Thank you, Mr. Chairman, very much for

holding these hearings. And I want to offer my gratitude to all the

witnesses and particularly this panel. We had a long time voting

there, but I can tell you, a lot of people commented on how excellent

this panel has already been. So I appreciate what you’ve done.

In April, I chaired the related hearing of the Constitution Subcommittee

of the Judiciary Committee, and much of that earlier

hearing focused in detailed legal terms on the authority of the

President to launch a military operation against Iraq. And after listening

to many constitutional experts, I certainly concluded that

the Constitution requires the President to seek additional authorization

from Congress before he can embark on a major new military undertaking in Iraq.

Today, these hearings before the Foreign Relations Committee

begin the important work of considering the complicated policy

issues that are at stake, gathering information, and coming to some

informed conclusions about what we will and will not authorize

with regard to U.S. intervention in Iraq.

I want the committee to know a number of my constituents have

contacted me prior to today’s hearing, and they have delivered one

very clear message. They want to be certain that this committee

carefully considers a range of views and informed perspectives on

Iraq, and they want to be certain that we do not accept as fact any

one set of subjective assumptions about Iraq. They are right to insist

on a sober and honest effort. And given how much of the rhetoric

surrounding U.S. policy toward Iraq in recent months has suggested

that American families should be prepared to send their

sons and daughter to war, we do owe the American people nothing

less than a thorough examination of the situation before us and a

careful consideration of our policy options. And I again thank the

Chair for the role these hearings will play in that process.

Let me ask all of you this. All of us here

would agree that the President has the constitutional authority to

launch a preemptive strike in self defense in advance of an imminent

attack by Iraq on the United States. And this is especially

true in the face of an imminent attack on the United States with

a nuclear, chemical, or biological weapon, but the key here is to assess

the level of the threat and the imminence of the attack.

The War Powers Resolution creates a high threshold for unilateral

Presidential action, action which must be authorized in any

event within 60 days of any preemptive strike. So I would like to

ask you, do any of you believe that we have already reached that

level of threat, that we now face an imminent attack on the United States? Mr. Butler. Doctor.

I understand that, but you don’t believe there

is an imminent threat of an attack on the United States.

That’s not the question I’m asking, but I appreciate the comment.

It is simply a threshold question. I think we

need to determine—to figure out what procedure we should follow

in terms of dealing with this issue.

I think there’s a lot of force to all those comments,

and I don’t necessarily disagree with them. What I’m trying

to do here is determine the basic assumptions that we can share

with our colleagues and the American people. What is the threat?

And I think the first thing to ask is, is there an imminent threat

to the United States being attacked directly? The answer is no, but

that doesn’t necessarily lead to any other conclusion about whether

it’s advisable to move forward. Thank you, Mr. Chairman.

Thank you very much, Mr. Chairman.

As one of you referenced, on Monday Secretary of Defense Rumsfeld

said that, ‘‘The Iraqis have a great deal of what they do deeply

buried,’’ suggesting that air power alone might not be enough to destroy

Iraq’s non-conventional weapons facilities. We hear a lot

about these bunkers, and I want to just focus for a minute on the

issue of the underground sites themselves.

Writing 4 years ago in the Bulletin of the Atomic Scientists, Dr.

Hamza suggested that the Iraqis, aware of the success of satellite

remote sensing in uncovering underground facilities, decided not to

build underground facilities. Do we have reason to believe that the

Iraqis altered their policy on this issue? And if so, why? And we’ll

start with you, doctor.

Either of you have a comment on that?

Thank you. Let me ask a different question.

Some of the rhetoric about Iraq suggests that the primary concern

is the proliferation of weapons of mass destruction, the notion that

the Government of Iraq is willing to provide such weapons or the

means to make them either to the highest bidder or to groups that

share some element of the Government of Iraq’s world view. And,

of course, the precise nature of the proliferation to a non-state

actor scenario is not entirely clear. But if this is the case, then it

seems to me that countering that threat means securing materials

in widely dispersed sites, some of which we may know about, and

some of which we may not. If an invasion were to begin, if the government

were to be toppled, wouldn’t there be some degree of chaos

for some period of time, along with ‘‘use it or lose it’’ pressures?

Can’t we expect, perhaps, self-interested individuals to start selling

off whatever they can to the highest bidder or taking materials of

concern out of the country for purposes of such sales? In other

words, isn’t less control arguably even more dangerous than the current situation?

I’d also like you to address whether or not this scenario would

argue against the so-called inside-out approach that was detailed

in Monday’s New York Times? Professor.

Other responses, if I could, Mr. Chairman?

Well, those are very helpful answers. I thank

you, Mr. Chairman.

Thank you, Mr. Chairman. Let me ask one of

Mr. Duelfer and Dr. Halperin.

