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Iraq: U.S. Efforts to Change the Regime

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Summary

In his January 29, 2002 State of the Union message, President Bush characterized Iraq as part of an "axis of evil," along with Iran and North Korea. The President identified the key threat from Iraq as its development of weapons of mass destruction (WMD), and the potential for Iraq to transfer WMD to the terrorist groups it sponsors. In recent statements, the President and other senior officials have said the United States will ensure that Saddam Hussein is not positioned to pose a major and imminent threat to U.S. national security. The President's subsequent statements have left observers with the clear implication that, unless Iraq allows full and unfettered access to all sites by U.N. weapons inspectors, the United States will take military action to achieve the ouster of Iraq's President Saddam Hussein and his Ba'th Party regime.

Regime change has been official U.S. policy since October 1998. Even before that, U.S. efforts to oust Saddam have been pursued, with varying degrees of intensity, since the end of the Gulf war in 1991. These efforts primarily involved U.S. backing for opposition groups inside and outside Iraq, some of which are now receiving increased U.S. political and financial support. According to several experts, past efforts to change the regime floundered because of limited U.S. engagement, disorganization of the Iraqi opposition, and the efficiency and ruthlessness of Iraq's several overlapping intelligence and security forces. Previously, major U.S. military action to change the regime had been ruled out as too costly and risky and not necessarily justified by the level of Iraq's non-compliance.

Most experts believe that, should the Bush Administration decide to take action to overthrow Iraq's regime, nothing short of the direct use of U.S. armed force would guarantee Saddam's downfall. Advocates of military action believe that U.S. action would lead to a regime that forswears WMD, respects the human rights and economic well-being of its people, and serves as a model for broader democratization in the Arab world. Others believe that the Iraqi military is seriously weakened after a decade of sanctions and would likely be quickly defeated or defect.

Opponents of military action maintain that there is little international support for unilateral U.S. military action to change Iraq's regime, that doing so could destabilize the Middle East and hinder the broader war on terrorism, and that action could lead to numerous U.S. casualties and a long-term presence in Iraq. Others believe that the threat from Saddam's regime is manageable through means currently in place, such as containment, or through stepped-up covert action. Some believe the United States should focus its efforts, in concert with other members of the U.N. Security Council, to obtain Iraq's compliance with long-standing U.N. requirements, such as the mandate that Iraq fully cooperate with U.N. weapons inspectors.

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The United States has been attempting to change Iraq's regime since the 1991 Persian Gulf war, although achieving this goal was not declared policy until 1998. In November 1998, amid a crisis with Iraq over U.N. weapons of mass destruction (WMD) inspections, the Clinton Administration stated that the United States would seek to go beyond containment to promoting a change of regime. A regime change policy was endorsed by the Iraq Liberation Act (P.L. 105-338, October 31, 1998). Bush Administration officials have emphasized regime change as the cornerstone of U.S. policy toward Iraq. This paper discusses past and current U.S. efforts to oust Saddam Hussein and the current debate over the implementation of that policy.

Past Attempts to Oust Saddam

Prior to the launching on January 16, 1991 of Operation Desert Storm, an operation that reversed Iraq's August 1990 invasion of Kuwait, President George H.W. Bush called on the Iraqi people to overthrow Saddam. Within days of the end of the Gulf war (February 28, 1991), opposition Shiite Muslims in southern Iraq and Kurdish factions in northern Iraq, emboldened by the regime's defeat and the hope of U.S. support, launched significant rebellions.[1] The revolt in southern Iraq reached the suburbs of Baghdad, but the well-trained and loyal Republican Guard forces had survived the war largely intact, having been withdrawn from battle prior to the U.S. ground offensive, and the Guard defeated the Shiite rebels by mid-March 1991. The Kurds, benefitting from a U.S.-led "no fly zone" established in April 1991, were able to carve out an autonomous zone in northern Iraq, and remain largely free of Baghdad's rule today.

According to press reports, about two months after the failure of the Shiite uprising, President George H.W. Bush forwarded to Congress an intelligence finding stating that the United States would undertake efforts to promote a military coup against Saddam Hussein; a reported $15 million to $20 million was allocated for that purpose.[2] The Administration apparently believed – and this view apparently still is shared by many experts and U.S officials – that a coup by elements within the current regime could produce a favorable new government without fragmenting Iraq. Many observers, however, including neighboring governments, feared that Shiite and

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[1] Shiites constitute about 65% of Iraq's population but historically have been repressed and under-represented in governing bodies by the members of the Sunni Muslim sect. Kurds, who are not Arabs, constitute about 20% of the population of about 20 million.

[2] Tyler, Patrick. "Plan On Iraq Coup Told to Congress." *New York Times*, February 9, 1992.

Kurdish groups, if they ousted Saddam, would divide Iraq into warring ethnic and tribal groups, opening Iraq to influence from neighboring Iran, Turkey, and Syria.

