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Iraq: U.S. Regime Change Efforts and Post-Saddam Governance

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Kenneth Katzman
Specialist in Middle Eastern Affairs
Foreign Affairs, Defense, and Trade Division

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Summary

Operation Iraqi Freedom accomplished a long-standing U.S. objective, the overthrow of Saddam Hussein, but replacing his regime with a stable, moderate, democratic political structure has been more difficult than anticipated. The desired outcome would likely prevent Iraq from becoming a sanctuary for terrorists, a key recommendation of the 9/11 Commission report (Chapter 12, Section 2). During the 1990s, U.S. efforts to change Iraq's regime failed because of limited U.S. commitment, disorganization of the Iraqi opposition, and the vigilance of Iraq's overlapping security services. President George W. Bush characterized Iraq as a grave and gathering threat because of its refusal to abandon its weapons of mass destruction (WMD) programs and its potential to transfer WMD to terrorist groups. After a November 2002-March 2003 round of U.N. WMD inspections in which Iraq's cooperation was mixed, on March 19, 2003, the United States launched Operation Iraqi Freedom to disarm and change Iraq's regime. The regime fell on April 9, 2003.

In the months prior to the war, the Administration stressed that regime change through U.S.-led military action would yield benefits beyond disarmament and reduction of support for terrorism — Iraq's conversion from dictatorship to democracy, it was argued, might catalyze the promotion of democracy throughout the Middle East. However, escalating resistance to the U.S.-led occupation has complicated U.S. efforts to establish legitimate and effective Iraqi political and security bodies and establish democracy. Partly in an effort to satisfy Iraqi demands for an end to coalition occupation, the United States accelerated the hand over of sovereignty. An interim government was named on June 1, 2004, and the handover took place on June 28, 2004. Elections were held on January 30, 2005 for a transitional National Assembly, and major parties are negotiating to form a new government. Plans are for votes on a permanent constitution by October 31, 2005, and for a permanent government by December 15, 2005.

Although acknowledging that the insurgency is adversely affecting U.S. policy, the Bush Administration asserts that U.S. policy in Iraq will ultimately succeed because the Iraqi people essentially rebuked the insurgents by voting in large numbers. The Administration also asserts progress in building Iraq's various security forces, assisted by U.S., NATO, and other international trainers. While virtually all observers are hopeful that the elections will produce a positive turnaround, some believe that Sunni Arabs, who largely boycotted the vote, have been further marginalized and that the insurgency remains at pre-election levels.

This report will be updated as warranted by major developments. See also CRS Report RS21968, *Iraq: Post-Saddam National Elections*, CRS Report RS22079, *the Kurds in Post-Saddam Iraq*; CRS Report RL32783, *FY2005 Supplemental Appropriations for Iraq and Afghanistan, Tsunami Relief, and Other Activities*; and CRS Report RL31833, *Iraq: Recent Developments in Reconstruction Assistance.*

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The United States did not remove Iraq's Saddam Hussein from power in the course of the 1991 Persian Gulf war, and his regime unexpectedly survived post-war uprisings by Iraq's Shiites and Kurds. For twelve years after that, the United States sought to remove Saddam from power by supporting dissidents inside Iraq, although changing Iraq's regime did not become U.S. 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 promote 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 placed regime change at the center of U.S. policy toward Iraq shortly after the September 11, 2001 attacks. Operation Iraqi Freedom (OIF) was launched on March 19, 2003, and had deposed Saddam Hussein by April 9, 2003.

The Bush Administration's stated goal is to transform Iraq into a democracy that could be a model for the rest of the region and would prevent Iraq from becoming a safe haven for Islamic terrorists. Iraq has not had experience with a democratic form of government, although parliamentary elections were held during the period of British rule under a League of Nations mandate (from 1920 until Iraq's independence in 1932), and the monarchy of the (Sunni Muslim) Hashemite dynasty (1921-1958).[1] Hashemites continue to rule in neighboring Jordan. Previously, Iraq had been a province of the Ottoman empire until British forces defeated the Ottomans and took control of what is now Iraq in 1918. Iraq's first Hashemite king was Faysal bin Hussein, son of Sharif Hussein of Mecca who, advised by British officer T.E Lawrence ("Lawrence of Arabia"), led the Arab revolt against the Ottoman Empire during World War I. Faysal ruled Iraq as King Faysal I and was succeeded by his son, Ghazi (1933-1939). Ghazi was succeeded by his son, Faysal II, who ruled until the military coup of Abd al-Karim al-Qasim on July 14, 1958. Qasim was ousted in February 1963 by a Baath Party - military alliance. Also in 1963, the Baath Party took power in Syria. It still rules there today, although there was rivalry between the Syrian and Iraqi Baath regimes during Saddam's rule.

One of the Baath Party's allies in the February 1963 coup in Iraq was Abd al-Salam al-Arif. In November 1963, Arif purged the Baath, including Baathist Prime Minister (and military officer) Ahmad Hasan al-Bakr, and instituted direct military rule. Arif was killed in a helicopter crash in 1966 and was replaced by his elder brother, Abd al-Rahim al-Arif, who ruled until the Baath Party coup of July 1968. Following the Baath seizure, Bakr returned to government as President of Iraq and

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[1] See Eisenstadt, Michael and Eric Mathewson, eds. *U.S. Policy in Post-Saddam Iraq: Lessons From the British Experience*. The Washington Institute for Near East Policy, 2003.

Saddam Hussein, a civilian, became the second most powerful leader as Vice Chairman of the Revolutionary Command Council. In that position, Saddam developed and oversaw a system of overlapping security services to monitor loyalty among the population and within Iraq's institutions, including the military. On July 17, 1979, the aging al-Bakr resigned at Saddam's urging, and Saddam became President of Iraq. Always repressive of the majority Shiite Muslims, Saddam's regime became even more abusive of Iraq's Shiites after the 1979 Islamic revolution in neighboring Iran, which activated and emboldened Iraqi Shiite Islamist movements that wanted to oust Saddam and establish an Iranian-style Islamic republic of Iraq. Some attribute stepped up repression to a failed assassination attempt against Saddam by the Shiite Islamist Da'wa Party (see below) in 1982.

Major Anti-Saddam Groups and Past Regime Change Efforts

Prior to the launching on January 16, 1991 of Operation Desert Storm, which reversed Iraq's August 1990 invasion of Kuwait, President George H.W. Bush called on the Iraqi people to overthrow Saddam. The Administration decided not to militarily occupy Iraq or overthrow Saddam Hussein in the course of the 1991 war because the United Nations had approved only the liberation of Kuwait, and there was concern that the U.S.-led coalition would fracture if the United States advanced to Baghdad. According to former President George H.W. Bush's writings,[2] the Administration also feared that the U.S. military could become bogged down in a violent, high-casualty occupation. 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. The revolt in southern Iraq reached the suburbs of Baghdad, but the Republican Guard forces, composed mainly of Sunni Muslim regime loyalists, had survived the war largely intact, having been withdrawn from battle prior to the U.S. ground offensive. These forces defeated the Shiite rebels by mid-March 1991; many Shiites blamed the United States for standing aside as the regime retaliated against these rebels. Kurds, benefitting from a U.S.-led "no fly zone" established in April 1991, drove Iraqi troops out of much of northern Iraq and subsequently remained relatively autonomous.

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. The Administration apparently believed — and this view apparently was 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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[2] Bush, George H.W. and Brent Scowcroft. *A World Transformed*. Alfred A. Knopf, Inc. 1998.

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.

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 to supporting the diverse opposition groups that had led the post-war rebellions. At the same time, the Kurdish, Shiite, and other opposition elements were coalescing into a broad and diverse movement that appeared to be gaining support internationally. This opposition coalition was seen as providing a vehicle for the United States to build a viable overthrow strategy. Congress more than doubled the budget for covert support to the opposition groups to about $40 million for FY1993.[3]

The following sections discuss organizations and personalities that are major players in post-Saddam Iraq; most of these organizations were part of the U.S. effort to change Iraq's regime during the 1990s.

Iraqi National Congress (INC)/Ahmad Chalabi. After 1991, the growing exile opposition coalition took shape in an organization called the Iraqi National Congress (INC). The INC was formally constituted when the two main Kurdish parties, the Kurdistan Democratic Party (KDP) and the Patriotic Union of Kurdistan (PUK), participated in a June 1992 opposition meeting in Vienna. In October 1992, major Shiite Islamist groups came into the coalition when the INC met in Kurdish-controlled northern Iraq.

The INC appeared viable because it brought under one banner varying Iraqi ethnic groups and diverse political ideologies, including nationalists, ex-military officers, and defectors from the Baath Party. The Kurds provided the INC with a source of armed force and a presence on Iraqi territory. Its constituent groups publicly united around a platform that appeared to match U.S. values and interests, including human rights, democracy, pluralism, "federalism," 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 tensions among its varied ethnic groups and ideologies.

Ahmad Chalabi. When the INC was formed, its Executive Committee selected Chalabi, a secular Shiite Muslim from a prominent banking family, to run the INC on a daily basis. Chalabi, who is about 60 years old, was educated in the United States (Massachusetts Institute of Technology) as a mathematician. His father was president of the Senate in the monarchy that was overthrown in the 1958 military coup, and the family fled to Jordan. He taught math at the American University of Beirut in 1977 and, in 1978, he founded the Petra Bank in Jordan. He later ran afoul

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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, Feb. 1993.

of Jordanian authorities on charges of embezzlement and he left Jordan, possibly with some help from members of Jordan's royal family, in 1989. In April 1992, he was convicted in absentia of embezzling $70 million from the bank and sentenced to 22 years in prison. The Jordanian government subsequently repaid depositors a total of $400 million. Chalabi maintains that the Jordanian government was pressured by Iraq to turn against him, and he asserts that he has since rebuilt ties to the Jordanian government. In April 2003, senior Jordanian officials, including King Abdullah, publicly called Chalabi "divisive;" stopping short of saying he would be unacceptable as leader of Iraq.

The INC and its leader, Ahmad Chalabi, have been controversial in the United States since the INC was formed. The State Department and Central Intelligence Agency (CIA) have, by many accounts, believed the INC had little popularity inside Iraq. In the George W. Bush Administration, numerous press reports indicated that the Defense Department and office of Vice President Cheney believed the INC might be able to lead a post-Saddam regime. Chalabi's critics acknowledge that he was single-minded in his determination to overthrow Saddam Hussein.

After the start of the 2003 war, Chalabi and about 700 INC fighters ("Free Iraqi Forces") were airlifted by the U.S. military from their base in the north to the Nasiriya area, purportedly to help stabilize civil affairs in southern Iraq, later deploying to Baghdad and other parts of Iraq. After establishing his headquarters in Baghdad, Chalabi tried to build support by searching for fugitive members of the former regime and arranging for U.S. military forces in Iraq to provide security or other benefits to his potential supporters. (The Free Iraqi Forces accompanying Chalabi were disbanded following the U.S. decision in mid-May 2003 to disarm independent militias.) Chalabi was subsequently selected to serve on the Iraq Governing Council (IGC) and was one of the nine that rotated its presidency; he was president of the IGC during the month of September 2003. He headed the IGC committee on "de-Baathification," although his vigilance in purging former Baathists was slowed by U.S. officials in early 2004. During 2004, Chalabi attempted to build a popular following by criticizing U.S. policies and allying with Shiite Islamist factions; he was high up (no. 10) on Ayatollah Sistani's "United Iraqi Alliance" slate of candidates for the January 30, 2005 elections, meaning he has won a seat in the National Assembly, and is said to be campaigning for a senior government post.

Chalabi's political comeback has occurred even though his criticism of the U.S. occupation ran him afoul of some of his erstwhile U.S. supporters. The deterioration in U.S. relations with Chalabi was demonstrated when Iraqi police, backed by U.S. troops, raided INC headquarters in Baghdad on May 20, 2004. Among the allegations were that Chalabi had informed Iran that the United States had broken Iranian intelligence codes;[5] that INC members had been involved in kidnaping or currency fraud; or that the INC had failed to cooperate with an Iraqi investigation of the U.N. "oil-for-food program." Investigators seized computers and files that the INC had captured from various Iraqi ministries upon the fall of Saddam's regime. In August 2004, an Iraqi judge issued a warrant for Chalabi's arrest on counterfeiting

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[5] Risen, James and David Johnston. "Chalabi Reportedly Told Iran That U.S. Had Code." *New York Times*, June 2, 2004.

charges, and for his nephew Salem Chalabi's arrest for the murder of an Iraqi finance ministry official. Salem had headed the tribunal trying Saddam Hussein and his associates, but his role on that issue ended after the warrant was issued. Both were out of the country but returned to fight the charges in August 2004; Ahmad Chalabi met with Iraqi investigators and the case was subsequently dropped.

INC Funding. According to the U.S. General Accounting Office, in a report dated April 2004,[6] the INC's Iraqi National Congress Support Foundation (INCSF) received $32.65 million in U.S. funding (Economic Support Funds, ESF) in five agreements with the State Department during 2000-2003. Most of the funds — separate from drawdowns of U.S. military equipment and training under the separate "Iraq Liberation Act," see below — were for the INC to run its offices in Washington, London, Tehran, Damascus, Prague, and Cairo, and to operate its Al *Mutamar* (the "Conference") newspaper and its "Liberty TV."[7] In addition, in August 2002, the State Department and Defense Department agreed that the Defense Department would take over funding ($335,000 per month) for the INC's "Information Collection Program" to collect intelligence on Iraq; the State Department wanted to end its funding of that program because of questions about the INC's credibility and the propriety of its use of U.S. funds. The INC continued to receive these funds even after Saddam Hussein was overthrown,[8] and Chairman of the Joint Chiefs of Staff General Richard Meyers said on May 20, 2004, that the INC had provided some information that had saved the lives of U.S. soldiers. However, with controversy over the quality of the INC's pre-war intelligence on Iraqi WMD escalating, the funding was halted after June 2004. (A table on U.S. appropriations for the Iraqi opposition, including the INC, is an appendix).

Iraq National Accord (INA)/Iyad al-Allawi. The Iraq National Accord (INA) was founded just after Iraq's 1990 invasion of Kuwait. Supported initially by Saudi Arabia, the INA consisted of defectors from Iraq's Baath Party and security organs who had ties to disgruntled, sitting officials in those organizations. During the mid-1990s, the INA reportedly had an operational backing from the Central Intelligence Agency (CIA).[9]

The INA has been headed since 1990 by Dr. Iyad al-Allawi (now interim Prime Minister) who that year broke with another INA leader, Salah Umar al-Tikriti. Allawi is a former Baathist who, according to some reports, helped Saddam Hussein

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[6] General Accounting Office Report GAO-04-559. State Department: Issues Affecting Funding of Iraqi National Congress Support Foundation. Apr. 2004.

