begun to unravel a clandestine network of laboratories and facilities within the security service apparatus. This network was never declared to the U.N. and was previously unknown. They are still working on determining the extent to which this network was tied to large-scale military efforts or BW terror agents; but this clandestine capability was suitable for preserving BW expertise, BW facilities, and continuing R&D, all key elements for maintaining a capability for resuming BW production.

The Iraqi intelligence service also played a prominent role in sponsoring students for overseas graduate studies in the biological sciences. No big deal, except, the quote continues, according to Iraqi scientists and Iraqi intelligence service sources providing an important avenue for furthering BW applicable research. Interestingly enough, this was the only area of graduate work where the Iraqi intelligence service appeared to sponsor students.

Another quote, in a similar vein, two key former BW scientists confirmed that Iraq, under the guise of legitimate activity, developed refinements of processes and products relevant to BW agents. The scientists discussed the development of improved simplified fermentation and spray-drying capabilities for the simulant BT that would have been directly applicable to anthrax. One scientist confirmed that the production line for BT could be switched to produce anthrax in one week if the seed stock were available.

Another area that needs investigation, another quote out of the report, additional information is beginning to corroborate reporting since 1996 about human testing activities. Let me repeat that: reporting since 1996 about human testing activities using chemical and biological substance, progress in this area is slow given the concern of knowledgeable Iraqi personnel about their being prosecuted for crimes against humanity.

I have only got a couple of minutes left; and the report that Dr. Kay has issued is an interim report, and I think that this report is now going to be available, or this portion, the declassified portion is going to be available to the American people.

When you read through here and you take a look at the concealment of these different programs from the U.N., the systematic effort to hide and destroy relevant information, and then the things that we have found already, the different labs, the discussion about human testing, the different efforts that they had that were under way, the work that they had going on in a number of different areas, it becomes clear quickly that we need to do two or three things, the first of which is we need to let Dr. Kay finish his report and to finish his work. As he states at the front end, it is too early to draw any conclusions as to exactly what was going on, what was available, and where Saddam Hussein was going. We need to let Dr. Kay finish his work so that we will have a clear understanding of what was and what was not available in Iraq, and that is going to be a very difficult task given the destruction of materials and the environment that we have in Iraq today.

The second thing that we need to do is we need to make sure that we give Dr. Kay the resources to get the job done.

The third thing we know is there was a lot of stuff going on in Iraq, and the approach that Dr. Kay is taking is exactly the kind of approach that we need to take. Dr. Kay really has three criteria that he talks about before he will reach conclusions on exactly what Iraq has. He wants to find physical evidence, the materials or the equipment that demonstrate that certain programs or activities were under way. He wants to find the documentation that says here is the equipment, here is the documentation that outlines what this equipment was intended to do, and then the third piece that he wants to put with this is these are the Iraqis that were working the plan and working the equipment so that he has put all of the pieces together. That is exactly the kind of approach that we need to take, rather than asking Dr. Kay or others to jump to conclusions based on the piecemeal information that we have today.

In this report, Dr. Kay talks about the mobile labs. They have found mobile labs. So they have a piece of the puzzle. They have found mobile labs, but rather than reaching a conclusion and saying what they were or were not used for, since they only found the mobile labs and they have not found the documentation and they have not found the Iraqi personnel that might have been operating these labs, we are at this point in time speculating what they may have been used for and capable of; and Dr. Kay has simply in this report said we are not reaching a conclusion or making a decision as to what we believe that equipment was being used for. We are going to wait until we find the Iraqis; we are going to wait until we have an opportunity to uncover the documents that will outline exactly what these bio labs or what these laboratories, mobile labs, were going to be used for.

The professionalism of Dr. Kay and the process that he is going through are exactly what we need to have in place at this point.

□ 1800

I think that the report today that was issued, the portions of the report that were made public, the portions of the report that are still classified, should give us the highest degree of confidence that Dr. Kay is going through this in exactly the right way that it needs to be done and that there are a number of very, very serious issues that need to be pursued and that we need to get to the bottom of. It will help us to better determine the accuracy and the effectiveness of our intel before the war, but also it will give us a better understanding as to how far chemical and biological weapons had progressed in Iraq, and we need to know that so that we will also have an idea as to what at some point in time may have been transferred to others who may want to do us harm.

THE SITUATION IN IRAQ

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The balance of the majority leader's hour is reallocated to the gentleman from Iowa (Mr. LEACH).

Mr. LEACH. Madam Speaker, I rise today to discuss the troubling situation in Iraq and the difficult legitimacy challenges posed by the U.S.-led coalition victory. In particular, I am convinced that the best way to develop international support for reconstruction efforts and reduce violence in the country is for the U.S. to maintain preeminent military leadership but grant the United Nations explicit authority for managing Iraq's political transition.