An Opposition Coalition Emerges

Reports in July 1992 of a serious but unsuccessful coup attempt suggested that the U.S. strategy might ultimately succeed. However, there was disappointment within the George H.W. Bush Administration that the coup had failed and a decision was made to shift the U.S. approach from promotion of a coup to supporting the diverse opposition groups that had led the postwar rebellions. The Kurdish, Shiite, and other opposition elements were coalescing into a broad and diverse movement that appeared to be gaining support internationally. Congress more than doubled the budget for covert support to the opposition groups to about $40 million for FY1993.[3]

The Iraqi National Congress

The Iraqi National Congress (INC) served as the vehicle for U.S. support. The INC was formed when the two main Kurdish militias — the Kurdistan Democratic Party (KDP), headed by Masud Barzani, and the Patriotic Union of Kurdistan (PUK), headed by Jalal Talabani — participated in a June 1992 meeting in Vienna of dozens of opposition groups. In October 1992, the major Shiite groups came into the coalition when the INC met in Kurdish-controlled northern Iraq. Selected to chair the INC's Executive Committee was Ahmad Chalabi, a secular Shiite Muslim and U.S.-educated mathematician who had fled Iraq to Jordan in 1958, 10 years before the Ba'th Party took power in Iraq (July 1968). He eventually chaired the Petra Bank there, but later ran afoul of Jordanian authorities on charges of financial malfeasance and he left Jordan in 1989. Chalabi maintains that the Jordanian government was pressured by Iraq to turn against him.

The INC initially appeared viable because it brought under one banner varying Iraqi ethnicities and diverse political ideologies, including nationalists, ex-military officers, and defectors from Iraq's ruling Ba'th Party. The Kurds provided the INC with a source of armed force and a presence on Iraqi territory. Its constituent groups nominally united around a platform that appeared to match U.S. values and interests, including human rights, democracy, pluralism, "federalism" (see below), the preservation of Iraq's territorial integrity, and compliance with U.N. Security Council resolutions on Iraq.[4] However, many observers doubted its commitment to democracy, because most of its groups have an authoritarian internal structure, and because of inherent tensions among its varied ethnic groups and ideologies.

The Kurds/KDP and PUK. In committing to the concept of federalism, the INC platform assured the Kurds substantial autonomy within a post-Saddam Iraq,

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[3] Sciolino, Elaine. "Greater U.S. Effort Backed To Oust Iraqi." *New York Times*, June 2, 1992.

[4] The Iraqi National Congress and the International Community. Document provided by INC representatives, February 1993.

although some fear the Kurds would seek outright independence. Turkey, which has a sizable Kurdish population in the areas bordering northern Iraq, particularly fears that independence for Iraq's Kurds would likely touch off an effort to unify into a broader "Kurdistan." Iraq's Kurds have been fighting intermittently for autonomy since their region was incorporated into the newly formed Iraqi state after World War I. In 1961, the KDP, then led by founder Mullah Mustafa Barzani, Masud Barzani's father, began an insurgency that has continued until today, although interrupted by periods of autonomy negotiations with Baghdad. Masud Barzani's brother, Idris, was killed during the Iran-Iraq war. The PUK split off from the KDP in 1961; the PUK's members are generally more educated, urbane, and left-leaning than those of the KDP. Together, the PUK and KDP have about 35,000-50,000 fighters. A small Kurdish Islamic faction, the Islamic Movement of Iraqi Kurdistan (IMIK), is headed by Shaykh Ali Abd-al Aziz. Based in Halabja, Iraq, the IMIK has publicized the effects of Baghdad's March 1988 chemical attack on that city, and it allied with the PUK in 1998.

A radical faction of the IMIK split off in 1998, calling itself the Jund al-Islam (Army of Islam) and, later, the Ansar al-Islam (Partisans of Islam). Ths faction, led by Mullah Krekar (who was arrested in Europe in August 2002), reportedly is associated with Al Qaeda and has hosted in its northern Iraq enclave Al Qaeda fighters who fled the U.S.-led war in Afghanistan. Mullah Krekar reportedly studied under Shaykh Abdullah al-Azzam, an Islamic theologian of Palestinian origin who was the spiritual mentor of Osama bin Laden.

SCIRI. Several outside experts had concerns about the alliance between Iran and another INC component, the Iraqi Shiite Islamic fundamentalist group called the Supreme Council for the Islamic Revolution in Iraq (SCIRI). SCIRI was set up in 1982 to increase Iranian control over Shiite opposition groups in Iraq and the Persian Gulf states. Its leader, Ayatollah Muhammad Baqr al-Hakim, was the late Ayatollah Khomeini's choice to head an Islamic Republic of Iraq. Hakim and his family, most notably his brother Abd al-Aziz, were leaders of the Da'wa (Islamic Call) Party, which allegedly was responsible for a May 1985 attempted assassination of the Amir of Kuwait and the December 1983 attacks on the U.S. and French embassies in Kuwait. Members of the Hizballah organization in Lebanon that held U.S. hostages in that country during the 1980s often linked release of the Americans to the release of 17 Da'wa Party prisoners held by Kuwait for those offenses.