[7] In August 2001, the INC began satellite television broadcasts into Iraq, from London, called Liberty TV. The station was funded by the FY2001 ESF appropriated by Congress, with start-up costs of $1 million and an estimated additional $2.7 million per year in operating costs. However, Liberty TV's service was sporadic due to funding disruptions resulting from the INC's refusal to accept some State Department decisions on how the INC was to use U.S. funds.

[8] Lake, Eli. Jockeying Begins for Control of Iraqi Intelligence Agency. *New York Sun*, Mar. 1, 2004.

[9] Brinkley, Joel. "Ex-CIA Aides Say Iraq Leader Helped Agency in 90's Attacks." *New York Times*, June 9, 2004.

silence Iraqi dissidents in Europe in the mid-1970s.[10] Allawi is about 59 years old (born 1946 in Baghdad). After falling out with Saddam in the mid-1970s, he became a neurologist and was president of the Iraqi Student Union in Europe. He survived an assassination attempt in London in 1978, allegedly by Iraq's agents. He is a secular Shiite Muslim, but most INA members are Sunnis. Allawi no longer considers himself a Baath Party member, but he has not openly denounced the original tenets of Baathism, a pan-Arab multi-ethnic movement founded in the 1940s by Lebanese Christian philosopher Michel Aflaq.

Like the INC, the INA does not appear to have a mass following in Iraq. Like Chalabi, Allawi was named to the IGC and to its rotating presidency; Allawi was president during October 2003. On June 1, 2004, after being nominated by the IGC, he became interim prime minister; he assumed formal power upon the June 28, 2004 sovereignty handover. His INA-led candidate slate (The Iraqis List) in the January 30 elections garnered about 14% of the vote, giving his bloc 40 of the 275 seats. He is seeking to retain his prime minister-ship in a new government. If the major victorious Kurdish and Shiite factions cannot agree on a new government, it is possible he might remain as a caretaker until new elections in late 2005.

Major Kurdish Organizations/KDP and PUK.[11] The Kurds, probably the most pro-U.S. of all the major groups in Iraq, do not express ambitions to govern Arab Iraq, but they have a historic fear of persecution by the Arab majority and want to preserve the autonomy they have experienced since the 1991 Gulf war. (The Kurds are mostly Sunni Muslims, but they are not ethnic Arabs.) The Kurds assert that their Arab fellow oppositionists promised them "federalism" in 1992, a codeword for substantially autonomy. Turkey, which has a sizable Kurdish population in the areas bordering northern Iraq, particularly fears that the Kurds want outright independence and that this might touch off an effort to unify with Kurds in neighboring countries (including Turkey) into a broader "Kurdistan."

Iraq's Kurds have fought 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, current KDP leader Masud Barzani's father, began an insurgency that continued until the fall of Saddam Hussein, although at times suspended for autonomy negotiations with Baghdad. Masud Barzani's brother, Idris, commanded Kurdish forces against Baghdad during the Iran-Iraq war but was killed in that war. The PUK, headed by Jalal Talabani, split off from the KDP in 1965. Together, the PUK and KDP have about 75,000 "*peshmergas*" (fighters), some of whom are now in post-Saddam security organs operating mostly in northern Iraqi cities, including Mosul.

In the aftermath of the 1991 Gulf war, the KDP and the PUK agreed in May 1992 to share power after parliamentary and executive elections. In May 1994, tensions between them flared into clashes, and the KDP turned to Baghdad for backing. In August 1996, Iraqi forces, at the KDP's invitation, militarily helped the

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[10] Hersh, Seymour. "Annals of National Security: Plan B." *The New Yorker*, June 28, 2004.

[11] For further discussion of the Kurds in Iraq, see CRS Report RS22079, *The Kurds in Post-Saddam Iraq*.

KDP capture PUK-held Irbil, seat of the Kurdish regional government. With U.S. mediation, the Kurdish parties agreed on October 23, 1996, to a cease-fire and the establishment of a 400-man peace monitoring force composed mainly of Turkomens (75% of the force).[12] Also set up was a peace supervisory group consisting of the United States, Britain, Turkey, the PUK, the KDP, and Iraqi Turkomens. A tenuous cease-fire held after November 1997, helped by the September 1998 "Washington Agreement" to work toward resolving the main outstanding issues (sharing of revenues and control over the Kurdish regional government). Reconciliation efforts showed substantial progress in 2002 as the Kurds perceived that the United States might act militarily against Saddam Hussein. (In June 2002, the United States gave the Kurds $3.1 million in new assistance to further the reconciliation process.)

In post-Saddam Iraq, both Barzani and Talabani were placed on the IGC, and both were part of the Council's rotating presidency. Talabani was IGC president during November 2003, and Barzani led the body in April 2004. Their top aides and former representatives in Washington, Hoshyar Zibari (KDP) and Barham Salih (PUK), have been high-ranking officials in Allawi's interim government.

The Kurdish parties have maneuvered to maintain substantial autonomy in northern Iraq in a sovereign, post-occupation Iraq — a demand largely enshrined in the Transitional Administrative Law (interim constitution, see below). The Kurds' uncertainty about the eventual shape of the post-Saddam political structure has caused the KDP and PUK to combine their political resources and to re-establish joint governance of the Kurdish regions. They offered a joint slate in the January 30 elections, which won about 26% of the vote and gained 75 seats in the new Assembly. A moderate Islamist Kurdish slate (Kurdistan Islamic Group), running separately, won 2 seats. The Kurds are pushing for PUK leader Jalal Talabani to be president in the new government.

Status of Kirkuk. One of the pressing issues for the Kurds as they negotiate to support a post-January 30 election government is the status of the oil-rich city of Kirkuk, capital of Tamim province. Kirkuk and areas around it might contain 10% of Iraq's oil reserves. The Kurds assert that it is a Kurdish city that was "Arabized" by Saddam Hussein, who forced Kurdish families out of the city and gave their homes to Arabs. There is also a substantial Turkomen population in the city. The Kurds say the city should be made part of the Kurdish-administered region (mainly Dohuk, Irbil, and Sulaymaniyah provinces). Some fear that if the Kurds gain control of Kirkuk, the Kurds might be sufficiently economically independent to completely break away from the Iraqi state and assert independence. Turkey is said to be highly concerned about this possibility, and U.S. commanders in that area are said to fear the potential for civil conflict.

Monarchist Organizations. One anti-Saddam group supported the return of Iraq's monarchy. The Movement for Constitutional Monarchy (MCM), is led by Sharif Ali bin al-Hussein, a relative of the Hashemite monarchs (he is a first cousin

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[12] The United States funded the force with FY1997 funds of $3 million for peacekeeping (Section 451 of the Foreign Assistance Act), plus about $4 million in DOD draw-downs (vehicles and communications gear), under Section 552 of the FAA.

of King Faysal II, the last Iraqi monarch) that ruled Iraq from the end of World War I until 1958. Sharif Ali, who is about 50 and was a banker in London, claims to be the leading heir to the former Hashemite monarchy, although there are other claimants. The MCM was considered a small movement that could not contribute much to the pre-war overthrow effort, but it was part of the INC and the United States had contacts with it. Sharif Ali returned to Iraq on June 10, 2003, but neither he nor any of his followers was appointed to the IGC or the interim government. The MCM filed a candidate slate in the January 30, 2005 elections, but it won no seats.

Shiite Islamist Leaders and Organizations: Ayatollah Sistani, SCIRI, Da'wa Party, Moqtada al-Sadr, and Others. Shiite Islamist organizations constitute major factions in post-Saddam Iraq. Several of them had some ties to the United States during the regime change efforts of the 1990s, but several other Shiite factions had no contact at all with the United States until after the fall of the regime. Muslims constitute about 60% of the population but have been under-represented in every Iraqi government since modern Iraq's formation in 1920. In an event that many Iraqi Shiites still refer to as an example of their potential to frustrate great power influence, Shiite Muslims led a revolt against British occupation forces in 1921.

Grand Ayatollah Ali al-Sistani. Grand Ayatollah Sistani was largely silenced by Saddam Hussein's regime and was not part of U.S.-backed efforts in the 1990s to change Iraq's regime. By virtue of his large following among Shiites in and outside Iraq (he is the supreme "*marja-e-taqlid*," or source of emulation), he is a major political force in post-Saddam politics, as discussed below. He is the most senior of the Shiite clerics that lead the Najaf-based "*Hawza al-Ilmiyah*," a grouping of seminaries; his status is recognized by many Shiites worldwide. Other senior Hawza clerics include Ayatollah Mohammad Sa'id al-Hakim (uncle of the slain leader of the Supreme Council of the Islamic Revolution in Iraq, Mohammad Baqr al-Hakim); Ayatollah Mohammad Isaac Fayadh, who is of Afghan origin; and Ayatollah Bashir al-Najafi. Sistani also has a network of supporters and agents (*wakils*) throughout Iraq and even in other countries where there are large Shiite communities. Sistani is about 75 years old and suffers from heart-related problems that required treatment in the United Kingdom in August 2004.

Sistani was born in Iran and studied in Qom, Iran, before relocating to Najaf at the age of 21. He became head of the *Hawza* when his mentor, Ayatollah Abol Qasem Musavi-Khoi, died in 1992. Sistani generally opposes a direct role for clerics in government, but he believes in clerical guidance and supervision of political leaders, partly explaining his deep involvement in shaping political outcomes in post-Saddam Iraq. He wants Iraq to maintain its Islamic culture and not to become secular and Westernized, favoring modest dress for women and curbs on alcohol consumption and Western-style music and entertainment.[13] On the other hand, his career does not suggest that he favors a repressive regime and he does not have a record of supporting militant Shiite organizations such as Lebanese Hizbollah.

Sistani was instrumental in putting together a united slate of Shiite Islamist movements in the January 30 elections ("United Iraqi Alliance," UIA). The slate

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[13] For information on Sistani's views, see his website at [http://www.sistani.org].

received about 48% of the vote and will have 140 seats in the new Assembly, just enough for a majority of the 275 seat body.

Supreme Council for the Islamic Revolution in Iraq (SCIRI). SCIRI is perhaps the best organized of the Shiite Islamist parties. It was set up in 1982, composed mainly of ex-Da'wa Party members, to increase Iranian control over Shiite opposition movements in Iraq and the Persian Gulf states. It was a member of the INC in the early 1990s, but distanced itself from that organization in the mid-1990s. Unlike most INC-affiliated parties, SCIRI had refused throughout the 1990s to work openly with the United States or accept U.S. funds, although it had contacts with the United States during this period. SCIRI says it does not seek to establish an Iranian-style Islamic republic, but U.S. officials have expressed some mistrust of SCIRI's ties to Iran, which is said to include substantial amounts of financial and in-kind assistance. SCIRI also runs its own television station.

SCIRI's former leader, Ayatollah Mohammad Baqr al-Hakim, was the choice of Ayatollah Ruhollah Khomeini of Iran to head an Islamic republic of Iraq. Khomeini enjoyed the protection of Mohammad Baqr's father, Grand Ayatollah Muhsin al-Hakim, when Khomeini was in exile in Najaf during 1964-1978. (Ayatollah Muhsin al-Hakim was head of the Hawza al-Ilmiyah at that time.) SCIRI and Mohammad Baqr had been based in Iraq after 1980, during a major crackdown by Saddam Hussein, who feared that pro-Khomeini Iraqi Shiite Islamists might try to overthrow him. Mohammad Baqr was killed in a car bomb in Najaf on August 29, 2003, about a month after he returned to Iraq from exile in Iran. Mohammad Baqr's younger brother, Abd al-Aziz al-Hakim, who is a lower ranking Shiite cleric, subsequently took over SCIRI, and served on the IGC. He was president of the IGC during December 2003, and was number one on the UIA slate. His key aide is Adel Abd al-Mahdi, who has been Finance Minister in the interim government and was touted as a possible UIA pick for prime minister.

U.S. officials also express concern about SCIRI's continued fielding of the Badr Brigades (now renamed the "Badr Organization"), which number about 20,000 and reportedly play a substantial role in the policing of Basra and other southern cities. Iran's Revolutionary Guard, which is politically aligned with Iran's hardliners, trained and equipped the Badr forces during the Iran-Iraq war (most Badr fighters were recruited from the ranks of Iraqi prisoners of war held in Iran) and helped the Badr forces to conduct forays from Iran into southern Iraq to attack Baath Party officials there during that conflict. However, many Iraqi Shiites view SCIRI as an Iranian creation, and Badr guerrilla operations in southern Iraq during the 1980s and 1990s did not spark broad popular unrest against the Iraqi regime. The Badr Organization registered as a separate political entity — in addition to its SCIRI parent — for the January 30 election.

Da'wa Party. The Da'wa Party, Iraq's oldest Shiite Islamist grouping is aligned with Sistani and SCIRI. The Da'wa (Islamic Call) Party was founded in 1957 by a revered Iraqi Shiite cleric, Ayatollah Mohammed Baqr Al Sadr, an uncle of Moqtada al-Sadr, and a peer of Ayatollah Khomeini. Da'wa was the most active Shiite opposition movement in the few years following Iran's Islamic revolution in February 1979; Da'wa activists conducted guerrilla attacks against the Baathist regime and attempted assassinations of senior Iraqi leaders, including Tariq Aziz.

Ayatollah Baqr Al Sadr was hung by the Iraqi regime in 1980 for the unrest, and many other Da'wa activists were killed or imprisoned. After the Iraqi crackdown, many Da'wa leaders moved into Iran; some subsequently joined SCIRI, but others rejected Iranian control of Iraq's Shiite groups and continued to affiliate only with Da'wa. Da'wa has fewer Shiite clerics in its ranks than does SCIRI. (There are breakaway factions of Da'wa, the most prominent of which calls itself Islamic Da'wa of Iraq, but these factions are believed to be far smaller than Da'wa.)

In post-Saddam Iraq, Da'wa's leader, Ibrahim Jafari, and its leader in Basra, Abd al Zahra Mohammad (also known as Izzaddin Salim) served on the IGC.[14] Also on the body was former Da'wa member turned human rights activist, Muwaffaq Al-Ruba'i. Jafari was one of the nine rotating IGC presidents; he was first to hold that post (August 2003), and he is now a deputy president in the interim government. He was number 7 on the UIA slate and he has been chosen the UIA's choice for prime minister, although he is having difficulty forming a new government, as of mid-March 2005.