As my colleagues are aware, Ambassador L. Paul Bremer, III, head of the Coalition Provisional Authority in Iraq, testified before several House committees last week regarding the administration's supplemental appropriations request for Iraq. In explaining administration policy, he outlined a number of constructive measures aimed at creating a sovereign, democratic, constitutional and prosperous Iraq. These included bolstering the security situation in the country and advancing bold economic reforms designed to refashion the Soviet-style command economy bequeathed by Saddam into a vibrant free enterprise model for the region.

Ambassador Bremer also laid out a seven-step political transformation process. According to the Ambassador, three of the steps leading to sovereignty have been completed: In July, an Iraqi Governing Council was appointed; in August, the Governing Council named a Preparatory Committee to recommend a mechanism for writing Iraq's new, permanent constitution; and in September, the Governing Council appointed ministers to run the day-to-day affairs of state.

Additional steps include developing a process by which the Iraqis write their own constitution, and here Secretary Powell has expressed the hope that this could be completed in the next 6 months, although others have expressed doubts about the time frame; ratifying the constitution by popular vote of the entire adult population; holding elections for a new Iraqi government; and, finally, following elections, formally transferring sovereignty from the Coalition Provisional Authority to the new government in Baghdad.

These are reasonable and responsible steps, but to address unresolved questions about the legitimacy of America's role in Iraq, I believe that there should be a further interim step, call it step 3(a), added to Ambassador Bremer's list: a reduction of Washington's virtually exclusive political authority, as exercised through the CPA, and an enhancement of the role of the United Nations in the governance process.

In an American historical and philosophical context, legitimacy is derived from the consent of the governed through democratic elections. In many societies, governments attempt to derive legitimacy by other means, through history and tradition, through precepts like the divine right of kings, through theocratic assertions as well as, to paraphrase Mao, the barrel of a gun.

In Iraq, the problem is both obvious and profound. The removal of Saddam Hussein and the process of de-Baathification have left a vacuum of power. This vacuum has been filled, in part, by U.S. and other coalition authorities, civil and military, and in part through a de facto devolution of power to informal groupings based on local ethnicities, tribes, religion, and even organized crime. As we all understand, supporters of the old regime within Iraq, aided by jihadists from abroad, remain engaged in acts of violence and sabotage aimed at destabilizing the new order. In addition, the occupation's U.S. face has heightened suspicion and anger in Iraq and much of the Muslim world where many people view intervention as part of a Washington agenda to control the region and its principal resource, oil.

The U.S.-led military authority, following extensive consultation with the country's major political factions, appointed an Iraqi Governing Council. The U.N. Secretary General and the late Sergio de Mello, the former U.N. special envoy to Iraq, supported the representative nature of the Council. But for Iraqis the Council still lacks legitimacy because it was selected by an outside power which maintains a veto over decisions.

In this context, it is impressive to reflect upon the fact that at every turn in the last century the world has underestimated the power of nationalism. In Iraq, all of us are learning anew how close we are to the Hobbesian jungle where life is nasty, brutish and short and how impressive, for good or ill, is the power of nationalism, the desire of people to carve their own destiny, to make their own mistakes.

What appears clear at this juncture is that the return of Saddam Hussein will not be countenanced either in Iraq or in the region; what is unclear is whether the current nation-state boundaries will hold, whether chaos will be unleashed, whether democratic aspirations will produce lasting democratic institutions, whether economic and social change will be fast or fair enough to satisfy the enormous expectations of the Iraqi people.

At the end of the Second World War, the U.S. was part of a coalition of victors in the greatest struggle of the 20th century. Postwar circumstances afforded the U.S., as the preeminent global superpower, the luxury of being able to control sovereignty in Japan until 1952 and, to a lesser degree, in West Germany until 1959. Today, by contrast, the world is more impatient. The nature of the Middle East, the Muslim world and modern communications is such that the circumstances that prevailed in the late 1940s allowing for an extended, uncontested American occupation no longer exists.

The most propitious position for the U.S. today is not to rule Iraq as a victorious occupying military force but instead to share accountability with the international community in such a way that it becomes clear that Saddam Hussein was not principally a threat to America but to his own people and civilized values in general. The war should be considered won on behalf of, not against, the Iraqi people.

American civilians who have been asked to serve in Iraq are some of the finest civil servants in the world. I have the highest respect for Ambassador Bremer and his principal deputy, Walter Slocum, as well as people like Peter McPherson, the president of Michigan State University, and Charles Greenleaf, also of Michigan State, who have come in to help lead reconstruction efforts and civil affairs.

But in order to establish consensus and legitimacy from parties outside as well as inside Iraq for efforts to rebuild the country, the U.S. would be wise to accept an international civil authority as a prelude to transferring power to the Iraqi people through a constitutional process.