SCIRI has about 5,000 fighters organized into a "Badr Corps" (named after a major battle in early Islam) that conducts forays from Iran into southern Iraq to attack the Iraqi military and officials there. Although Iran has improved relations with Iraq over the past few years, Iran's Revolutionary Guard – which is politically aligned with Iran's hard line civilian officials – reportedly continues to provide the Badr Corps with weapons and other assistance. However, many Iraqi Shiites view SCIRI as an Iranian creation and SCIRI/Badr Corps operations in southern Iraq have not been known to spark broad popular unrest against the Iraqi regime. SCIRI has periodically distanced itself from the INC and, until August 2002 when Abd al-Aziz al-Hakim joined other opposition figures for meetings in Washington, it has publicly refused to work openly with the United States or accept U.S. assistance.

The Fragmentation of the Opposition

The differences within the INC led to its near collapse in the mid 1990s. In May 1994, the KDP and the PUK began clashing with each other over territory, customs revenues levied at border with Turkey, and control over the Kurdish enclave's government based in Irbil. The PUK lined up support from Iran while the KDP sought and received countervailing backing from its erstwhile nemeses, the Baghdad government. The infighting contributed to the defeat of an INC offensive against Iraqi troops in March 1995; the KDP pulled out of the offensive at the last minute. Although it was repelled, the offensive did initially overrun some of the less well-trained and poorly motivated Iraqi units on the front lines facing the Kurds. Some INC leaders have pointed to the battle as an indication that the INC could succeed militarily in the future if it were given additional resources and training.

The Iraqi National Accord (INA). The infighting in the INC caused the United States to briefly revisit the "coup strategy" by renewing ties to a separate group, Iraq National Accord (INA).[5] The INA, originally founded in 1990 with Saudi support, consists of military and security defectors who were perceived as having ties to disgruntled officials currently serving within their former organizations. It is headed by Dr. Iyad Allawi, former president of the Iraqi Student Union in Europe. The INA's prospects appeared to brighten in August 1995 when Saddam's son-in-law Hussein Kamil al-Majid — architect of Iraq's weapons of mass destruction programs — defected to Jordan, suggesting that Saddam's grip on the military and security services was weakening. Jordan's King Hussein agreed to allow the INA to operate from there. However, the INA became penetrated by Iraq's intelligence services and, in June 1996, Baghdad dealt it a serious setback by arresting or executing over 100 INA sympathizers in the military. Alawi claims that the INA continues to operate throughout Iraq, and it apparently has rebuilt itself to some extent since the June 1996 arrests. Although it is now cooperating with the INC, there is a history of friction between the two groups; the INA reportedly bombed an INC headquarters in northern Iraq in October 1995.

Iraq's counteroffensive against the opposition was completed two months later. In late August 1996, the KDP asked Baghdad to provide armed support for its capture of Irbil from the rival PUK. Iraq took advantage of the request to strike against the INC base in Salahuddin, northern Iraq, as well as against remaining INA operatives throughout northern Iraq. In the course of its incursion in the north, Iraq reportedly executed two hundred oppositionists and arrested as many as 2,000 others. The United States evacuated from northern Iraq and eventually resettled in the United States 650 oppositionists, mostly from the INC.

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[5] An account of this shift in U.S. strategy is essayed in Hoagland, Jim. "How CIA's Secret War On Saddam Collapsed." *Washington Post*, June 26, 1997.

Rebuilding an Opposition Strategy

For the two years following the opposition's 1996 setbacks, the Clinton Administration had little contact with the opposition. In those two years, the INC, INA, and other opposition groups attempted to rebuild their organizations and their ties to each other, although with mixed success. On February 26, 1998, then Secretary of State Madeleine Albright testified to a Senate Appropriations subcommittee that it would be "wrong to create false or unsustainable expectations" about what U.S. support for the opposition could accomplish.

Iraq's obstructions of U.N. weapons of mass destruction (WMD) inspections during 1997-98 led to growing congressional calls for overthrowing Saddam Hussein. A formal congressional push for a regime change policy began with a FY1998 supplemental appropriation (P.L. 105-174, signed May 1, 1998) that, among other provisions, earmarked $5 million in Economic Support Funds (ESF) for the opposition and $5 million for a Radio Free Iraq, under the direction of Radio Free Europe/Radio Liberty (RFE/RL). The radio service began broadcasting in October 1998, from Prague. Of the ESF, $3 million was devoted to an overt program to coordinate and promote cohesion among the various opposition factions, and to highlighting Iraqi violations of U.N. resolutions. The remaining $2 million was used to translate and publicize documented evidence of alleged Iraqi war crimes; the documents were retrieved from the Kurdish north, placed on 176 CD-ROM diskettes, and translated and analyzed by experts under contract to the U.S. government. In subsequent years, Congress has appropriated funding for the Iraqi opposition and for war crimes issues, as shown in the appendix. Some of the war crimes funding has gone to the opposition-led INDICT (International Campaign to Indict Iraqi War Criminals) organization for publicizing Iraqi war crimes issues.