Da'wa has a checkered history in the region. The Kuwaiti branch of the Da'wa Party 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. The Hizballah organization in Lebanon was founded by Lebanese clerics loyal to Ayatollah Baqr Al Sadr and Iran's Ayatollah Khomeini, and there continue to be personal and ideological linkages between Lebanese Hizballah and the Da'wa Party (as well as with SCIRI). The Hizballah activists who held U.S. hostages in that country during the 1980s often attempted to link release of the Americans to the release of 17 Da'wa Party prisoners held by Kuwait for those attacks in the 1980s. Some Da'wa members in Iraq look to Lebanon's senior Shiite cleric Mohammed Hossein Fadlallah, who was a student and protege of Ayatollah Mohammed Baqr Al Sadr, for spiritual guidance; Fadlallah also reportedly perceives himself a rival of Sistani as a pre-eminent Shiite authority figure.

Moqtada al-Sadr/Mahdi Army. Relatives of the late Ayatollah Mohammed Baqr al-Sadr, most notably his nephew Moqtada Al Sadr, have become active in post-Saddam Iraq. The Sadr clan stayed in Iraq during Saddam Hussein's rule, and it was repressed politically during that time. Although the Sadr clan has traditionally been identified with the Da'wa Party, most members of the clan currently do not identify with that party. Some relatives of the clan are in Lebanon, and the founder of what became the Shiite Amal (Hope) party in Lebanon was a Sadr clan member, Imam Musa Sadr, who died in murky circumstances in Libya in 1978.

Moqtada Al Sadr, who is about 30 years old (born in 1974), is the lone surviving son of the revered Ayatollah Mohammed Sadiq al-Sadr. He and two of his sons were killed by Saddam's security forces in 1999 after the Ayatollah began publicly opposing Saddam's government. Using his father's esteemed legacy, Moqtada has gained a prominent role in post-Saddam Shiite politics by adopting hard-line positions against the occupation. Moqtada Al Sadr, as did his father, has

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[14] Salim was killed on May 17, 2004, in a suicide bombing while serving as president of the IGC.

a significant following among poorer Shiites, particularly in a Baghdad district now called "Sadr City," which has a population of about 2 million.

Sadr is viewed by most Iraqi Shiites, including Sistani, as a young radical who lacks religious and political weight. To compensate for his lack of religious credentials, he has sought spiritual authority for his actions from his teacher, Ayatollah Kazem Haeri, who lives in Qom, Iran but is associated with the Najaf-based *Hawza al-Ilmiyah*. There is also a personal dimension to the rift; Sadr's father had been a rival of Sistani for pre-eminent Shiite religious authority in Iraq. The widespread view of Sadr as an impulsive radical began on April 10, 2003, when his supporters allegedly stabbed to death Abd al-Majid Khoi, the son of the late Grand Ayatollah Khoi, shortly after Khoi's U.S.-backed return to Najaf from exile in London.[15] Sadr subsequently used his Friday prayer sermons in Kufa (near Najaf) and other forums to Iraqi officials as puppets of the U.S. occupation and to call for an Islamic state. He was not placed on the IGC or the interim government, and in mid-2003 he began recruiting a militia (the "Mahdi Army") to combat the U.S. occupation. Sadr also published anti-U.S. newspapers, and he inspired demonstrations. His first uprising began in April 2004, after his paper, the Vocal Hawza, was closed by U.S. authorities for incitement. His second uprising began August 5, 2004 with a ceasefire agreement in return for his continued freedom and ability to operate politically.

Despite U.S. and Sistani overtures for Sadr to participate in the January 30, 2005, elections on the UIA slate, Sadr came out publicly against the elections, claiming they did not address the real needs of the Iraqi people for infrastructure and economic opportunity. Sadr appears to be calculating that the elections will not produce stability or economic progress, and he could then perhaps rally his supporters against a new government. However, suggesting that he wants the option of participating in the political process, 14 of his supporters were on the UIA slate, and about 180 pro-Sadr candidates from Sadr City offered their own slate, called the "Nationalist Elites and Cadres List." That list won 3 seats in the election. Pro-Sadr candidates also won pluralities in several southern Iraqi provincial council elections.

Other Shiite Organizations and Militias. A smaller Shiite Islamist organization, the Islamic Amal (Action) Organization, is headed by Ayatollah Mohammed Taqi Modarassi, a Shiite cleric who returned to Iraq from exile in Iran after Saddam fell. Islamic Amal's power base is in Karbala, and it conducted attacks against Saddam Hussein's regime in the 1980s. At that time, it was under the SCIRI umbrella. It does not appear to have a following nearly as large as do SCIRI or Da'wa. Modarassi's brother, Abd al-Hadi, headed the Islamic Front for the Liberation of Bahrain, which stirred Shiite unrest against Bahrain's regime in the 1980s and 1990s. Islamic Amal won 2 seats in the January 30 election.

A variety of press reports say that some other Shiite militias are operating in southern Iraq. One such militia is derived from the fighters who challenged Saddam Hussein's forces in the marsh areas of southern Iraq, around the town of Amara, north of Basra. It goes by the name Hizbollah-Iraq and it is headed by guerrilla

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[15] Khoi had headed the Khoi Foundation, based in London.

leader Abdul Karim Muhammadawi, who was on the IGC. Hizbollah-Iraq is said to play a major role in policing the city of Amara and environs.

U.S. Relations With the Major Factions During the Clinton Administration

The factions discussed above have a long history of friction. During the Clinton Administration, differences among them nearly led to the collapse of the U.S. regime change effort. As noted above, 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 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 initially overran some of poorly motivated front-line Iraqi units. Some INC leaders said the battle indicated that the INC could have succeeded had it received more U.S. assistance.

The infighting in the opposition in the mid-1990s caused the United States to briefly revisit a "coup strategy" by renewing ties to Allawi's INA.[16] A new opportunity to pursue that strategy came in August 1995, when Saddam's son-in-law Hussein Kamil al-Majid — organizer of Iraq's weapons of mass destruction efforts — defected to Jordan, suggesting that Saddam's grip on power might be weakening. After that defection, Jordan's King Hussein agreed to allow the INA to operate from Jordan. However, the INA became penetrated by Iraq's intelligence services and Baghdad arrested or executed over 100 INA sympathizers in June 1996. In August 1996, Baghdad launched a military incursion into northern Iraq, at the invitation of the KDP to help it capture Irbil from the PUK. The incursion gave Baghdad the opportunity to rout remaining INC and INA operatives throughout the north. During the incursion in the north, Iraq reportedly executed two hundred oppositionists and arrested 2,000 others. The United States evacuated from northern Iraq and eventually resettled in the United States 650 mostly INC activists.

For the two years following the 1996 setbacks, the Clinton Administration had little contact with the opposition. In those two years, the INC, INA, and others attempted to rebuild, 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" for the opposition.

Congress and the Iraq Liberation Act. During 1997-1998, Iraq's obstructions of U.N. weapons of mass destruction (WMD) inspections led to growing congressional calls to overthrow Saddam, although virtually no one in Congress or outside was advocating a U.S.-led military invasion to accomplish that. A congressional push for a regime change policy began with an FY1998 supplemental appropriation (P.L. 105-174, May 1, 1998). Among other provisions, it earmarked $5 million in Economic Support Funds (ESF) for the opposition and $5 million for

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[16] 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.

a Radio Free Iraq, under the direction of Radio Free Europe/Radio Liberty (RFE/RL). The service began broadcasting in October 1998, from Prague. Of the ESF, $3 million was devoted to an overt program to promote cohesion among the opposition, and to highlighting Iraqi violations of U.N. resolutions. The remaining $2 million was used to translate and publicize documents 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 U.S. government contract. In subsequent years, Congress appropriated funding for the Iraqi opposition and to publicize alleged Iraqi war crimes.

A clear indication of congressional support for a more active U.S. overthrow effort was encapsulated in another bill introduced in 1998: the Iraq Liberation Act (P.L. 105-338, October 31, 1998). The ILA was widely interpreted as an expression of congressional support for the concept, advocated by Chalabi and some U.S. experts, of promoting an Iraqi insurgency using U.S. air-power. President Clinton signed the legislation, despite doubts about the opposition's capabilities. The ILA:

- made the promotion of regime change official policy by stating 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.

- gave the President authority to provide up to $97 million worth of defense articles and services, as well as $2 million in broadcasting funds, to opposition groups designated by the Administration.

- did not specifically provide for its termination after Saddam Hussein is removed from power. Section 7 of the ILA provides for continuing post-Saddam "transition assistance" to Iraqi parties and movements with "democratic goals."

Operation "Desert Fox"/First ILA Designations. Immediately after the signing of the ILA came a series of new crises over Iraq's obstructions of U.N. weapons inspections. On December 15, 1998, U.N. inspectors were withdrawn, and a three-day U.S. and British bombing campaign against suspected Iraqi WMD facilities followed (Operation Desert Fox, December 16-19, 1998). In January 1999, diplomat Frank Ricciardone was named as State Department liaison to the opposition. On February 5, 1999, President Clinton issued a determination (P.D. 99-13) making the following groups eligible to receive U.S. military assistance under the act: the INC; the INA; SCIRI; the KDP; the PUK; the Islamic Movement of Iraqi Kurdistan (IMIK); and the MCM. (Because of its role in the eventual formation of the radical Ansar al-Islam group, the IMIK did not receive U.S. funds after 2001, although it was not formally taken off the ILA eligibility list.)

In concert with a May 1999 INC visit to Washington, the Clinton Administration announced a draw down of $5 million worth of training and "non-lethal" defense articles under the ILA. During 1999-2000, about 150 oppositionists underwent civil administration training at Hurlburt air base in Florida, including Defense Department-run civil affairs training to administer a post-Saddam

government. The Clinton Administration asserted that the opposition was not sufficiently organized to receive weaponry or combat training. The Hurlburt trainees were not brought into Operation Iraqi Freedom or into the Free Iraqi Forces that deployed to Iraq toward the end of the major combat phase of the war.

Bush Administration Policy

Bush Administration policy toward Iraq started out similar to that of its predecessor's, but changed dramatically after the September 11, 2001 terrorist attacks. Some accounts say that the Administration was planning, well prior to September 11, to confront Iraq; others say that the shift on Iraq was prompted almost exclusively by the attacks. The policy shift first became clear in President Bush's State of the Union message on January 29, 2002; in that speech, he characterized Iraq as part of an "axis of evil," along with Iran and North Korea.

Pre-September 11: Reinforcing Containment. Throughout most of its first year, the Bush Administration continued the basic elements of its predecessor's policy on Iraq. With no immediate consensus on whether or how to pursue Saddam's overthrow, Secretary of State Powell focused on strengthening containment of Iraq, which the Bush Administration said had eroded substantially in the few preceding years. Powell visited the Middle East in February 2001 to enlist regional support for a "smart sanctions" plan. The plan was a modification of the U.N. sanctions regime and "oil-for-food" program to improve international enforcement of the U.N. ban on exports of dual use technology to Iraq in exchange for a relaxation of restrictions on exports of purely civilian equipment.[17] After about a year of Security Council negotiations, the major feature of the smart sanctions plan — new procedures that virtually eliminated U.N. review of civilian exports to Iraq — was adopted on May 14, 2002 (U.N. Resolution 1409).

Even though several senior officials had been strong advocates of a regime change policy, many of the long-standing questions about the difficulty of that strategy were debated early in the Bush Administration.[18] During his confirmation hearings as Deputy Secretary of Defense, a leading advocate of overthrowing Iraq's regime, Paul Wolfowitz, said that he did not yet see a "plausible plan" for changing the regime. Like its predecessor, the Bush Administration decided not to provide the opposition with lethal aid, combat training, or air or other military support.

Post-September 11: Implementing Regime Change. After the September 11 attacks, the Bush Administration stressed regime change and asserted that containment was failing. After the U.S.-led war on the Taliban and Al Qaeda in Afghanistan wound down in late 2001, speculation began building that the Administration might try to change Iraq's regime through direct use of military force as part of the "global war on terrorism." Some U.S. officials, particularly deputy Defense Secretary Wolfowitz, asserted that the United States needed to respond to

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[17] For more information on this program, see CRS Report RL30472, *Iraq: Oil For Food Program, Sanctions, and U.S. Policy*.

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

the September 11, 2001 attacks by "ending states" that support terrorist groups, including Iraq. Vice President Cheney visited the Middle East in March 2002 reportedly to consult regional countries about the possibility of confronting Iraq militarily, although the leaders visited reportedly urged greater U.S. attention to the Arab-Israeli dispute and opposed confrontation with Iraq. Accounts, including the book "Plan of Attack," by Bob Woodward (published in April 2004), say that Secretary of State Powell and others were concerned about the potential consequences of an invasion of Iraq, particularly the difficulties of building a democratic political structure after major hostilities ended.

The two primary themes in the Bush Administration's public case for the need to confront Iraq were (1) its purported refusal to end its WMD programs, and (2) its ties to terrorist groups, to which Iraq might transfer WMD for conduct of a catastrophic attack on the United States. President Bush asserted that Iraq was a "grave and gathering" threat that should be blunted before the threat became an imminent or immediate threat to U.S. security. The Administration added that regime change would yield the further benefit of liberating the Iraqi people and promoting stability and democracy in the Middle East.

- *WMD Threat Perception.* Senior U.S. officials asserted the following about Iraq's WMD: (1) that Iraq had worked to rebuild its WMD programs in the nearly four years since U.N. weapons inspectors left Iraq and had failed to comply with 17 U.N. resolutions, including Resolution 1441 (November 8, 2002) that demanded complete elimination of all of Iraq's WMD programs; (2) that Iraq had used chemical weapons against its own people (the Kurds) and against Iraq's neighbors (Iran), implying that Iraq would not necessarily be deterred from using WMD against the United States or its allies; and (3) that Iraq could transfer its WMD to terrorists, particularly Al Qaeda, that could use these weapons to cause hundreds of thousands of deaths in the United States or elsewhere. Critics noted that, under the U.S. threat of massive retaliation, Iraq did not use WMD against U.S. troops in the 1991 Gulf war. On the other hand, Iraq defied U.S. warnings of retaliation and did burn Kuwait's oil fields in that war. (Regarding the major Administration allegation, the "comprehensive" September 2004 report of the Iraq Survey Group, the so-called "Duelfer report,[19] found no WMD stockpiles or production but said that there was evidence that the regime retained the intention to reconstitute WMD programs in the future. The WMD search ended December 2004.)