We also might consider lending more legitimacy to the Governing Council by a symbolic transfer of sovereignty and the seeking of support for it to occupy Iraq's U.N. seat during the transitional period.

From a military perspective, the United States Armed Forces could not have performed more professionally and valiantly than in the initial engagement. But in no small measure because the civilian governance is considered illegitimately Americanized by much of the Muslim world, U.S. subjects have become targets for anarchistic attacks by groups and individuals who claim the mantle of nationalism and religious authority. Baathists from within and anti-American cohorts from without need to understand that Saddam Hussein's kind of rule is anathema to all civilized values.

The issue of relegitimizing the Iraqi government is one of timing as well as intent. Timing that is tardy can jeopardize the safety of American soldiers in Iraq and also serve as a spark for a potential surge of terrorism around the world. What is new in international relations is that the religious and national instincts of an embarrassed people can become a rallying cry for sympathizers to lash out in other societies. And what is different from the U.S. experience as an occupying power after World War II is that Iraq, like the Balkans and Afghanistan, has significant religious and ethnic subgroups at odds with one another. Iraqi society is neither homogenous as Germany and Japan were, nor a social melting pot like America is. Iraqi nationalism is thus complicated by sub-national identifications and supra-national religious and regional communities of value.

As a military challenge, Iraq is not like Vietnam. It is much more containable. But as a challenge to the international social order, it is far more difficult than Vietnam. After all, weapons of mass destruction were not at issue in Vietnam. Nor was a clash of civilizations in play except in the sense of the contrast of democratic forces lined up against the secular ideology, communism.

Unless we recognize that while there is certain Iraqi appreciation for the coalition's overthrow of Saddam, any support for our post-war leadership is tenuous and respect for our intervention is virtually nonexistent in the rest of the Muslim world. Cultural differences, particularly religious, coupled with the aftershock of military defeat, the continuance of terrorist attacks and the lack of immediate prospect for self-determination form a political stew that easily boils over.

Our traditional European allies have by intent or happenstance triangulated the U.S. and, to a lesser extent, Britain into a singular standoff with the Muslim world. Osama bin Laden began his terrorist initiatives speaking of a Muslim clash with the West. Now radical Muslim rhetoric is aimed almost exclusively against America. Our goal should be to make clear, in voice and policy, that we do not stand alone. Because of dissent between Europe and America, it might be wise to look to new leadership for the Iraqi transition in other parts of the world. An individual from a noncoalition country may or may not be as competent as Ambassador Bremer and his staff, but a change of faces has the potential of changing the face of the circumstance Iraqi people and the Muslim world see every day.

As one who dissented from the decision to go to war but respects the integrity of the individuals who made the decision, I am convinced that we must all now work together to get out of the predicament we are in. Nothing could be worse for world order than long-term American entanglement in Iraq. Respect for American leadership and American values has seldom been more on the line. We have to come together with the rest of the international community in a collective effort to make Iraq a better country than the society we attacked. The consequences of failure would be catastrophic.

I recently returned from a trip to the Far East where I urged our friends in the region to help. An isolated America, I warned, is likely to become an isolationist America. The ramifications for international trade as well as politics are potentially explosive.

At the height of the Vietnam War, Senator George D. Aiken of Vermont became famous for a policy suggestion in the form of a quip. He argued that the U.S. should simply declare victory and get out.

Iraq is not a circumstance in which the U.S. should be trumpeting military victory despite its decisiveness. But little could be more appropriate than to announce a change in policy based on the fact that our principal mission has been accomplished, ridding Iraq of a despotic dictator and eliminating the near-term prospect that Iraq could become a center for the development and distribution of weapons of mass destruction, whether or not Saddam had a significant WMD capability prior to U.S. intervention.

Having intervened, the U.S. cannot end its responsibility until Iraqi society is back on its feet in a credible, progressive and legitimized governance basis. The question is whether that basis is more likely to be achieved with Americanization or internationalization of responsibility.

My sense is that the establishing of a more progressive government in Iraq will be achieved earlier and with substantially less bloodshed if it becomes clear that Iraq is being put back together under the mantle of an international mandate rather than by an intervening military power.

□ 1815

The goal should be to emphasize the idealism of the challenge before us rather than dwell on realpolitik posturing which can too easily trigger increased anarchy and even a clash of civilizations. Strength, to be sustainable, must come from a balance of judgment that brings respect rather than resentment from the rest of the world. Otherwise, an intervention designed exclusively to diminish terrorism could serve as a rationale to expand terrorism around the world, including on our own shores.

Four decades ago, the British author Lawrence Durrell wrote a series of novels called the ''Alexandria Quarter'' in which he describes a set of events in Alexandria, Egypt, before World War II. A seminal literary experiment in the relativity of human perception that was named one of the top 100 novels of the last century, each of the books viewed the same events through the eyes of four different participants. The full story cannot be comprehended without synthesizing how each of the protagonists viewed events from his or her own individual perspective.