Iraq Liberation Act

The clearest indication of congressional support for a more active U.S. overthrow effort was encapsulated in another bill introduced in 1998 – the Iraq Liberation Act (ILA, H.R. 4655, P.L. 105-338, signed into law October 31, 1998). The ILA gave the President authority to provide up to $97 million in defense articles (and $2 million in broadcasting funds) to opposition organizations to be designated by the Administration. The Act's passage was widely interpreted as an expression of congressional support for the concept, advocated by INC chairman Ahmad Chalabi and some U.S. experts, such as General Wayne Downing, to promote an insurgency by using U.S. airpower to protect opposition-controlled enclaves. President Clinton signed the legislation despite reported widespread doubts within the Clinton Administration about the chances of success in promoting an insurgency inside Iraq. A provision of the ILA states that it should be the policy of the United States to "support efforts" to remove the regime headed by Saddam Hussein. In mid-November 1998, President Clinton publicly articulated that regime change was a component of U.S. policy toward Iraq.

The signing of the ILA and the declaration of the overthrow policy came at the height of the one-year series of crises over U.N. weapons inspections in Iraq, in which inspections were repeatedly halted and restarted after mediation by the United

Nations, Russia, and others. On December 15, 1998, U.N. inspectors were withdrawn for the final time, and a three-day U.S. and British bombing campaign against suspected Iraqi WMD facilities followed (Operation Desert Fox, December 160-19, 1998). For information on these crises, see CRS Issue Brief IB92117, Iraq: Weapons Threat, Compliance, Sanctions, and U.S. Policy.

Further steps followed Operation Desert Fox. The bombing followed In January 1999, career diplomat Frank Ricciardone was named as the State Department's "Coordinator for the Transition in Iraq," – the chief liaison with the opposition. On February 5, 1999, after consultations with Congress, the President issued a determination (P.D. 99-13) that the following organizations would be eligible to receive U.S. military assistance under the Iraq Liberation Act: the INC; the INA; SCIRI; the KDP; the PUK; the Islamic Movement of Iraqi Kurdistan (IMIK); and the Movement for Constitutional Monarchy (MCM), which is led by Sharif Ali bin al-Hussein, a relative of the Hashemite monarchs that ruled Iraq from the end of World War I until 1958. The IMIK and the MCM, in particular, are considered small movements that cannot contribute much to an overthrow effort.

In May 1999, in concert with an INC visit to Washington, the Clinton Administration announced it would draw down $5 million worth of training and "non-lethal" defense equipment under the ILA. In late 1999, three opposition members began civil administration training at Hurlburt air base in Florida and, in June 2000, the Clinton Administration announced that another 145 oppositionists would undergo similar training. The Defense Department-run courses provided civil affairs training, including instruction in field medicine, logistics, computers, communications, broadcasting, power generation, and war crimes issues. However, the Clinton Administration asserted that the opposition was not sufficiently organized to merit U.S. provision of lethal military equipment or combat training. This restriction reflected divisions within and outside the Clinton Administration over the effectiveness and viability of the opposition, and over the potential for the United States to become militarily embroiled in civil conflict in Iraq.

Continued Debate Over Policy

During 1999-2000, U.S. efforts to rebuild and fund the opposition did not end the debate within the Clinton Administration over the regime change component of Iraq policy. In hearings and statements, several Members of both parties expressed disappointment with the Clinton Administration's decision not to give the opposition lethal military aid or combat training. Many took those decisions as an indication that the Clinton Administration was skeptical of the overthrow strategy in light of past failures to oust Saddam Hussein. Opponents of the Clinton Administration overthrow policy maintained that the Iraqi opposition would not succeed unless backed by direct U.S. military involvement and that direct U.S. military action was risky and not justified by the threat posed by Iraq. Other critics suggested the United States focus instead on rebuilding containment of Iraq by obtaining re-entry into Iraq of the U.N. weapons of mass destruction inspectors that had been absent from Iraq since December 15, 1998.

As a reflection of continued congressional support for the overthrow effort, a provision of the FY2001 foreign aid appropriation (H.R. 4811, P.L. 106-429, signed November 6, 2000) earmarked $25 million in ESF for "programs benefitting the Iraqi people," of which at least: $12 million was for the INC to distribute humanitarian aid inside Iraq; $6 million was for INC broadcasting; and $2 million was for war crimes issues. According to the appropriation the remaining $5 million could be used to aid the seven groups eligible to receive assistance under the ILA. Taking note of congressional sentiment for INC distribution of aid inside Iraq, on September 29, 2000 the Clinton Administration reached agreement with the INC to provide the organization with $4 million in FY1999 ESF (one half the total earmark available) to develop an aid distribution plan and to gather information in Iraq on Iraqi war crimes. Three days before it left office, the Clinton Administration issued a required report to Congress that noted that any INC effort to distribute aid in areas of Iraq under Baghdad's control would be fraught with security risks to the INC, to Iraqi recipients of such aid, and to any relief distributors with which the INC contracts.[6] On February 2, 2001, the Bush Administration confirmed that, shortly after President Bush took office, the Treasury Department's Office of Foreign Assets Control (OFAC) granted the INC a license to proceed with only the information gathering portion of the humanitarian aid distribution plan.