- *Links to Al Qaeda.* Iraq was a designated state sponsor of terrorism during 1979-82, and was again designated after the 1990 invasion of Kuwait. Although they did not assert that Saddam Hussein's regime had a direct connection to the September 11 attacks or the

[19] The full text of the Duelfer report is available at [http://news.findlaw.com/hdocs/docs/iraq/cia93004wmdrpt.html].

subsequent anthrax mailings, senior U.S. officials said there was evidence of Iraqi linkages to Al Qaeda, in part because of the presence of pro-Al Qaeda militant leader Abu Musab al-Zarqawi in northern Iraq. (The final report by the 9/11 Commission found no evidence of an operational linkage between Iraq and Al Qaeda. Iraq was removed from the terrorism list by President Bush on September 24, 2004, Presidential Determination 2004-52.[20])

Accelerated Contacts With the Iraqi Opposition. As it began in mid-2002 to prepare for possible military action against Iraq, the Bush Administration tried to build up the Iraqi opposition. 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 August 2002, the State and Defense Departments jointly invited six opposition groups (INC, the INA, the KDP, the PUK, SCIRI, and the MCM) to Washington. At the same time, the Administration expanded its ties to several groups, particularly those composed primarily of ex-military officers,[21] as well as the Iraqi Turkmen Front, a small, ethnic-based group, considered aligned with Turkey;[22] the Islamic Accord of Iraq, a Damascus-based Shiite Islamic Party; and the Assyrian Democratic Movement, which is headed by Yonadam Yousif Kanna.[23] On December 9, 2002, the Administration made six of these factions (not the Higher Council for National Salvation) eligible to receive ILA draw-downs, and he authorized the remaining $92 million worth of goods and services available under the ILA for these groups, as well as for the original six designation groups mentioned above.

The Bush Administration supported efforts by these groups to coordinate with each other and with other groups. A July 2002 meeting in London, jointly run with the INC, attracted 70 ex-military officers. As U.S. military action against Iraq approached, the Administration began training about 5,000 oppositionists in tasks that could assist U.S. forces, possibly including combat units.[24] An initial group of 3,000 was selected, but only about 70 of them completed training at an air base

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[20] See CRS Report RL32217, *Iraq and Al Qaeda: Allies or Not?*

[21] These ex-military-dominated groups included the Iraqi National Movement; the Iraqi National Front; the Iraqi Free Officers and Civilians Movement; and the Higher Council for National Salvation, headed by a former chief of mlitary intelligence. Ex-chief of staff of Iraq's military Nizar al-Khazraji, who was based in Denmark since fleeing Iraq in 1996, may also be a member of this group. He is under investigation there for alleged involvement in Iraq's use of chemical weapons against the Kurds in 1988. His current whereabouts are unknown.

[22] Turkomens, who are generally Sunni Muslims, number about 350,000 and live mainly in northern Iraq.

[23] Iraq's Assyrians are based primarily in northern Iraq, but there is a substantial diaspora community living in the United States; the group began integrating into the broader opposition front in September 2002. In post-Saddam Iraq, Kanna served on the IGC.

[24] Deyoung, Karen, and Daniel Williams. "Training of Iraqi Exiles Authorized." *Washington Post*, Oct. 19, 2002.

(Taszar) in Hungary.[25] These recruits served with U.S. forces in OIF as translators and mediators between U.S. forces and local leaders.

During late 2002, as it became increasingly likely the United States would attack Iraq, the opposition began positioning itself in earnest for a role in post-Saddam Iraq. In December 2002, with U.S. officials attending, major Iraqi opposition groups met in London seeking to declare a provisional government. Despite Bush Administration opposition to the pre-war formation of a provisional government — a position grounded on the belief that doing so would give the impression that the United States wanted the exile groups to dominate post-war Iraq — the opposition met in northern Iraq in February 2003 and formed a "transition preparation committee." Brought into the grouping was Adnan Pachachi, who served as foreign minister during the governments of Qasim and "the Arif brothers." (Pachachi, a Sunni Arab who is about 80, lived in the UAE during Saddam Hussein's rule and heads a secular Sunni party called the "Iraqi Independent Democrats." He was one of the rotating presidents of the IGC.)

Decision to Launch Military Action. As U.N. inspectors worked in Iraq under the new mandates provided in Resolution 1441, the Administration demanded complete disarmament by Iraq to avert military action. In part to garner international support for a U.S.-led war, the Administration downplayed the goal of regime change in President Bush's September 12, 2002 speech before the United Nations General Assembly, stressing instead the need to enforce U.N. resolutions on Iraq. In March 2003, diplomacy over whether the U.N. Security Council should authorize war broke down after several briefings for the Security Council by the director of the U.N. inspection body UNMOVIC (U.N. Monitoring, Verification, and Inspection Commission) Hans Blix and the director of the International Atomic Energy Agency (IAEA), Mohammad al-Baradei. The briefings, based on WMD inspections that resumed November 27, 2002, criticized Iraq for failing to pro-actively cooperate to clear up outstanding questions about its WMD program, but the latter two briefings (February 24 and March 7, 2003) noted progress in clearing up some uncertainties and added that Iraq might not have retained any WMD. The inspectors reported few Iraqi obstructions in about 700 inspections of about 400 different sites. Iraq declared short range ballistic missiles that were determined by Blix to be of prohibited ranges, and Blix ordered Iraq to destroy them; Iraq began the destruction prior to the war. The Administration began emphasizing regime change rather than disarmament as it became clear that diplomacy would not produce U.N. backing for war.

Security Council opponents of war, including France, Russia, China, and Germany, said the pre-war WMD inspections showed that Iraq could be disarmed peacefully or contained indefinitely. On the Security Council, the United States, along with Britain, Spain, and Bulgaria, maintained that Iraq had not fundamentally decided to disarm. At a March 16, 2003, summit meeting with the leaders of Britain, Spain, and Bulgaria at the Azores, President Bush asserted that diplomatic options to disarm Iraq peacefully had failed. The following evening, President Bush gave

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[25] Williams, Daniel. "U.S. Army to Train 1,000 Iraqi Exiles." *Washington Post*, Dec. 18, 2002.

Saddam Hussein and his sons, Uday and Qusay, an ultimatum to leave Iraq within 48 hours to avoid war. They refused the ultimatum, and OIF began on March 19, 2003.

In the war, Iraq's conventional military forces were overwhelmed by the approximately 380,000 person U.S. and British force assembled (a substantial proportion of which remained afloat or in supporting roles), although some Iraqi units and irregulars ("Saddam's Fedayeen") put up stiff resistance and used unconventional tactics. No WMD was used, although Iraq did fire some ballistic missiles into Kuwait; it is not clear whether those missiles were of prohibited ranges (greater than 150 km). The regime vacated Baghdad on April 9, 2003, although Saddam appeared publicly with supporters that day in a district of Baghdad where he was popular. After the combat against the Iraqi military, organs of the U.S. government began searching for evidence of former regime human rights abuses and other violations, in addition to evidence of WMD. These searches were led by the Iraq Survey Group (ISG), discussed above. The ISG's WMD search ended in December 2004, and most of the ISG's 1,200 person staff are focused on analyzing the insurgency.[26]

Post-Saddam Governance and Transition

There has been substantial debate about the course of U.S. policy toward Iraq as post-Saddam insurgency and anti-U.S. violence have persisted.[27] On December 20, 2004, after growing questions about the cost and duration of the U.S. action in Iraq, President Bush acknowledged difficulties by saying that the insurgents were adversely "having an affect" on U.S. policy. However, following the relatively successful January 30, 2005 elections, the President and many experts have become more hopeful about the prospects for establishing a stable democracy. Some critics maintain that current policy will not bring stability or democracy to Iraq and that new steps should be considered. Some options are discussed in this section.

Occupation Period and the Coalition Provisional Authority (CPA). After the fall of the regime, the United States set up an occupation structure, a decision reportedly based on Administration concerns that immediate sovereignty would likely result in infighting among and domination by major factions. The Bush Administration initially tasked Lt. Gen. Jay Garner (ret.) to direct reconstruction, with a staff of U.S. government personnel to serve as advisers and administrators in Iraq's ministries. He headed the Office of Reconstruction and Humanitarian Assistance (ORHA), within the Department of Defense, created by a January 20, 2003 executive order. Garner and his staff deployed in April 2003.

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[26] For analysis of the former regime's WMD and other abuses, see CRS Report RL32379, *Iraq: Former Regime Weapons Programs, Human Rights Violations, and U.S. Policy*.

[27] Some of the information in this section was obtained during author's participation in a congressional delegation to Iraq during Feb. 26-Mar. 2, 2004. The visit to Baghdad, Basra, and Tallil included meetings with CPA head L. Paul Bremer, the commander of U.S. forces in Iraq Lt. Gen. Ricardo Sanchez, and various local and national Iraqi political figures and other CPA, U.S., and coalition military officials.

Garner's focus was to try to quickly establish a representative successor Iraqi regime. Garner organized a meeting in Nasiriyah (April 15, 2003) of about 100 Iraqis of varying ethnicities and ideologies. A follow-up meeting of about 250 delegates was held in Baghdad on April 26, 2003, ending in agreement to hold a broader meeting, within a month, to name an interim Iraqi administration. In parallel, major exile parties began a series of meetings, with U.S. envoys present.

Press reports said that senior U.S. officials were dissatisfied with Garner's perceived lax approach to governing the Iraqis, including his tolerance for Iraqis installing themselves as local leaders. In May 2003, the Administration named former ambassador L. Paul Bremer to replace Garner by heading a "Coalition Provisional Authority" (CPA), which subsumed ORHA. The CPA was an occupying authority recognized by U.N. Security Council Resolution 1483 (May 22, 2003). Bremer suspended Garner's political transition process and instead agreed to appoint a 25- to 30-member Iraqi body that would have "real authority" (though not formal sovereignty). Bremer said this "Governing Council" would nominate ministry heads, recommend policies, and draft a new constitution.[28]

Another alteration of the U.S. post-war structure was made public in early October 2003; an "Iraq Stabilization Group" under the direction of former National Security Adviser (now Secretary of State) Condoleezza Rice was formed to coordinate interagency support to the CPA. A Rice deputy, Robert Blackwill, had been the NSC's primary official for the Iraq transition, but he resigned from the Administration in November 2004. In March 2005, Secretary Rice named Ambassador Richard Jones, former ambassador to Kuwait, as her chief advisor and coordinator for Iraq. The Administration's post-war policy did not make extensive use of a State Department initiative, called the "Future of Iraq Project," that drew up plans for administration by Iraqis after the fall of Saddam, although some Iraqis who participated in that project are now in official positions in Iraq's government. The State Department project, which cost $5 million, consisted of about 15 working groups on major issues.

The Iraqi Governing Council (IGC). On July 13, 2003, Bremer named the "Iraq Governing Council (IGC)." The IGC was less active than expected; some believe it was too heavily dominated by exiles and lacked legitimacy. In September 2003, the IGC selected a 25-member "cabinet" to begin taking control of individual ministries. The "cabinet" had roughly the same factional and ethnic balance of the IGC itself (a slight majority of Shiite Muslims). Among major actions, the IGC began a process of "de-Baathification" — a purge from government of about 30,000 persons who held any of the four top ranks of the Baath Party — and it authorized the establishment of a war crimes tribunal for Saddam and his associates. It dissolved on June 1, 2004, in concert with the naming of the interim government.

Reflecting the heavy presence of exile leaders, the major figures on the IGC included SCIRI leader Abd al-Aziz Al Hakim; Shiite Islamist guerrilla leader Abd al-Karim Muhammadawi; Da'wa leader Ibrahim al-Jafari; former Da'wa member

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[28] Transcript: "Bremer Reviews Progress, Plans for Iraq Reconstruction." *Washington File*, June 23, 2003.

Muwaffaq al-Ruba'i; Ahmad Chalabi (see above); Iyad al-Allawi (see above); Ghazi al-Yawar, a senior member of the Shammar tribe and president of Saudi-based Hicap Technology (now President); Kurdish leaders Talabani and Barzani (see above); Assyrian leader Yonadam Kanna; and the head of the Iraqi Communist Party (Hamid al-Musa), which is making a comeback in Iraq. The party has been an adversary and competitor of the Baath Party, although the two had periods of cooperation in the late 1960s and early 1970s. (The Communists' "People's Union" slate won 2 seats in the transitional Assembly in the January 30 elections.)

The Handover of Sovereignty and Run-up to Elections

The Bush Administration initially made the end of the U.S. occupation contingent on the completion of a new constitution and the holding of national elections for a new government, tasks which were expected to be completed by late 2005. However, the IGC made little progress in drafting a constitution due to factional divisions. Ayatollah Sistani insisted that drafters be elected, and he and others agitated for an early restoration of Iraqi sovereignty. On November 15, 2003, after consultations with President Bush, Bremer and the IGC announced agreement a plan to draft a provisional constitution, or Transitional Administrative Law (TAL), and to return sovereignty to Iraq by June 30, 2004. Under the agreement, 15-person committees were to be selected in each of Iraq's 18 provinces, who would in turn select participants for broader "caucuses." The caucuses were to select members of a 250-member national assembly by May 31, 2004, which would then choose an executive branch and assume sovereignty. National elections for a permanent government would be held by December 31, 2005. However, Ayatollah Sistani strongly opposed the "caucuses" as not democratic, and the CPA abandoned that idea in favor of holding direct national elections for a new government early in 2005.

Transitional Administrative Law (TAL)/Transition Roadmap. The CPA decisions on transition roadmap were incorporated into the TAL, which was signed on March 8, 2004.[29] The key points of the TAL are as follows:

- The elections that were held on January 30, 2005 were for a 275-seat transitional National Assembly. The election law for the transition government "shall aim to achieve the goal of having women constitute no less than 25% of the members of the National Assembly."

- The Kurds maintain their autonomous "Kurdistan Regional Government," but they were not given control of the city of Kirkuk (see above). They did receive some powers to contradict or alter the application of Iraqi law in their provinces, and the Kurds' *peshmerga* militia could continue to operate.

- The TAL states that Islam is the official religion of Iraq and is to be considered "a source," but not the only source or the primary source,

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[29] The text of the TAL can be obtained from the CPA website: [http://cpa-iraq.org/government/TAL.html].

of legislation. It adds that no law can be passed that contradicts the agreed tenets of Islam, but neither can any law contradict certain rights including peaceful assembly; free expression; equality of men and women before the law; and the right to strike and demonstrate.

Interim Government and Sovereignty Handover. The TAL did not address how an interim (post-handover) government would be chosen. Options considered for selecting the interim government included holding a traditional assembly along the lines of Afghanistan's *loya jirga;* holding a smaller "roundtable" of Iraqi notables; or expanding the IGC into an interim government. To increase the legitimacy of the decision-making process, the United States gave U.N. envoy Lakhdar Brahimi substantial responsibility for selecting the interim government.[30] He envisioned a government of technocrats, devoid of those who might promote themselves in national elections, but maneuvering by IGC and "cabinet" members led to inclusion of many of them in the interim government. Members of the interim government were named on June 1, 2004, and they began work immediately. The formal handover of sovereignty took place at about 10:30 A.M. Baghdad time on June 28, 2004. The handover occurred two days before the advertised June 30 date, partly to confound insurgents.