Today, in Middle East, we have an analogous circumstance. For the full story of Iraq to be understood, we need to understand how events are perceived through very different sets of eyes and very different sets of reasoning. American policy makers, for instance, generally reason in a pragmatic, future-oriented manner. Much of the rest of the world, on the other hand, reasons more generally, by historical analogy. Events centuries back play a definitively greater role in judgments made about policies today.

Symbolically,the nature of the radically different way Americans and Middle Easterners look at the world is reflected in the startling statistic that four out of five Al Jazeera viewers believe a French author who claims that the plane which blasted into the Pentagon on 9/11 was actually a U.S. military aircraft ordered by the U.S. military to hit itself in an effort to justify the invasions of Afghanistan and Iraq. This kind of conspiracy theory is instantaneously understood as ludicrous in America, but not elsewhere. In fact, even in the heart of the democratic Europe, conspiracy theories about the events of 9/11 have topped best-seller lists. Intriguingly, from a Muslim perspective, the fact that nearly 70 percent of the American public believe that Saddam Hussein was personally involved in the attacks of September 11 appears equally uncompelling. Muslims note that no Iraqi citizen was involved in the attack and believe that alleged evidence of Iraqi complicity is peripheral and tangential at best.

On the other hand, virtually the entirety of the Muslim world recognizes Saddam to have been a sadistic dictator. There is no public support for him, but extraordinary consternation that a Western power would intervene in the Middle East in the way it did.

It is possible to suggest, from an American perspective, that since we received inadequate support for the UN, it makes little sense to cede authority to outsiders now. On the other hand, if one does not rebalance transitional governance in Iraq, it is hard for America to suggest to the international community that all countries have an obligation not only to support the governing authority but provide reconstruction assistance.

The question is whether America would be better off with a new Security Council mandate that gives responsibility for coordinating the political transition process to the UN, assisted by American experts already in the field, while maintaining the U.S. role in military and internal security concerns, or whether we want to continue to bear near exclusive responsibility for a country with a government lacking legitimacy.

I am convinced that the fact that the U.S. did not get solid support from the UN, prior to the invasion, underscores the importance of seeking greater international legitimacy in the transition to a democratic Iraqi Government.

Simply put, legitimacy delayed is security denied.

PRIVILEGED REPORT REQUESTING PRESIDENT TO TRANSMIT REPORT ENTITLED ''OPERATION IRAQI FREEDOM STRATEGIC LESSONS LEARNED'' AND DOCUMENTS IN HIS POSSESSION ON THE RECONSTRUCTION AND SECURITY OF POST-WAR IRAQ

Mrs. MILLER of Michigan (during special order of Mr. LEACH), from the Committee on Armed Services, submitted a privileged report (Rept. No. 108–289, Part 2) on the resolution (H. Res. 364) requesting the President to transmit to the House of Representatives not later than 14 days after the date of adoption of this resolution the report prepared for the Joint Chiefs of Staff entitled ''Operation Iraqi Freedom Strategic Lessons Learned'' and documents in his possession on the reconstruction and security of post-war Iraq, which was referred to the House Calendar and ordered to be printed.

IMMIGRATION, OVERTIME, AND RUSH LIMBAUGH

The SPEAKER pro tempore (Mr. MCCOTTER). Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas. Mr. Speaker, there are several items that I would like to comment on and share with my colleagues.

We had a very powerful day today. Hundreds of immigrants and immigrant supporters, friends of this Nation, parents and sisters and brothers and neighbors of some of the young men and women that are now on the frontlines of Operation Iraqi Freedom came to the Nation's Capitol to speak to the issues of civil rights and human dignity. They came in what we call the Immigration Freedom Ride. They leave tomorrow morning on to New Jersey and then to go to the seat of Ellis Island in New York to be able to restate to all Americans that we all came from somewhere, and that this Nation is bountiful because each of us were able to contribute our own culture and the respect for human dignity. They ask simple things, Mr. Speaker, and that is access to legalization, the ability to reunite their families, and civil rights and civil justice. They came in the spirit of the Freedom Riders of the 1960's and the first ones in the 1940's. They came in a spirit of Martin Luther King and the gentleman from Georgia (Mr. LEWIS), our own colleague. They walked across the bridge in Selma, Alabama, the Edmond Pettus bridge. They realize that the two have now intertwined: their quest for civil justice and civil rights, as our quest, the Freedom Riders' in the 1960's quest for civil rights and civil justice. And they call upon America's goodness, just as we who are African Americans, maybe called colored, maybe called Negros in the early 1960's pressed the case that we too were Americans.