Bush Administration Policy

Bush Administration policy toward Iraq changed after the September 11 terrorist attacks, even though little or no hard evidence linking Iraq to those attacks has come to light. The shift toward a more assertive policy first became clear in President Bush's State of the Union message on January 29, 2002, when he characterized Iraq as part of an "axis of evil," along with Iran and North Korea.

Pre-September 11 Policy

Throughout most of its first year, the Bush Administration continued most elements of Clinton Administration policy. With no immediate consensus within the new Administration on how forcefully to proceed with an overthrow strategy, Secretary of State Powell focused on strengthening containment of Iraq, which the Bush Administration said had eroded substantially in the year prior to its taking office. Secretary Powell visited the Middle East in February 2001 to enlist regional support for a so-called "smart sanctions" plan – a modification of the U.N. sanctions regime to ensure that no weapons-related technology reaches Iraq. His plan offered to alter the U.N.-sponsored "oil-for-food" program by relaxing U.N. restrictions on exports to Iraq of civilian equipment and needed non-military technology.[7] The United States asserted that this step would alleviate the suffering of the Iraqi people. Powell, who has sometimes openly expressed skepticism about the opposition's

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[6] U.S. Department of State. *Washington File*. Clinton Sends Report on Iraq to Congress. January 17, 2001.

[7] For more information on this program, see CRS Report RL30472, *Iraq: Oil For Food Program.*

prospects, barely raised the regime change issue during his trip or in his March 7, 2001 testimony before the House International Relations Committee, at which he was questioned about Iraq.[8] After about a year of negotiations among the Security Council permanent members, the major feature of the smart sanctions plan – new procedures that virtually eliminate U.N. review of civilian exports to Iraq – was adopted on May 14, 2002 (U.N. Security Council Resolution 1409).

Even though several senior officials had been strong advocates of a regime change policy, many of the questions about the wisdom and difficulty of that strategy that had faced previous administrations were debated in the Bush Administration.[9] Aside from restating the U.S. policy of regime change, the Bush Administration said and did little to promote that outcome throughout most of its first year. During his confirmation hearings as Deputy Secretary of Defense, a reported strong advocate of overthrow, Paul Wolfowitz, said that if there were a real option to overthrow Saddam Hussein, "I would think it was worthwhile," although he also stated that he did not yet see a "plausible plan" for changing the regime. Like its predecessor, the Bush Administration declined to provide the opposition with lethal aid, combat training, or a commitment of direct U.S. military help. It eliminated the separate State Department position of "Coordinator for the Transition in Iraq," further casting doubt on its enthusiasm for the overthrow strategy. The Bush Administration also refused to back the INC plan to rebuild its presence inside Iraq by distributing humanitarian aid. However, these possibilities were left open pending the outcome of a policy review.

Possibly signaling skepticism about the value of the INC in an overthrow plan, there were some indications that the Bush Administration began to build ties to opposition elements other than the INC, such as ex-military officers or ex-Ba'th Party officials. In March 2001, a senior official seemed to suggest to journalists that covert options were under consideration, saying that, "The INC has a role to play, but there may be other things we want to do."[10] Some viewed the outreach to non-INC figures as a signal that the Bush Administration might be considering returning to the "coup strategy" pursued on several occasions in previous administrations. The other groups and individuals with which the Bush Administration has had increasing contact with include the following:

- Iraqi National Movement. It formed in 2001 as an offshoot of the INC. Its leaders include ex-senior military officer Hassan al-Naqib (who was part of an early leadership body of the INC); Hatim Mukhlis, who claims support of some in Saddam's Tikriti clan; and ex-senior military officer Khalid al-Ubaydi.

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[8] Perlez, Jane. Powell Goes on the Road and Scores Some Points. *New York Times*, March 2, 2001.

[9] One account of Bush Administration internal debates on the strategy is found in, Hersh, Seymour. The Debate Within. *The New Yorker*, March 11, 2002.

[10] Sipress, Alan. Powell Defends Stand on Iraq. *Washington Post*, March 8, 2001.

- Iraqi National Coalition. Another grouping of ex-military officers, founded in March 2000 by Tawfiq al-Yasseri. Yasseri, a Shiite Muslim ex-military officer, headed Iraq's military academy and participated and was wounded in the anti-Saddam uprisings immediately following the 1991 Gulf war.

- Free Officers' Movement. Established in 1996 by ex-military officer Najib al-Salhi. This group works closely with the INC.

- Higher Council for National Salvation. Based in Denmark, it was formally established on August 1, 2002. It is headed by Wafiq al-Samarra'i, a former head of Iraqi military intelligence. Ex-chief of staff of Iraq's military (1980-1991) Nizar al-Khazraji, who is based in Denmark since fleeing Iraq in 1996, may also be a member.