The powers of the interim government were addressed in an addendum to the TAL. It has a "presidency" composed of a largely ceremonial president (former IGC member and Shammar tribal elder Ghazi al-Yawar) and two deputy presidents (the Da'wa Party's Ibrahim al-Jafari and the KDP's Dr. Rowsch Shaways). As noted above, Iyad al-Allawi is Prime Minister, who has executive power, and there is a deputy prime minister, 26 ministers, two ministers of state with portfolio, and three ministers of state without portfolio. Six ministers are women, and the ethnicity distribution of the government is roughly the same as in the IGC. The key positions include:

- Deputy Prime Minister (for national security): PUK official Barham Salih, formerly PUK representative in Washington and prime minister of the PUK-controlled region of northern Iraq.

- Minister of Defense: Hazem al-Shaalan, a Sunni Muslim elder of the Ghazal tribe who was in exile during 1985-2003.

- Interior Minister: Falah al-Naqib, another Sunni, is the son of ex-Baathist general Hassan al-Naqib. (Hassan al-Naqib was a member of the first executive committee of the INC in the early 1990s.)

- Minister of Finance: senior SCIRI official Adel Abdul Mahdi.

- Minister of Oil: oil expert Thamir Ghadban, who played a major role in rehabilitating the post-Saddam oil industry.

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[30] Chandrasekaran, Rajiv. "Envoy Urges U.N.-Chosen Iraqi Government." *Washington Post*. Apr. 15, 2004.

- Some IGC "ministers" were retained. KDP official Hoshyar Zebari, the "foreign minister" in the IGC cabinet, was retained in this post. Another KDP activist, Ms. Nasreen Berwari (now married to President Ghazi al-Yawar) stayed as Minister of Public Works. Iraq's Ambassador to the United States is Rend Rahim, formerly an opposition activist based in the United States.

Resolution 1546. Many of the powers and responsibilities of the interim government were spelled out in U.N. Security Council Resolution 1546, adopted unanimously on June 8, 2004. Because of Sistani's opposition to the TAL's limitations on the authority of a transition (post-January 2005) president and its provision allowing the Kurds a veto over a permanent constitution, Resolution 1546 did not formally endorse the TAL. The Resolution did endorse the handover of sovereignty and provide for the following:

- U.S. officials no longer have final authority on non-security related issues. The interim government's primary function was to run the ministries and prepare for the January 2005 elections. Many international law experts say that the interim government could have exceeded this intended mandate, including amending the TAL or revoking CPA decrees, but it did not take such steps. The Kurds had feared that the interim government would repeal TAL provisions that the Kurds view as protecting them from the Arab majority;[31] their fears were heightened by the omission from Resolution 1546 of any mention of the TAL.

- The relationship between U.S. and Iraqi forces — coordination and partnership — is spelled out in an exchange of letters between Secretary of State Powell and Allawi, annexed to Resolution 1546. The Iraqi government does not have a veto over specific coalition operations, and the coalition retains the ability to take prisoners. The Resolution reinforces the TAL in specifying that, at least until the end of 2005 (the end of the transition period), Iraqi forces will be "a principal partner in the multi-national force operating in Iraq under unified [American] command pursuant to the provisions of U.N. Security Council Resolution 1511 (October 16, 2003) and any subsequent resolutions."

- The coalition's mandate is to be reviewed "at the request of the Government of Iraq or twelve months from the date of this resolution," that the mandate would expire when a permanent government is sworn in at the end of 2005, and that the mandate would be terminated "if the Iraqi government so requests." The Resolution defers to the newly elected government an agreement on the status of foreign forces (Status of Forces Agreement, SOFA) in

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[31] Filkins, Dexter. "Kurds Threaten to Walk Away From Iraqi State." *New York Times*, June 9, 2004.

Iraq. Currently, U.S. forces operate in Iraq and use its facilities under temporary memoranda of understanding.

- The interim government assumed control over Iraq's oil revenues and the Development Fund for Iraq (DFI), subject to monitoring for at least one year by the U.N.-mandated International Advisory and Monitoring Board (IAMB). The interim government also was given responsibility for close-out of the "oil-for-food program."[32]

- The Resolution gave the United Nations a major role in assisting and advising the interim government in preparing for the January 30 elections and in many aspects of governance. It also authorized a force within the coalition to protect U.N. personnel and facilities.

Interim Parliament. The process of building an Iraqi government continued after the handover.[33] Resolution 1546 and the addendum to the TAL provided for the holding of a conference of over 1,000 Iraqis (chosen from all around Iraq by a 60-member commission of Iraqis) to choose a 100-seat advisory council ("Interim National Council") — essentially an interim parliament. This body has not had legislative authority, but according to the addendum to the TAL, it has been able to veto decisions by the executive branch with a 2/3 majority. The conference was held under tight security during August 13-18, 2004, and it selected an 81-member slate of candidates, dominated by the major Shiite, Kurdish, and other exile parties.[34] The other 19 seats went to IGC members who did not obtain positions in the interim government, as provided for in the TAL. The council was sworn in on September 1, 2004. It has held some televised "hearings" questioning ministers on government performance.

Post-Handover U.S. Structure in Iraq. The following were additional consequences of the handover, designed in part to lower the profile of U.S. influence over the post-handover Iraqi interim government.

- Bremer departed Iraq for the United States on June 28, 2004, and the CPA and formal state of occupation ceased. Ambassador John Negroponte, the U.S. Ambassador to Iraq, confirmed by the Senate on May 6, 2004, arrived in Iraq and subsequently presented credentials, establishing formal U.S.-Iraq diplomatic relations for the first time since January 1991. A large U.S. embassy opened on June 30, 2004; it is staffed with about 1,000 U.S. personnel, including about 160 U.S. officials and representatives that serve as advisers to

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[32] For information on that program, see CRS Report RL30472, *Iraq: Oil-for-Food Program, International Sanctions, and Illicit Trade.*

[33] Information in this section was obtained from various press reports, CRS conversations with executive branch officials in May 2004, CRS conversations with journalists and other observers, and CRS participation in a congressional visit to Iraq during Feb. 28-29, 2004.

[34] Tavernise, Sabrina. "In Climax To a Tumultuous 4-Day Debate, Iraq Chooses An Assembly." *New York Times*, August 19, 2004.

the interim government.[35] In February 2005, Negroponte was named new National Intelligence Director, leaving the ambassadorship vacant; U.S. Ambassador to Afghanistan Zalmay Khalilzad has been nominated to the post. (The FY2005 supplemental request, submitted February 14, 2005, requests $1.37 billion for Iraq embassy operations and to construct a new embassy in Baghdad; $1.31 billion was provided in the House Appropriations Committee mark-up on March 7, 2005.)

- Some CPA functions, such as the advising of local Iraqi governments, local Iraqi governing councils, and U.S. military units, have been retained at the U.S. embassy in the form of an "Iraq Reconstruction and Management Office (IRMO)." About 150 U.S. personnel are serving in at least four major centers around Iraq to advise local Iraqi governments: Hilla, Basra, Kirkuk, and Mosul. As of November 2004, the IRMO is headed by Ambassador William Taylor, formerly U.S. aid coordinator for Afghanistan.

- After the handover, U.S. military headquarters in Baghdad (Combined Joint Task Force-7, CJTF-7) became a multi-national headquarters "Multinational Force-Iraq, MNF-I". Four-star U.S. Gen. George Casey, confirmed by the Senate on June 24, 2004, is commander.[36] Lt. Gen. John Vines heads the "Multinational Corps-Iraq"; he is operational commander of U.S. forces on a day-to-day basis. Before dissolving, the CPA extended its orders giving U.S. military people, and some contractors, immunity from prosecution by Iraqi courts.[37]

- The Program Management Office (PMO), which reported to the Department of Defense and administers some U.S. funds for Iraq, has been replaced by a "Project and Contracting Office (PCO)," headed by Charles Hess.

January 30, 2005 Elections and Subsequent Steps. *The elections, including competing slates and results, are analyzed in a separate CRS Report RS21968, Iraq: Post-Saddam National Elections.* After the handover of sovereignty, and in accordance with the TAL, on January 30, 2005, national elections were held for a transitional National Assembly, 18 provincial councils, and the Kurdish regional assembly. The UIA controls a bare majority (140) of the 275 seats in the new Assembly, and the two main Kurdish parties control about 75 seats. With the results now announced and negotiations begun over the formation of a new government, the following is expected:

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[35] See CRS Report RS21867, *U.S. Embassy in Iraq.*

[36] Hendren, John and Richard Serrano. "Pentagon Intends to Replace Ground Commander in Iraq." *Los Angeles Times*, May 25, 2004.

[37] Wright, Robin. U.S. Immunity in Iraq Will Go Beyond June 30. *Washington Post*, June 24, 2004.

- The 275-seat Assembly will convene for the first time on March 16, although apparently without final agreement among the various groups on major executive positions. Those negotiations are ongoing, although there is said to be deadlock in talks between the UIA prime ministerial nominee Ibrahim Jaafari and the Kurds, who are demanding extensive autonomy and the presidential slot (Talabani) in exchange for their support. The Assembly must approve, by a two thirds vote, a "presidency council," consisting of a president and two deputy presidents. The presidency council is to operate by consensus, and, within two weeks of its selection, it is to name a prime minister. The prime minister, who must be confirmed by majority Assembly vote, then has one month to recommend cabinet selections to the presidency council and obtain confirmation of his selections by majority vote.

- The transitional National Assembly is to draft the new constitution. In practice, it will likely name a drafting committee. It is to complete the draft by August 15, 2005, in time for an October 15, 2005 referendum. The TAL provides for a six month drafting extension if the Assembly cannot complete a draft by the specified deadline. Exercising this extension would delay all subsequent elections in the transition roadmap. A provision allows two-thirds of the voters of any three Iraqi provinces to veto the permanent constitution, essentially giving any of the three major communities (Kurds, Shiite Arabs, and Sunni Arabs) a veto. If the constitution is not approved, another draft is to be completed and voted on by October 15, 2006.

- If the permanent constitution is approved, elections to a permanent government are to occur by December 15, 2005, and it is to take office by December 31, 2005. If the constitution is not approved, then the December 15, 2005, elections would be for a new transitional national assembly.

U.S. election-related assistance complemented U.S. efforts already underway to promote local governance and politics, and there has been some political progress at the local level. U.S. officials say Iraqis are freer than at any time in the past 30 years, with a free press and the ability to organize politically. Over 500 courts are operating, and many Iraqi women are becoming more politically active. On the other hand, the State Department report on human rights in Iraq, released on February 28, 2005, notes numerous human rights abuses of the interim government, mostly by the police, but attributes the abuses to the interim government's drive to secure the country against the persistent insurgency.[38]

According to a State Department report to Congress in January 2005 detailing how the FY2004 supplemental appropriation (P.L. 108-106) is being spent ("2207 Report"), a total of $832 million was allocated for "democracy and governance"

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[38] U.S. State Department, *Country Report on Human Rights Practices, Iraq*. February 28, 2005.

activities. Activities funded include U.S. assistance to the election process; political party development (funded through programs run by the International Republican Institute and National Democratic Institute); assistance to local governments and councils; the "Community Action Program," small local reconstruction projects such as school refurbishment; support for the Interim National Council; training for Iraqi judges; voter education; independent media promotion; women's democracy initiatives; and small employment-generating reconstruction projects. (An additional $360 million for these activities was requested in the FY2006 regular foreign aid appropriation request.)

The Insurgent Challenge

The Sunni Arab-led insurgency against U.S. and Iraqi forces has defied most U.S. expectations in intensity and duration. As of March 16, 2005, about 1,515 U.S. forces and about 160 coalition partner soldiers have died in OIF, as well as over 200 U.S. civilians working on contract to U.S. institutions in Iraq. Of U.S. deaths, about 1,320 have occurred since President Bush declared an end to "major combat operations" in Iraq on May 1, 2003, and about 1,170 of the U.S. deaths were by hostile action. About 150,000 U.S. troops are in Iraq, with about another 40,000 troops in Kuwait supporting OIF, and another 25,000 coalition partner forces. U.S. force levels rose to this level from 138,000 to help secure the January 2005 elections, although U.S. officials said in February 2005 that the extra approximately 15,000 U.S. forces sent to secure the elections might be withdrawn by March 2005.

Insurgents' Size and Strength. Upon assuming his position, CENTCOM commander John Abizaid,[39] overall commander of U.S. operations in the Iraq and the immediate region around it, said (July 17, 2003) that the United States faced a "classic guerrilla war." Subsequent to the capture of Saddam Hussein in mid-December 2003, some U.S. commanders had said the United States had "turned the corner" against the ex-Baathist component of the resistance, with the help of documents captured from Saddam U.S. forces; less so against "foreign fighters" who have come into Iraq. Backing away from these comments, senior U.S. officials now say that the insurgency is broader and more tenacious than predicted, and Secretary of Defense Rumsfeld said in September 2004 that the insurgency was "worsening." On December 20, 2004, President Bush said at a press conference that the insurgency was "having an effect" on U.S. policy in Iraq. In her confirmation hearings on January 18-19, 2005, Secretary of State Condoleezza Rice said the insurgency "cannot be overcome by military force alone."

U.S. officials have sought to dampen expectations that the January 30, 2005, elections would quiet the insurgency, at least in the short term, although U.S. officials, including Abizaid in congressional testimony on March 1 and 2, 2005, have characterized the apparently successful elections as a rebuke to the insurgents and a

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[39] U.S. Central Command (CENTCOM) is the overall command for U.S. military operations in the Persian Gulf, Central Asia, South Asia, the Horn of Africa, and parts of the Middle East. Syria and Lebanon was added to CENTCOM's area of responsibility in December 2004. Its forward base is in Qatar, although its main base is at McDill AFB in Tampa, Florida.

key factor in what he says is a "waning"of the insurgency. U.S. officials point out that no polling stations were overrun that day. On the other hand, after a brief post-election lull, insurgent attacks are back to the approximately 60 attack per day level that existed before the election.

