following questions: Were sources and methods that contributed to the community's analysis on the presence and amount of WMD in Iraq of sufficient quality and quantity to provide sufficient accuracy? How was information disseminated and what lines of analysis developed? Did the analytic assessment change over time? If so, please explain how analytic conclusions shifted based on what and when. In addition, did components of the IC or internal elements of IC agencies express dissenting analytic perspectives? If so, were those dissenting views properly weighed and why was that analysis determined to be inaccurate?

The Committee is also interested in understanding how the CIA's analysis of Iraq's linkages to terrorists groups, such as al-Qaida, was derived. The Committee would like to know if that analysis changed over time, what analytic conclusions were provided to policymakers, including to Defense Secretary Rumsfeld, regarding the presence of al-Qaida in Iraq, and how the IC coordinated this analysis?

We look forward to your response by 1 July 2003.

Sincerely,


Porter J. Goss
Chairman


Jane Harman
Ranking Democrat

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RODOLPH W. GREGG, U.S. CLERK
(202) 225-4121
PATRICK B. MURRAY, STAFF DIRECTOR
L. CHRISTINE HEALEY, DEMOCRATIC COUNSEL

U.S. HOUSE OF REPRESENTATIVES
PERMANENT SELECT COMMITTEE
ON INTELLIGENCE
WASHINGTON, DC 20515-6415

June 16, 2003

The Honorable Henry J. Hyde
Chairman
Committee on International Relations
2170 Rayburn House Office Building
Washington, D.C. 20515

Dear Mr. Chairman:

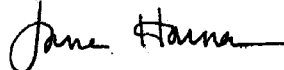
I am writing to inform you that the House Permanent Select Committee on Intelligence (HPSCI) voted on Thursday, June 12, 2003 to permit Members of the House who wish, under appropriate security conditions and House Rules, to review certain documents provided to the HPSCI by the Director of Central Intelligence (DCI). The documentation at issue is that which the DCI provided to the HPSCI in response to the May 22, 2003 letter from the two of us. A copy of that letter is enclosed with this correspondence. Specifically, we requested detailed information from the Intelligence Community on the questions relating to Iraqi WMD and Iraq's ties to terrorist groups.

Please let me know if the HPSCI can be of any assistance to the Committee on International Relations in this matter.

Sincerely,



Porter J. Goss
Chairman



Jane Harman
Ranking Democrat

Enclosure:
As described

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FROM THE U.S. CAPTIVE
 (202) 225-4121
 PATRICK S. MURRAY, STAFF DIRECTOR
 L. CHRISTINE HEALEY, DEMOCRATIC COUNSEL

U.S. HOUSE OF REPRESENTATIVES
 PERMANENT SELECT COMMITTEE
 ON INTELLIGENCE
 WASHINGTON, DC 20515-6415

June 16, 2003


The Honorable Tom Lantos
 Ranking Member
 Committee on International Relations
 2170 Rayburn House Office Building
 Washington, D.C. 20515


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Please let me know if the HPSCI can be of any assistance to the Committee on International Relations in this matter.

Sincerely,


 Porter J. Goss
 Chairman


 Jane Harman
 Ranking Democrat

Enclosure:
 As described