The Bush Administration has not named any of the above military-based factions as eligible to receive drawdowns under the ILA. However, the Administration has given these groups, as well as the more established opposition groups, increased attention as it plans for possible military or other action to overthrow Saddam Hussein. The Bush Administration has applauded recent efforts by these groups to hold meetings to coordinate with each other and with the INC and other groups. One such meeting, in July 2002 in London and jointly run with the INC, attracted over 70 ex-military officers.

Many in Congress, on the other hand, continue to support the INC as the primary vehicle for achieving regime change. Partly in deference to congressional sentiment, according to several observers, the Bush Administration continued to expand its ties to the INC despite doubts about its capabilities. In August 2001, the INC began satellite television broadcasts into Iraq, from London, called Liberty TV. The station was funded by the ESF aid appropriated by Congress, with start-up costs of $1 million and an estimated additional $2.7 million per year in operating costs.[11]

Policy Post-September 11

Bush Administration policy toward Iraq became notably more assertive after September 11, stressing regime change far more than containment. Almost immediately after the U.S.-led war on the Taliban and Al Qaeda in Afghanistan began in early October 2001, speculation began building that the Administration might try to change Iraq's regime through direct use of military force as part of a "phase two" of the war on terrorism. Some in the Administration are said to believe that Iraq might have had a connection to the September 11 attacks or the subsequent anthrax mailings. Senior U.S. officials said in September 2002 that there is evidence of Iraqi linkages to Al Qaeda, although some observers have expressed skepticism about such connections because of the ideological differences between Saddam Hussein's secular regime and Al Qaeda's Islamist character. Those who see a direct Iraqi connection tend to attach significance to official Czech accounts of a purported April 2001 meeting in Prague between September 11 hijacking leader Mohammad

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[11] Sipress, Alan. U.S. Funds Satellite TV to Iraq. *Washington Post*, August 16, 2001.

Atta and an Iraqi intelligence officer. Others point to recent reports that Ansar al-Islam (see above for the origins of the group) has links to the Iraqi government.[12] On the other hand, Baghdad does not control Northern Iraq and some U.S. officials, speaking on background, have said they cannot verify this report.[13]

WMD Threat Perception. Other U.S. officials maintain that Iraq's purported commitment to developing WMD – coupled with its support for terrorist groups to which Iraq might transfer WMD – constitute an unacceptable potential threat to the United States and that major U.S. military action could be justified. This view was represented in President Bush's January 29, 2002 State of the Union message, in which he named Iraq, along with North Korea and Iran, as part of an "axis of evil" against which, according to the President, the United States might act preemptively. In making a case for possible military action, senior U.S. officials have asserted a WMD threat as follows:

- Iraq has worked to rebuild its WMD programs in the nearly 4 years since U.N. weapons inspectors left Iraq. Defense Secretary Rumsfeld told journalists in July 2002 that Iraq was using mobile facilities to hide biological weapons research and had placed some WMD facilities underground. Some U.S. officials say it could be only a few years before Iraq develops a nuclear weapon. Some outside assessments, including a British intelligence assessment released in September 2002, say Iraq likely could not develop a nuclear weapon in less than 5 years unless it obtains fissile material or special equipment from abroad.

- Iraq has used chemical weapons against its own people (the Kurds) and against Iraq's neighbors (Iran). The implication of this assertion is that Iraq would not necessarily be deterred from using WMD against the United States or its allies. Others note that Iraq has not used such weapons against adversaries, such as the United States, that have the capability of destroying Iraq's government in retaliation. Under the U.S. threat of massive retaliation, Iraq did not use WMD against U.S. troops in the 1991 Gulf war. Some believe that Saddam Hussein, faced with the prospect of defeat and removal from office, might unleash Iraq's WMD capabilities against U.S. forces or against Israel as a desperate measure.

- Even if U.N. weapons inspectors return to Iraq under existing U.N. resolutions, as was agreed between Iraq and UNMOVIC on October 1, 2002, inspections alone will not likely ensure that Iraq is free of WMD. According to the Administration's argument, Iraq will likely obstruct new inspections to prevent the inspectors from discovering Iraq's WMD programs. Some outside experts, including former UNSCOM Chairman Rolf Ekeus, counter that inspections,

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[12] Goldberg, Jeffrey. The Great Terror. The *New Yorker*, March 25, 2002.

[13] U.S. Uncertain About Northern Iraq Group's Link to Al Qaida. *Dow Jones Newswire*, March 18, 2002.

even if not fully unfettered, would suppress Iraq's ability to reconstitute its WMD. Those taking this position maintain that the inspections (1991-1998) accounted for and dismantled a large portion of Iraq's WMD programs, although substantial uncertainties remain about Iraq's production of VX nerve agent, remaining chemical munitions, and the biological weapons Iraq produced.