Although they are increasingly hesitant to assess the size of the insurgency, U.S. commanders now say insurgents probably number approximately 20,000, with a higher degree of coordination than previously believed, and are well funded from wealthy donors in neighboring countries such as Saudi Arabia.[40] The Government Accountability Office (GAO) said in testimony on March 15, 2005, that CENTCOM assessed in October 2004 that insurgent ranks include 10,000 "former regime elements" (mostly Baathists); about 1,000 foreign fighters (see below); about 5,000 criminals and religious extremists; and 3,000 pro-Sadr fighters. Joint Chiefs of Staff Richard Myers said in Senate testimony on February 3, 2005 that U.S. forces estimated they had killed 15,000 insurgents over the past seven months, making an earlier U.S. estimate of 6,000 -9,000 insurgents not credible. Some Iraqi officials, including its highest ranking intelligence official, have advanced higher numbers, up to 40,000 active insurgents, helped by another 150,000 persons performing various supporting roles. Abizaid said in testimony (Senate Armed Service Committee) on March 1, 2005 that the insurgency fielded about 3,500 fighters on election day.

U.S. commanders' assessments say the insurgency has grown more sophisticated over the past year and that the insurgents are adapting new tactics against heavily armored U.S. vehicles. Other accounts say that insurgent leaders are using Syria as a base to funnel money and weapons to their fighters in Iraq,[41] reports that have led to U.S. warnings to and imposition of additional U.S. sanctions against Syria. Some believe that outside support is minimal and that the insurgents have ample supplies of arms and explosives; according to the Defense Department, about 250,000 tons of munitions remain around in Iraq in arms depots not secured after the regime fell.

Insurgent Goals and Operations. The insurgents have sought to demonstrate that U.S. stabilization efforts are not working by causing international workers and peacekeeping forces to leave Iraq, attempting to prevent or lower turnout in the upcoming elections, slowing reconstruction, and attempting to provoke civil conflict among Iraq's ethnic groups. Insurgent targets have included not only U.S. forces but also, increasingly, Iraqi security forces and Iraqi civilians working for U.S. authorities, foreign contractors, oil export facilities, and water and other infrastructure facilities. Some insurgents focus on assassinating Iraqi officials, including local and national government officials and judges in the trial of members of the former regime. The insurgents are increasingly pressuring U.S. supply lines, necessitating increasing use of air transportation. Attacks have choked gasoline supplies to Baghdad, creating long gas lines.

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[40] Krane, Jim. "U.S. Officials: Iraq Insurgency Bigger." Associated Press report published in the Philadelphia Inquirer. July 9, 2004; Schmitt, Eric and Thom Shanker. "Estimates By U.S. See More Rebels With More Funds." *New York Times*, October 22, 2004.

[41] Blanford, Nicholas. "Sealing Syria's Desolate Border." *Christian Science Monitor*, December 21, 2004.

Analysts differ on the motivations of the Sunni insurgents. The bulk of them appear to be motivated by opposition to perceived U.S. rule, although the insurgency appears increasingly dominated by younger Iraqis, in partnership with foreign Islamic fighters, who might want to establish an Islamic state, as well as the generally older and more well-funded former Baathists. Many Sunni insurgents are likely also working to bring Sunnis back into power; the Sunnis have historically ruled Iraq. Some of the major insurgent factions include the following:

- The Islamic Army of Iraq. Claimed responsibility for a January 9, 2005 attack that killed eight Ukranian troops and one Kazakh soldier.
- Muhammad's Army. This faction is said to be led by radical Sunni cleric Abdullah al-Janabi, who was said to be in Fallujah before the November 2004 U.S. offensive there.
- The Secret Republican Army.
- The 1920 Revolution Brigades.
- The Iraqi Resistance Islamic Front.

The insurgents appear to be in contact with a wide network of Sunni clerics throughout the Sunni-inhabited areas of Iraq. After the fall of the regime, these clerics formed the Muslim Clerics Association (MCA), led by Harith al-Dhari and a leader of the Abu Hanifa mosque in Baghdad, Shaykh Abd al-Salam al-Qubaysi. The MCA has, on occasion, succeeded in persuading insurgent groups to release Western or other hostages.

The Zarqawi Faction/Foreign Fighters.[42] A major component of the insurgency is composed of non-Iraqis. As of late December 2004, the U.S. military is holding 325 foreign fighters captured in Iraq, about 4% of the total number of prisoners held, and, as noted above, CENTCOM believes that perhaps 1,000 of the insurgents in Iraq are foreign.

The foreign contingent is believed led by Abu Musab al-Zarqawi, a 38-year-old Jordanian Arab who reputedly fought in Afghanistan during the 1980s alongside other Arab volunteers for the "jihad" against the Soviet Union. Zarqawi's faction has been the subject of substantial U.S. counter-efforts because of its alleged perpetration of several major "terrorist" attacks — suicide and other attacks against both combatant and civilian targets. Major attacks attributed to the Zarqawi faction include the August 2003 vehicle bombings in Baghdad of the embassy of Jordan (August 7) and U.N. headquarters at the Canal Hotel (August 19). Among the dead in the latter bombing was the U.N. representative in Iraq, Sergio Vieira de Mello, and it prompted an evacuation of U.N. personnel from Iraq. An August 29, 2003, car bombing in Najaf killed SCIRI leader Mohammad Baqr Al Hakim and 100 others.

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[42] See CRS Report RL32217, *Iraq and Al Qaeda: Allies or Not?*

In addition, the Zarqawi faction has attacked political party headquarters, religious gatherings, U.N. and foreign embassy compounds, and hotels. The group, and related factions, have also kidnaped a total of about 180 foreigners, many of whom have subsequently been killed. The most notable such killing was the October 20, 2004, capture of British-born director of the CARE organization in Iraq, Margaret Hassan, prompting a pullout by that organization; she was subsequently killed. Other relief organizations, including Doctors Without Borders, have also pulled out of Iraq.

Zarqawi came to Iraq in late 2001 after escaping the U.S. war effort in Afghanistan. He fled, through Iran, to Iraq, taking root in northern Iraq with a Kurdish faction called Ansar al-Islam, near the town of Khurmal,[43] occasionally clashing with PUK fighters around Halabja. Ansar gunmen were allegedly responsible for an assassination attempt against PUK prime minister Barham Salih in April 2002. There, he was encamped with about 600 Arab fighters who had also fled the Afghanistan battlefield.

Ansar al-Islam originated in 1998 as a radical splinter faction of a Kurdish Islamic group called the Islamic Movement of Iraqi Kurdistan (IMIK). Based in Halabja, the IMIK publicized the effects of Baghdad's March 1988 chemical attack on that city. It was led by Kurdish Islamist cleric Mullah Krekar. Krekar reportedly had once studied under Shaikh Abdullah al-Azzam, an Islamic theologian of Palestinian origin who was the spiritual mentor of Osama bin Laden. Possibly because Zarqawi and his Arab associates essentially wrested control of Ansar, Mullah Krekar left Iraq for Norway, where he was detained in August 2002, arrested again in early January 2004, and released again in February 2004. Ansar is named by the State Department as a Foreign Terrorist Organization (FTO).

Since becoming a major insurgent leader in Iraq, Zarqawi has used other organizational names, including the Association of Unity and Jihad, which was named as an FTO on October 15, 2004. In early 2004, U.S. forces captured a letter purportedly written by Zarqawi asking bin Laden's support for Zarqawi's insurgent activities in Iraq[44] and an Islamist website broadcast a message in October 2004, reportedly deemed authentic by U.S. agencies, that Zarqawi has formally allied with Al Qaeda. Since then, he has changed his organization's name to "Al Qaeda Jihad in Mesopotamia" (Iraq's name before its formation in the 1920s). There have also been recent press reports that bin Laden has asked Zarqawi to plan operations outside Iraq, possibly against targets in the United States. His current whereabouts are unknown, but some Iraqi officials have said on several occasions since February 2005 that they might be closing in on his location.

An offshoot of Zarqawi's group is called "Ansar al-Sunna," or Partisans of the Traditions [of the Prophet]. This group reportedly blends both foreign volunteers and Iraqi insurgents. Ansar al-Sunna claimed responsibility for the December 21, 2004, attack on Camp Marez in Mosul that killed 22, including 14 U.S. soldiers.

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[43] Chivers, C.J. "Repulsing Attack By Islamic Militants, Iraqi Kurds Tell of Atrocities." *New York Times*, Dec. 6, 2002.

[44] For text, see [http://www.state.gov/p/nea/rls/31694.htm].

U.S. Counter-Insurgent Operations

As the insurgency has persisted, U.S. counter-insurgent operations have increased. A major focus has been the province of al-Anbar, which includes the formerly highly restive city of Fallujah. In April 2004, after the city fell under insurgent control (it was run by a "mujahedin shura," or council of insurgents), U.S. commanders contemplated routing insurgents from the city but, concerned about collateral damage and U.S. casualties, they agreed to a compromise that former Iraqi officers would patrol it. This solution quickly unraveled and, as 2004 progressed, about two dozen other Sunni-inhabited towns, including Baqubah, Balad, Tikrit, Mosul, Ramadi, Samarra, and Tal Affar, as well as the small towns south of Baghdad, also fell largely under insurgent influence.

U.S. forces, joined by Iraqi forces, began operations in September 2004 to pacify these cities in preparation for the January 2005 elections, beginning with Samarra. To remove insurgents from Fallujah, U.S. forces began operation "Phantom Fury" on November 8, 2004, involving 6,500 U.S. Marines and 2,000 Iraqi troops. U.S. forces captured the city within about ten days, killing an estimated 1,200 insurgents and finding numerous large weapons caches and a possible chemical weapons lab, but most of the guerrillas are believed to have left before the U.S. offensive began. Some fighting in parts of the city continues, as insurgents try to re-infiltrate it, but about 60,000 of the city's 250,000 have returned, and some reconstruction of the city is beginning. Despite the U.S. operations, violence is prevalent in virtually all of these same two dozen cities, and election day turnout in them was far lower than in the Shiite and Kurdish areas of Iraq. (Turnout in all of Anbar province was well below 10%, and some cities, such as Ramadi, saw almost no voting at all.) U.S. funds from a $246 million "post-battle reconstruction initiative,"[45]drawn from funds appropriated in the FY2004 supplemental (P.L. 108-106), are being used to reconstruct Fallujah, but the pace of rebuilding has been slowed by the still uncertain security situation there. Funds from the initiative are also being used for reconstruction in other cities damaged by U.S. operations, such as Samarra and Najaf (see below).

U.S. operations, coupled with a measure of diplomacy, have had somewhat greater success against Shiite Islamist insurgents loyal to Moqtada al-Sadr. U.S. counter-insurgent operations put down Sadr's April 2004 and August 2004 Mahdi Army uprisings in Najaf, Sadr City (Baghdad) and other Shiite cities. In each case, fighting was ended with compromises with Sadr under which Mahdi forces stopped fighting (and in some cases traded in some of their weapons for money) in exchange for lenient treatment or releases of prisoners, amnesty for Sadr himself, and reconstruction aid. U.S. operations were assisted by pronouncements and diplomacy by Ayatollah Sistani and other Shiite leaders who opposed Sadr's violent challenges and believed that the U.S.-led electoral transition in Iraq would produce a Shiite-dominated Iraqi government.

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[45] These funds are derived from the FY2004 supplemental (P.L. 108-106) that provided about $18.6 for Iraq reconstruction.

To assist the counter-insurgent effort, Prime Minister Allawi announced measures and received new authorities (emergency law powers, including curfews and added arrest powers) to combat the insurgency, and he tried to diplomatically engage insurgent factions or their supporters to join the political process. A law offering amnesty to insurgents, except for those involved in killing coalition or Iraqi security forces, was issued in early August 2004. The death penalty, suspended after the fall of Saddam, was reinstated in early August 2004.

U.S. Military and Reconstruction. The U.S. military has attempted to promote reconstruction to complement its operations. A key tool in this effort is the funding of small projects to promote trust among the population and promote interaction of Iraqis with the U.S. military. According to the "2207" report issued in January 2005, the Administration has made available $218 million in FY2005 funds for the "Commander's Emergency Response Program (CERP)." The funds are controlled and disbursed by U.S. commanders at the tactical level. Additional funds for this program are being provided by the Iraqi government. The total amount of CERP funds for Iraq for FY2004 was $549 million, of which $179 was from seized Iraqi assets, $230 million was from Iraq's oil revenues; and $140 million was from DOD operations and maintenance funds appropriated for this program in the FY2004 supplemental appropriation (P.L. 108-106).

A similar program began in October 2004, called the Commander's Humanitarian Relief and Reconstruction Projects (CHHRP). About $86 million was allocated for this program, which has funded small projects mainly in restive Sunni towns such as Ramadi and Samarra.

Abu Ghraib Prison Abuses. U.S. efforts to calm ongoing violence were complicated somewhat by revelations in early May 2004 that U.S. military personnel had abused prisoners at the Abu Ghraib prison near Baghdad. Photos of abuses in progress were printed in newspapers worldwide, including in Iraq, and shown on television. At least seven U.S. soldiers have thus far been charged with abuses at the prison. (For information on this issue, see CRS "Current Legislative Issues" web page:"Prisoners in Iraq; U.S. Treatment," at [http://www.congress.gov/erp/legissues/html/isjus10.html].

Options for Stabilizing Iraq/"Exit Strategy"

As instability in major parts of Iraq has continued, a number of options have been implemented or are being discussed. The Bush Administration cites the relatively successful elections as an indication that the existing political and security transition plans will lead to stability and democracy. However, the Administration's pre-election concerns prompted the Defense Department, in January 2005, to send retired Gen. Gary Luck to Iraq in January 2005 to conduct a broad review of U.S. operations, with particular attention to the training of Iraqi security forces. He reportedly made recommendations, some of which have become public, to Defense Secretary Rumsfeld in late January 2005. The Washington Post reported on February 15, 2005 that Secretary of State Rice had sent in a separate State Department team to assess how U.S. officials might adjust to new leaders in Baghdad. Some critics say that, although the elections were a hopeful sign, the insurgency has continued and new options need to be considered. Some Members are growing concerned about the

level of U.S. casualties and the possible waning of public support and say that a defined "exit strategy" should be considered.

"Iraqification"/Building Iraqi Security Forces. A major pillar of U.S. policy is to equip and train Iraqi security forces (ISF) that could secure Iraq by themselves and enable U.S. forces to draw down. The Department of Defense said in March 2005 that about 142,000 in the ISF are considered trained and equipped: 60,000 military forces under Iraq's Ministry of Defense and 82,000 police forces under the Ministry of Interior. This is slightly more than half of the 271,000 goal set for July 2006. However, there are varying definitions and assessments of ISF effectiveness; in February 3, 2005, Senate testimony, Joint Chiefs Chairman Myers said that, of that total number, only about 40,000 (about one third) are fully capable of deploying anywhere in Iraq. In addition, the police-related component of the ISF totals include — possibly tens of thousands according to the GAO on March 15, 2005 — who are absent-without-leave and might have deserted permanently. The Iraqi police generally live with their families, rather than in barracks, and are therefore harder to account for.