There are obviously a number of diverse points of view in the foreign

policy community about the right course of action in Iraq. No

one disagrees with the basic premise, though, that the Iraqi people

have suffered terribly from years of deprivation, and that they have

been consistently told that it is United States support for U.N.

sanctions that is responsible for their plight. I think, Mr. Duelfer,

you were already getting into some of this a moment ago, but I

would like to hear a little bit more from you and then from Dr.

Halperin about what kind of reaction can we expect from the Iraqi

people if the United States moves to invade their country?

If widespread civil conflict threatens to break out in the wake of

regime change, staving off chaos in Iraq may require, as we just

talked about, a very significant American presence over a significant

period of time. Aside from the obvious resentment this will

provoke in other parts of the Middle East, is there any reason to

believe that the Iraqi people themselves would tolerate such a presence?

Are you suggesting these institutions will be

able to overcome the connection that people may feel between the

humanitarian crisis and what has happened in the past?

Again, Dr. Halperin, what I am getting at is

the relationship between the humanitarian crisis and the reaction of the Iraqi people.

Thank you, doctor. Thank you, Mr. Chairman.

Thank you, Mr. Chairman. Let me begin by

joining in the high praise for you and, of course, Senator Lugar, not

only for your stamina, which was praised, but for these very

thoughtful hearings. I’ve been here for all, or at least the majority

of each panel. These are very thoughtfully, well-planned, very important hearings.

I do want to say on the record that I don’t believe these hearings

can replace subsequent hearings when we hear from the administration,

nor do I think anyone can argue that this can be sufficient

to make it unnecessary to have a full debate on the Senate floor

and a vote on whether to authorize any such action.

I take strong issue with the statements of the minority leader of

the Senate yesterday, who indicated that he thought that the congressional

debate apparently would not be necessary, citing, apparently,

his belief that al-Qaeda is operating in Iraq. Now, that may

well be true, but I have not seen that evidence.

And I believe that Senate Joint Resolution 23, which authorized

the approriate actions we’ve taken with regard to Afghanistan and

al-Qaeda does not permit an invasion of Iraq without that kind of evidence.

But having said that, Mr. Chairman, I sincerely believe that

these hearings are an exceptional basis for what Congress should

do, and you’ve really produced a very fine moment in the history of this committee.

Thank you, Mr. Chairman.

I’d ask the panelists, could you estimate the scope of the humanitarian

crisis within Iraq that would have to be addressed in the

post-conflict period? What kind of commitment would be required

to address a crisis like that?

Yes, doctor. Colonel.

Thank you. Let me ask—just because my

time’s running out, I want to ask you a different type of question.

How realistic is it to believe that Iraq’s weapons of mass destruction

and the means to make such weapons can be secured by either

an occupying force or post-Saddam Hussein Iraqi government before

those weapons are moved out of the country?

And part of the question involves thinking about what kinds of

reprisals people close to the Iraqi regime or people close to the

WMD program might expect from a successor government. Are

these people likely to flee out of their own interests? Isn’t it likely

that those people will take valuable and dangerous materials as

well as knowledge with them?

Yes. Doctor, if you—if it’s all right to have

the doctor answer the question. Do you want to make a comment?

Thank you.

Thank you, Mr. Chairman.

Thank you, Mr. Chairman, and thanks for

the courtesy of Senator Lugar, as well. I’ve had a chance to attend

each of the five sessions here, and I’m really glad I had chance to

hear some of this.

I particularly appreciate the last exchange. I certainly come

down on the side of Mr. Berger with regard to the issue of whether

or not the Executive can simply go forward with this. In fact, I—

to me, it’s not just a question of whether it’s advisable for Congress

to do this. I think it’s—all the arguments about how airing this

with the American people and through Congress is very important.

But I also believe it is constitutionally required that the U.S. Congress

pass a resolution in the—under these circumstances, given

the kind of operation that’s being discussed.

There is, in my view, no authority or evidence, to this point,

that’s been presented to me, as a Member of Congress, that—under

Senate Joint Resolution 23, that we can act against Iraq without

actual proof that Iraq was involved with September 11. I also believe

that the 1991 authorization simply cannot be used as a justification

for the kind of operation that Mr. Berger was just referring to.

But I do appreciate your being here, and let me just ask a couple

of questions. What would be the cost to the multilateral coalition

against terrorism if the United States were to begin a major military

operation in Iraq tomorrow, sort of in concrete terms? What

diplomatic work would need to be done to reduce the costs? Would

our allies, or even states that are not allies, need certain commitments

from us? And is it possible to significantly reduce those

costs? For either one of you.

How much success do you think we will have?

How many of those countries do you think we can get?

Thank you, Mr. Weinberger.

Mr. Berger.

Thanks to both of you.

Thanks, Mr. Chairman.