Regime Change Scenarios. In conjunction with the presidential and other statements on Iraq, press reports since early 2002, often quoting Administration sources, have discussed numerous scenarios and purported U.S. planning to achieve a change of Iraq's regime. The Administration has somewhat downplayed the goal of regime change since President Bush's September 12, 2002 speech before the United Nations General Assembly, in which he focused on enforcing U.N. resolutions that require Iraqi disarmament. In broad outlines, the scenarios for regime change include the following:

- Covert Action. Some believe the United States might pursue covert overthrow options prior to and independent of any decision to use military force against Iraq, and whether Iraq accepts new U.N. weapons inspections. On June 16, 2002, the *Washington Post* reported that, in early 2002, President Bush authorized stepped up covert activities by the CIA and special operations forces to destabilize Saddam Hussein. In early August 2002, the State and Defense Departments jointly invited six major opposition groups – the INC, the INA, the KDP, the PUK, SCIRI, and the MCM – to Washington for meetings with senior officials, including a video link to vacationing Vice President Cheney. The meetings were held to show unity within the opposition and among different agencies of the U.S. government, which have tended to favor different opposition groups. In advance of the visit, the Defense Department agreed to fund the information gathering portion of the INC's activities; the State Department had refused to fund those activities, which are conducted inside Iraq, because of strains between the INC and other opposition groups and questions about INC use of U.S. funds. Very few observers within or outside the Administration believe that covert action alone will bring about a change of regime, considering Saddam Hussein's strong grip on the military, the security service, and Iraq's ruling Ba'th Party.

- "Special Forces" Model. Several press reports indicate that some in the Administration believe that the military operations that brought down the Taliban in Afghanistan could easily be replicated in Iraq to depose Saddam Hussein.[14] According to most versions of this scenario, U.S. special operations forces would work overtly with the Iraqi opposition to seize territory in Iraq and precipitate the downfall of the regime. Press reports in September 2002 say the

[14] Slavin, Barbara. U.S. Examining Options to Deal With Hussein. *USA Today*, February 12, 2002.

Administration will draw down the remaining $92 million in defense articles and services authorized under the Iraq Liberation Act, to be used to train about 1,000 oppositionists in tasks that could assist U.S. forces. Critics of this approach maintain that the Iraqi Iraqi military (about 400,000 personnel, or ten times the size of that of the Taliban in Afghanistan) is too large to give this scenario a good chance of success.

- Major Offensive. Press accounts indicate that most U.S. military planners believe that the overthrow of Saddam Hussein by the U.S. military, while achievable, would require a major U.S. military effort. Press reports say senior military officers believe a force of 250,000 or more U.S. troops would be needed to ensure success and to minimize U.S. casualties. According to press reports, senior military officers want to ensure overwhelming U.S. military superiority to be certain of defeating Iraqi counterattacks. However, the larger the force, the more the requirement for basing and infrastructure in neighboring countries, thus making this scenario dependent, to an extent, on regional support for a U.S. offensive. Saying that a U.S. attack on Iraq could destabilize the region, several Arab leaders, including King Abdullah of Jordan and senior Saudi leaders, have indicated publicly that they would be reluctant to host U.S. forces for this action, although Saudi leaders have said they would do so if force were authorized by the United Nations.

- Smaller Offensive. Because of the need for regional cooperation, which might be difficult to obtain, press accounts indicate that some U.S. officials are pushing for a plan involving a smaller force of about 80,000, backed by air power. A smaller force would require fewer regional staging bases and could deploy to the region more rapidly than a larger force. Some senior military officials, reportedly including commander of U.S. Central Command Gen. Tommy Franks, are said to be concerned that this plan could involve too few troops to be sure of defeating Iraq in and around major cities. One version of this plan reportedly involves attacking Baghdad first to destabilize the regime and then gain control of the rest of Iraq.

A major issue in the debate over any military plan appears to be over whether Iraq's military would quickly unravel or rebel against Saddam Hussein in the face of U.S. military action or whether it would fight hard to defend the regime. Some maintain that Iraqi forces would likely defect or surrender in large numbers, as happened in the 1991 Gulf war, when faced with a militarily superior force. Others contrast the current situation with the 1991 war and argue that Iraqi forces would hold together and fight fiercely because they are defending Iraq itself, not an occupation of Kuwait. Some believe the Iraqi military would quickly retreat into urban areas and hope to inflict large numbers of casualties on American forces. (For further discussion of the pros and cons of military action against Iraq, see CRS Report RS21325, *Iraq: Divergent Views on Military Action*.)

Another major issue is that of the character of the regime that would replace the current one. The Administration asserts that, if it takes military action and ousts the government of Saddam Hussein, it will do what is necessary to bring about a stable, democratic successor regime that complies with all applicable U.N. resolutions. However, the same concerns about fragmentation of and instability in Iraq that existed in prior years are present in the current debate over regime change. Some observers believe that the Bush Administration would accept a replacement of Saddam Hussein by a military or Ba'th Party figure who is not necessarily committed to democracy but would comply with applicable U.N. resolutions. The Bush Administration has not said how it might react if Saddam were to try to resolve the crisis by ceding power to one of his sons or longtime associates on the Revolutionary Command Council (RCC). (The RCC, chaired by Saddam, is Iraq's highest governing body.) Over the past 3 years, Saddam has given his younger son Qusay increasing authority over key security bodies and he has been rising in the Ba'th Party structure as well. Saddam's elder son Uday controls some media organs but is considered hot-headed and impulsive. Other candidates for succession include Vice Chairman of the RCC Izzat Ibrahim and first Vice President Taha Yasin Ramadan.