In making an overall assessment of the ISF, Gen. Abizaid said in December 2004 that the ISF "just are not there yet" in their ability to secure Iraq, and on December 20, 2004, President Bush described their performance as "mixed." These and other commanders have noted that the ISF still lack an effective command structure. These forces have often failed or refused on their own to forcefully combat the insurgency, and some U.S. military personnel have told journalists that they are penetrated by insurgents. In one notable example, about three quarters of the 4,000-person police force in Mosul collapsed in the face of an insurgent uprising there in November 2004. On the other hand, U.S. officials praised their performance on election day, where some ISF put their lives on the line to protect voters and polling stations. U.S. commanders say that the election has spurred recruitment for the ISF.

As a result of the widespread skepticism of the ISF, U.S. military plans, reportedly based on the review conducted by Gen. Luck, are to shift up to 10,000 U.S. forces in Iraq from patrolling to training and embedding with Iraqi units. Under this reported shift, the U.S. military will increasingly turn over patrol operations to Iraqi units that are stiffened and advised by U.S. military personnel. U.S. forces are also in the process of turning over to Iraqi security control those areas of Iraq that are perceived as secure and stable; one such locality is Baghdad's Haifa Street area which has been a hotbed of insurgent activity. During 2004, the United States and Iraq also conducted some "emergency recruitment" of former Saddam military units, mostly Sunni ex-Baathists, but provoking threats by Iraqi election victors that there will likely be a "purge" of former regime elements from the security forces.

The accelerated training and equipping of the Iraqis is a key part of U.S. planning. Maj. Gen. David Petraeus, who had served until late 2003 as commander of the 101st Airborne Division, is overseeing the training of Iraqi security forces as head of the Multinational Security Transition Command-Iraq (MNSTC-I).[46] The Administration has been shifting much U.S. reconstruction funding into this security

[46] For more information on this mission, see [http://www.mnstci.iraq.centcom.mil/].

force training and equipping mission. According to the January 2005 "2207 report," a total of $4.9 billion in FY2004 has been allocated to build (train, equip, provide facilities for, and in some cases provide pay for) the Iraqi Security Forces (ISF). That is about 50% more than was originally allocated for this function when the supplemental funds were first apportioned. The FY2005 supplemental request sent to Congress on February 14, 2005 asks for $5.7 billion for this purpose in FY2005, to be controlled by the Department of Defense and provided to MNSTC-I. If enacted — and that amount was approved by the House Appropriations Committee markup on March 7, 2005 — that would bring the total spent on Iraqi security forces to about $11 billion.

Of the $5.7 billion supplemental request:[47] $3.1 billion is for the Army, including $268 million for the Iraqi National Guard and $87 million for facilities construction for various forces. $809 million is for "support forces; $1.497 billion is for police and related forces; $180 million is for "quick response funding" for U.S. commanders in charge of building the Iraqi forces; and $104 million is for training schools, including Iraqi Army Staff and War Colleges.

The following, based on Administration status reports from March 2005, are the status of the major Iraqi security institutions.[48]

- *Iraqi Army.* The CPA formally disbanded the former Iraqi army following Bremer's arrival in Baghdad; the outcome of that move is still being debated. The United States intends to establish a 27,000-person (6 division) Iraqi Army, about 8% the size of the pre-war Iraqi force. Over 10,000 are estimated to be trained and equipped thus far. New recruits are paid $60 per month and receive eight weeks of training. Along with U.S. forces, training is being provided by Jordan (1,500 officers at Zarqa Military College), Egypt (155 officers), Poland (bilateral agreement) and NATO,[49] both in NATO facilities outside Iraq (Norway, Germany) and by the NATO Training Mission - Iraq, NTM-I inside Iraq.[50] The NATO training mission is supposed to expand to 300 trainers, graduating 1,000 officers per year, although the current level of trainers in Iraq is only about 100. In February 2005, Hungary pledged to give the Iraqi Army 72 tanks. Of FY2004 funds, $731 million is allocated for Army facilities; $632 million is for equipment; and $433 million for training and operations.

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[47] Information provided by a DOD fact sheet. February 25, 2005.

[48] Most of the information in this section comes from State Department weekly summaries on Iraq, the Government Accountability Office, and conversations with U.S. experts. March 2005.

[49] France, Belgium, Greece, Spain, Luxembourg, and Germany have thus far declined to send troops to Iraq to participate in the NTM-I, although some of these countries are doing training outside Iraq.

[50] For information on foreign contributions to the training of the ISF, see CRS Report RL32105, *Post-War Iraq: A Table and Chronology of Foreign Contributions*.

- Within the Iraqi Army is a *Special Operations Force*, consisting of a "Counter-Terrorism Force" and a "Commando Battalion." The forces are given 13 weeks of training, mostly by Jordanian officers in Jordan. Several hundred are trained or on hand at this time, and the goal is 2,000.

- *Air Force*. It currently has about 190 personnel of its goal of 500. Pilots undergo up to six months of training. It has few aircraft, although the UAE has said it would supply the force with some unspecified combat aircraft. About $28 million in FY2004 funds was allocated for Iraqi Air Force airfields (of those funds for the Iraqi Army, above).

- *Coastal Defense Force*. This service has about 525 personnel trained or on hand, of a goal of about 600. It has a "Patrol Boat Squadron" and a "Coastal Defense Regiment." It is equipped with donated small boats to patrol Iraq's waterways to prevent smuggling and infiltration. The Royal Australian Navy is training some of these personnel.

- *Iraqi National Guard (ING).* This force, formerly called the Civil Defense Corps, or ICDC, has now been made part of the "Army," although it is largely a paramilitary force that mans checkpoints and assists in combating insurgents. Thus far, about 35,000 are trained and equipped, of a planned force of about 62,000. That number is expected to be reached later in 2005. Recruits are paid $50 per month and cannot have served in Iraq's former army at a level of colonel or higher. They receive three weeks of training but most of their training is "on-the-job," patrolling alongside U.S. forces. Its members tends to be deployed in areas where they are recruited. Of FY2004 funds, $225 was allocated for ING operations; $92 million for equipment; and $359 million for facilities construction.

- *Iraqi Intervention Force.* This is a relatively new counter-insurgency strike force and part of the Iraqi military. It is divided into 4 brigades (about 5,000 personnel) trained and equipped. Recruits receive thirteen weeks of basic and urban operations training.

- *Iraqi Police Service (IPS).* Controlled by Iraq's Ministry of Interior (MOI), about 55,000 Iraqi policemen, divided primarily into provincial police departments, are trained and equipped thus far, with the goal of 135,000. New police receive eight weeks of training, are paid $60 per month, and must pass a background check ensuring they do not have a record of human rights violations or criminal activity. They are recruited locally, making them susceptible to intimidation by insurgents in restive areas. Police training is taking place mostly in Jordan, Iraq, and the United Arab

Emirates (UAE).[51] Of FY2004 U.S. funds, $1.824 billion has been allocated for police training.

- Related forces, all under the Interior Ministry, include a Highway Patrol; with a few hundred operational of a planned 1,500; a Bureau of Dignitary Protection, designed to protect Iraqi leaders, with about 500 personnel; and a more heavily armed Emergency Response Unit, recruited from among the police, intended to support police operations and conduct high-risk searches. It has about 250 personnel.

- There are several new counter-insurgency police support units. One is the Special Police Commando unit, expected to have about 3,000 personnel. A Police Civil Intervention Force unit of police, also designed to counter unrest and insurgents, might have about 2,000 on hand of a planned 3,700. This force is to consists of the 8th Mechanized Police Brigade and Public Order Brigades.

- *Border Enforcement*. Also part of MOI forces, this force, intended to prevent cross-border infiltration, has over 10,000 equipped and trained, with a goal of about 29,000. It has a Border Police component and a Riverine Police component to secure water crossings (Shatt al-Arab, dividing Iran and Iraq). Members of these forces receive four weeks of training. Of FY2004 funds, about $441 million has been allocated for this department.

- *Facilities Protection Service*. This is a force that consists of the approximately 75,000 security guards that protect installations such as oil pumping stations, electricity substations, and government buildings. This force is not counted in U.S. totals for Iraq's forces because it is not controlled by either the Ministry of Interior or Ministry of Defense. Of FY2004 funds, $53 million has been allocated for this service.

As noted above, the military forces are being supplied with donated equipment and equipment fielded by the former regime that has been repaired. On November 21, 2003, the Bush Administration issued a determination repealing a U.S. ban on arms exports to Iraq so that the United States can supply weapons to the new Iraqi security institutions. Authority to repeal this ban was requested and granted in an FY2003 emergency supplemental appropriations (P.L. 108-11) for the costs of the war and was made subject to a determination that sales to Iraq are "in the national interest." On July 21, 2004, the Administration determined that Iraq would be treated as a friendly nation in evaluating U.S. arms sales to Iraqi security forces and that such sales would be made in accordance with the Foreign Assistance Act and the Arms

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[51] The following countries are contributing police instructors in or outside Iraq: Jordan, the United States, Canada, Britain, Australia, Sweden, Poland, UAE, Denmark, Austria, Finland, the Czech Republic, Germany, Hungary, Slovenia, Slovakia, Singapore, and Belgium.

Export Control Act. However, questions have been raised about the slow pace of equipping the new Iraqi security institutions.

Prime Minister Allawi has also placed a high priority on rebuilding a domestic intelligence network. On July 14, 2004, he announced a new domestic intelligence agency (General Security Directorate) to infiltrate the insurgent groups.

"Internationalization" of Iraq's Security.[52] Some in and outside the Bush Administration believe that the United States should have exerted greater efforts to enlist greater international participation in peacekeeping, including giving up some U.S. political influence in Iraq, if required. Those who advocated this option believe it was essential to reducing the financial and military burden of the war. About 90% of coalition casualties in Iraq have been American.

The Bush Administration asserts that it has consistently sought U.N. backing for its post-war efforts, and it has supported an increase in the U.N. role since late 2003. Resolution 1483 (adopted unanimously May 6, 2003) provided for a U.N. special representative to coordinate the U.N. activities in Iraq and it "call[ed] on" governments to contribute forces for stabilization. On August 14, 2003, the U.N. Security Council adopted another resolution, Resolution 1500, that "welcomed," but did not "endorse," the formation of the IGC and established a "U.N. Assistance Mission for Iraq (UNAMI)." In a further attempt to satisfy the requirements of several major nations, such as France, for a greater U.N. role in Iraq, the United States obtained agreement on Resolution 1511 (October 16, 2003, referenced above), authorizing a "multinational force under unified [meaning U.S.] command." Resolution 1546 restated many of these provisions.

The Bush Administration asserts that the United States has a large coalition, pointing to the fact that 27 other countries are providing about 25,000 peacekeeping forces. Poland and Britain lead multinational divisions in central and southern Iraq, respectively. The UK-led force (UK forces alone number about 8,000) is based in Basra; the Poland-led force (Polish forces number 1,700) is based in Hilla. Japan has deployed about 600 troops to Samawah, in southern Iraq, and South Korea has deployed 3,500 troops to Irbil, where the Kurds predominate.[53]

In late July 2004, Secretary of State Powell said the United States would consider a Saudi proposal for a contingent of troops from Muslim countries to perform peacekeeping in Iraq, reportedly under separate command. However, the idea appears to have floundered due to opposition from potential contributing countries such as Pakistan and reported Iraqi sensitivities to the potential for Muslim foreign troops to meddle in Iraqi politics.

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[52] For additional information on international contributions to Iraq peacekeeping and reconstruction, see CRS Report RL32105, *Post-War Iraq: A Table and Chronology of Foreign Contributions*.

[53] A list of countries performing peacekeeping can be found in the Department of State's "Iraq Weekly Status Report," and in CRS Report RL32105, *Post-War Iraq: A Table and Chronology of Foreign Contributions*.

Critics say that coalition countries are donating only about 15% of the total U.S.-led coalition contingent in Iraq, and they question the sustainment of even the existing coalition. Major potential force donors such as France, Germany, Russia, India, and Pakistan have refused to contribute, partly for fear of public backlash if their soldier suffer casualties. Some point to Spain's May 2004 withdrawal of its 1,300 troops from Iraq as an indication that the Bush Administration effort to maintain an international Iraq peacekeeping coalition is faltering. Spain made that decision following the March 11 Madrid bombings and subsequent defeat of the former Spanish government that had supported the war effort. However, since the Iraqi election, Spain has said it might train Iraqi security forces at a center outside Madrid. Honduras, the Dominican Republic, and Nicaragua followed Spain's withdrawal, pulling out their 900 personnel, and the Philippines withdrew in July 2004 after one of its citizens was taken hostage and threatened with beheading. Among other recent changes:

- Hungary completed a pullout of its 300 forces in December 2004.

- Italy announced on March 15, 2005, that it would begin withdrawing its force of 3,200 in September 2005. The announcement came about ten days after the U.S. wounding of an Italian journalist who was leaving Iraq after being released by insurgents.

- Thailand, New Zealand, and Norway withdrew in early 2005, although Norway may still have about 10 personnel in Iraq.

- Poland is stretched by the $100 million per year cost of the Iraq deployment. In March 2005, it drew down to 1,700 from its prior force level of 2,400. However, an Administration decision in February 2005 to request $400 million (FY2005 supplemental) to help coalition partners such as Poland in their deployments has apparently led Poland to keep 700 troops "on standby" in Poland if needed in Iraq.

- In mid-November 2004, the Netherlands' cabinet reaffirmed an earlier decision to withdraw its 1,350 troops from Iraq in March 2005. Some U.K. forces will reportedly take over the Netherlands forces' current duties to help protect Japan's forces in Samawa. After the January 30 Iraqi elections, the Netherlands said it would pull out as planned, but that it might send up to 100 trainers for the Iraqi security forces.

- Ukraine, which lost eight of its soldiers in a January 2005 insurgent attack, withdrew 150 personnel in March 2005 and says it will complete its withdrawal by the end of 2005. Ukraine also says it might give equipment to the Iraqi military.

- In February 2004, Portugal withdrew its 127 paramilitary officers.

- On the other hand, Singapore deployed 180 troops in November 2004 after a hiatus of several months, and Japan and South Korea have approved extending their deployments at least through 2005.

- In February 2005, El Salvador agreed to send a replacement contingent of 380 soldiers to replace those who are rotating out.

- In February 2005, Australia said it would send an additional 450 troops to Iraq, bringing that contribution to over 900.

- In early March 2005, Georgia sent an additional 550 troops to Iraq to help guard the United Nations facilities, bringing its total Iraq deployment to 850.