Containment/Deterrence. Some analysis suggests that the Administration might decide not to use military force to change Iraq's regime or reduce its WMD capabilities. Some Members of Congress, some outside experts, and reportedly many senior military leaders believe Iraq is currently well contained by sanctions and the U.S./British enforced no-fly zones and that there is no need for immediate military action against Iraq. Others believe that, even if Iraq acquires major new WMD capabilities, it could be deterred by U.S. overall strategic superiority, presumably including the U.S. nuclear arsenal. Although skeptical that Iraq will allow full and unfettered U.N. weapons inspections, the Administration has said since September 2002 that war could be avoided if Iraq fully complies with U.N. Security Council resolutions requiring WMD disarmament. The Administration is pressing for a new U.N. resolution that authorizes a more intrusive inspections regime than was in force previously, but some Security Council members want to first test Iraq's October 1, 2002 agreement to allow unfettered inspections under existing resolutions.

Congressional Reactions

Congress, like the Administration, appears to have divergent views on the mechanisms for promoting regime change, although there appears to be widespread agreement in Congress that regime change is desirable and an appropriate U.S. policy. However, there is substantial disagreement over whether a major military offensive is the most desirable option for achieving that objective. On December 20, 2001, the House passed H.J.Res. 75, by a vote of 392-12, calling Iraq's refusal to readmit U.N. weapons inspectors a "mounting threat" to the United States. The resolution did not call for new U.S. steps to overthrow Saddam Hussein but a few Members, including Representative Benjamin Gilman and Representative Dana Rohrabacher, called for the overthrow of Saddam Hussein in their floor statements in support of the resolution.

In early 2002, prior to the intensified speculation about possible war with Iraq, some Members expressed support for increased aid to the opposition. In a joint appearance with Senate Foreign Relations Committee Chairman Joseph Biden on

Cable News Network on February 17, 2002, House International Relations Committee Chairman Henry Hyde said that "...supporting the underground, the opposition, the internal opposition, is to me the procedure of choice. That is an option that is being worked on. All of these options are under consideration." In early December 2001, a bipartisan group of nine Members – Senators John McCain, Jesse Helms, Richard Shelby, Sam Brownback, Joseph Lieberman, and Trent Lott and Representatives Henry Hyde, Benjamin Gilman, and Harold Ford Jr. – wrote to President Bush to urge that U.S. assistance be provided to the INC for operations inside Iraq itself. According to the letter,

> Despite the express wishes of the Congress, the INC has been denied U.S. assistance for any operations inside any part of Iraq, including liberated Kurdish areas. Instead, successive Administrations have funded conferences, offices and other intellectual exercises that have done little more than expose the INC to accusations of being "limousine insurgents" and "armchair guerrillas."

As discussion of potential military action has increased, Members have been debating the costs and risks of an all-out U.S. effort to achieve that result. Under consideration are Administration and congressional proposals, such as S.J.Res. 45 (White House proposed resolution) and H.J.Res. 114 and S.J.Res. 46 (White House-House compromise resolution), that would authorize the President to use military force against Iraq if it fails to comply with U.N. Security Council resolutions on Iraq.

Appendix. U.S. Assistance to the Opposition

Appropriated Economic Support Funds (E.S.F.) to the Opposition

(Figures in millions of dollars)

	INC	War Crimes	Broadcasting	Unspecified Opposition Activities	Total
FY 1998 (P.L. 105-174)		2.0	5.0 (RFE/RL)	3.0	10.0
FY 1999 (P.L. 105-277)	3.0	3.0		2.0	8.0
FY 2000 (P.L. 106-113)		2.0		8.0	10.0
FY 2001 (P.L. 106-429)	12.0 (aid distribution inside Iraq)	2.0	6.0 (INC radio)	5.0	25.0
FY 2002 (P.L. 107-115)				25.0	25.0
Total, FY1998- FY 2002	15.0	9.0	11.0	43.0	78.0
FY2003 (request)				25.0	25.0

Notes: The figures above do not include defense articles and services provided under the Iraq Liberation Act. During FY1999-FY2000, $5 million worth of services, out of the $97 million authorized by the Act, was provided to the opposition. The Bush Administration is reportedly preparing to begin drawing down the remaining funds in FY2003. The figures provided above also do not include any covert aid provided, the amounts of which are not known from open sources. In addition, during each of FY2001 and FY2002, the Administration has donated $4 million to a "U.N. War Crimes Commission" fund, to be used if a war crimes tribunal is formed. Those funds were drawn from U.S. contributions to U.N. programs.