NATO/EU. One major issue in the debate over securing Iraq is the possibility of greater NATO involvement, and there has been some movement since the January 30 Iraqi election. Since mid-2003, NATO has been providing logistical support to the international forces in Iraq led by Poland, but increased NATO involvement has been discussed at every major NATO meeting since late 2003, particularly the June 2004 NATO summit in Istanbul. There, NATO agreed to provide training for Iraqi security forces (NTM-I), discussed above. NATO and bilateral training contributions have are discussed above in the section on Iraq's security forces.

Since the Iraqi election on January 30, Secretary of Defense Rumsfeld, Secretary of State Rice, and President Bush have visited European leaders, and additional NATO contributions have been agreed. Some countries, such as France, that have opposed U.S. policy in Iraq have expressed willingness to play a greater role in helping Iraq secure itself:

- In conjunction with President Bush's visit to Europe in late February 2005, NATO announced that all 26 of its members would contribute to training Iraqi security forces, either in Iraq, outside Iraq, through financial contributions, or donations of equipment. (A list of contributions of trainers and funds is contained in CRS Report RL32105, *Post-War Iraq: A Table and Chronology of Foreign Contributions*.)

- France has offered to train 1,500 Iraqi police in Qatar. France has not yet received a response to this offer from the Iraqi government. European Union (EU) leaders have offered to help train Iraqi police, administrators, and judges outside Iraq.

- Germany says it is willing to help the new Iraqi government set up its ministries and write its permanent constitution.

On July 10, 2003, the Senate adopted an amendment, by a vote of 97-0, to a State Department authorization bill (S. 925) calling on the Administration to formally

ask NATO to lead a peacekeeping force for Iraq. A related bill (H.R. 2112) was introduced in the House on May 15, 2003.[54]

Altering the Level of U.S. Military and Political Involvement. Others believe that the Iraqi security forces are unlikely to be able to secure Iraq alone and that new major international commitments of peacekeeping forces are unlikely, necessitating a major change in the U.S. approach to Iraq.

Troop Increase. Some believe that the United States should greatly increase its own troops in Iraq in an all-out effort to defeat the insurgents. However, some believe that further troop level increases will aggravate Sunni Arabs already resentful of the U.S. intervention in Iraq and that even many more U.S. troops would not necessarily produce stability. Others believe that increasing U.S. force levels would further the impression in Iraq that the interim government is beholden to the United States for its survival, and that the United States is continuing to deepen its commitment to Iraq without a clear exit strategy or victory plan.

Early or Immediate Withdrawal. Some Members argue that the United States should begin to withdraw immediately and unconditionally. Some who take this position tend to argue that the decision to invade Iraq and change its regime was a mistake in light of the failure thus far to locate WMD, and that a continued U.S. presence in Iraq will inflame the insurgency and result in additional U.S. casualties without securing U.S. national interests. Critics of this view say the Iraqi interim government would collapse quickly if the United States pulled out suddenly, harming U.S. credibility internationally and permitting Iraq to become a haven for terrorists.

Negotiating a Power Sharing Formula/Negotiating With Insurgents. A related idea advanced by some is the substantial scaling back of U.S. involvement in Iraq by persuading key Iraqi factions to reconcile and achieve a power-sharing arrangement. A version of this idea is for the United States to put diplomatic pressure on the victorious Shiite-led UIA bloc to negotiate a power-sharing arrangement with Sunni Arabs. The Administration has largely exercised this option, and UIA leaders have said they would be willing to assign to Sunnis a substantial number of cabinet seats in a new government and a major role in drafting the permanent constitution. Some Sunnis, including some in the Muslim Clerics Association (MCA), have said they erred in boycotting the election and now want to enter the political process, although these Sunnis are also demanding a timetable for withdrawal of U.S. forces as a condition of participation. The United States is not willing to set such a timetable. The more moderate Iraqi Islamic Party, which participated in the IGC but then boycotted the elections, has also indicated a willingness to enter politics but its influence over the insurgents is weaker than that of the MCA.

Others believe that the United States and its Iraqi partners should consider negotiating directly with representatives of the insurgents, possibly under the auspices of the United Nations, to include them and their grievances into a new or reworked Iraqi power structure. *Time Magazine* reported in February 2005 that just

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[54] See CRS Report RL32068, *An Enhanced European Role in Iraq?*

such negotiations were taking place between U.S. military officials and Baathist insurgents, although the talks do not appear to have yielded concrete results.

Rejuvenating Iraq's Economy

The Administration asserts that, despite the ongoing insurgency, economic reconstruction is progressing. Administration officials say that life has returned to normal in most of Iraq, that Iraq's economy is recovering, and that many Iraqis are demonstrating their confidence by buying appliances. However, U.S. officials acknowledge that the difficult security environment has slowed reconstruction. Electricity has been above pre-war levels, but has fallen below pre-war levels for most of the time since November 2004. As noted above, lines for gasoline often last many hours. Sanitation, health care, and education have improved statistically, although some recent studies say that Iraq's health care system and some health indicators are in a state of crisis.[55] In September 2004, the State Department finished a review of how to accelerate reconstruction, and it has shifted focus to smaller scale projects that can quickly employ Iraqis and yield concrete benefits.

The Oil Industry. As the driver of Iraq's economy, the rebuilding of the oil industry has received substantial U.S. attention. Before the war, it was widely asserted by Administration officials that Iraq's vast oil reserves, believed second only to those of Saudi Arabia, would fund much, if not all, reconstruction costs. The oil industry infrastructure suffered little damage during the U.S.-led invasion (only about 9 oil wells were set on fire), but it has become a target of insurgents. Insurgents have particularly focused their attacks on pipelines in northern Iraq. Those lines feed the Iraq-Turkey oil pipeline that is loaded at the Mediterranean port of Ceyhan, Turkey.

Table 1. Iraq's Oil Sector

Oil Production (Feb. 05)	Oil Production (pre-war)	Oil Exports (Feb 05)	Oil Exports (pre-war)	Oil Revenue (2004)	Oil Revenue (2005 to date)
2.08 million barrels per day (mbd)	2.5 mbd	1.484 mbd	2.2 mbd	$17 billion	$2.7 billion

A related issue is long-term development of Iraq's oil industry and which foreign energy firms, if any, might receive preference for contracts to explore Iraq's vast reserves. Russia, China, and others are said to fear that the United States will seek to develop Iraq's oil industry with minimal participation of firms from other countries. Iraq's interim government has contracted for a study of the extent of Iraq's oil reserves, and it has contracted with Royal Dutch/Shell to formulate a blueprint to develop the gas sector.

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[55] Vick, Karl. "Children Pay Cost of Iraq's Chaos." *Washington Post*, November 21, 2004.

CPA Budget/DFI.[56] The Development Fund for Iraq (DFI), was set up by Resolution 1483 (May 6, 2003) as the repository for Iraq's revenue. The DFI is now held in Iraq's Central Bank, during the occupation period. It contained about $7 billion when it was established in June 2003. Controlled by the CPA during the occupation period and now run by the Iraqi government (as specified in Resolution 1546), the DFI has received funds from captured Iraqi assets, Iraqi assets held abroad, the monies (about $8 billion) transferred from the close-out of the "oil-for-food program," revenues from oil and other exports, and revenues from other sources such as taxes, user fees, and returns from profits on state-owned enterprises.

In late October 2003, a multilateral board to monitor the Development Fund for Iraq (DFI), mandated by Resolution 1483, was established (the International Advisory and Monitoring Board, IAMB). It hired KPMG as external auditor. The IAMB met in late June 2004 and identified some possible problems in how the DFI was administered, and it produced the first formal audit on July 15, 2004. A KPMG report produced in October 2004 identified several examples of CPA mismanagement of the DFI and possible corruption in some cases.[57] One example has been the finding that there might not have been proper accounting of about $9 billion used by the CPA for rebuilding and trying to stabilize Iraq in the immediate post-Saddam period.

International Donations. In order to accelerate reconstruction, Iraq was deemed to require international donations. A World Bank estimate, released in early October 2003, said Iraq reconstruction would require about $56 billion during 2004-2007, including the $21 billion in U.S. funding supplied by two supplemental appropriations (discussed below). At an October 2003 donors' conference in Madrid, donors pledged about $13.5 billion, including $8 billion from foreign governments and $5.5 billion in loans from the World Bank and IMF. Another donors' meeting was held in Tokyo during October 13-14, 2004, with commitments by donors to accelerated payments on existing pledges. Iran joined as a donor country, pledging $10 million.

Of the funds pledged by other foreign governments, about $2.5 billion has been disbursed, as of December 2004.[58] In September 2004, the International Monetary Fund (IMF) approved the first of its loans to Iraq — $436 million for reconstruction. That came one week after Iraq cleared up $81 million in arrears to the Fund dating from Saddam Hussein's regime.

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[56] For information on the status of legislative consideration of the request for supplemental funding, see CRS Report RL32090, *FY2004 Supplemental Appropriations for Iraq, Afghanistan, and the Global War on Terrorism: Military Operations & Reconstruction Assistance*.

[57] Walker, Tony. "KPMG's Iraq Audit Turns Up the Heat." *Australian Financial Review*. October 16, 2004.

[58] For information on international pledges, see CRS Report RL32105, *Post-War Iraq: A Table and Chronology of Foreign Contributions*.

Supplemental U.S. Funding. In part to meet the requirements for reconstruction funding, two supplemental appropriations were requested. A FY2003 supplemental, P.L. 108-11, appropriated about $2.5 billion for Iraq reconstruction. When oil revenues continued to lag, U.S. officials decided to ask Congress for another supplemental appropriation. On September 8, 2003, President Bush requested supplemental funding for FY2004 for the "war on terrorism," in the amount of $87 billion, of which over $70 billion would be for military operations in and reconstruction of Iraq. Of that amount, about $50 billion was for military costs and about $20 billion for reconstruction of Iraq.

According to the "2207 Report" submitted in January 2005, which includes the various reallocations since the law was passed, the FY2004 supplemental appropriation (P.L. 108-106) provided the following for Iraq reconstruction (total $18.7 billion):

- $4.9 billion for security and law enforcement, as discussed above
- $2.8 billion for justice reform, civil society building, and democracy and governance, including programs for women and youth and the formation of an independent human rights commission,
- $4.4 billion for electricity infrastructure rehabilitation,
- $1.7 billion for rehabilitating the energy infrastructure,
- $2.3 billion to repair water and sanitation systems;
- $525 million for repair of transportation and telecommunications infrastructure,
- $360 million to upgrade housing, roads, and bridges,
- $790 million to construct and equip hospitals and clinics, and
- $910 million for education, jobs training, agriculture, and private sector initiatives, and includes $360 million in debt relief for Iraq.

The continuing violence has slowed spending on reconstruction. As of late January 2005, of the $21 billion appropriated in the FY2003 and FY2004 supplementals, about $14 billion has been obligated. Of that, about $5.8 billion has been disbursed.

FY2005 and 2006. No new funds for Iraq reconstruction were requested in the Administration's regular budget request for FY2005. A FY2005 supplemental appropriation of $25 billion will be used mostly for military costs in Iraq and Afghanistan, and additional military funds for the Iraq (and Afghanistan) war effort are being requested. The additional FY2005 supplemental request, submitted on February 14, 2005, asks for about $68 billion to cover U.S. military costs for the wars in Iraq and Afghanistan. That figure does not include the approximately $5.7 billion requested to train and equip Iraqi forces, or the $1.3 billion requested for Afghan security forces.

As noted above, the Administration regular foreign aid budget request asked for $360 million in funds for democracy and governance activities in Iraq. An additional $26 million was requested to improve the capacity of Iraq's police and justice sector.

Lifting U.S. Sanctions. The Bush Administration has lifted most U.S. sanctions on Iraq, beginning with several Presidential Determinations easing sanctions under authorities provided by P.L. 108-7 (consolidated appropriations for FY2003) and P.L. 108-11 (FY2003 supplemental appropriations)

- On July 30, 2004, President Bush issued an executive order formally ending the package of sanctions imposed on Iraq following the 1990 invasion of Kuwait. Those measures were contained in Executive Order 12722 (August 2, 1990) and 12724 (August 9, 1990), issued after Iraq's August 2, 1990, invasion of Kuwait. They imposed a ban on U.S. trade with and investment in Iraq and froze Iraq's assets in the United States. The Iraq Sanctions Act of 1990 (Section 586 of P.L. 101-513, signed November 5, 1990) reinforced those executive orders.

- On September 8, 2004, the President designated Iraq a beneficiary of the Generalized System of Preferences (GSP), enabling Iraqi products to have duty free tariff treatment for entry into the United States.

- On September 24, 2004, Iraq was removed from the U.S. list of state sponsors of terrorism under Section 6(j) of the Export Administration Act (P.L. 96-72). Therefore, Iraq is no longer barred under that section from receiving U.S. foreign assistance, U.S. votes in favor of international loans, and sales of munitions list items (arms and related equipment and services). Exports of dual use items (items that can have military applications) are no longer subject to strict licensing procedures. (However, a May 7, 2003 executive order left in place the provisions of the Iran-Iraq Arms Non-Proliferation Act (P.L. 102-484); that act imposes sanctions on persons or governments that export technology that would contribute to any Iraqi advanced conventional arms capability or weapons of mass destruction programs. The July 30, 2004, order does not unfreeze any assets in the United States determined to belong to the former regime.)

- The FY2005 supplemental request asks for legislation removing Iraq from a named list of countries for which the Untied States is required to withhold from its voluntary contributions to international organizations. The requirement is for the withholding of a proportionate share of the cost of any programs such organizations conduct for those countries.

Termination of the Oil-for-Food Program. In accordance with the provisions of U.N. Security Council Resolution 1483 (May 22, 2003), the U.N.-run

oil-for-food program ended November 21, 2003. The close-out of residual contacts under the program was run by the interim Iraqi government. [59]

Debt Relief/WTO Membership. The Administration is attempting to persuade other countries to forgive Iraq's debt built up during the regime of Saddam Hussein. The debt is estimated to total about $116 billion, not including reparations dating to the first Persian Gulf war. On November 21, 2004, the so-called "Paris Club" of 19 industrialized nations agreed to cancel about 80% of the $39 billion Iraq owes them. On December 17, 2004, the United States signed an agreement with Iraq writing off 100% of Iraq's $4.1 billion debt to the United States; that debt consisted of principle and interest from about $2 billion in defaults on Iraqi agricultural credits from the 1980s.[60] On December 13, 2004, the World Trade Organization (WTO) agreed to begin accession talks with Iraq.

Congressional Reactions

Congress, like the Administration, had divergent views on the mechanisms for promoting regime change, although there was widespread agreement in Congress that regime change should be a major U.S. policy goal for Iraq. 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. Some Members 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. As discussion of potential military action increased in the fall of 2002, Members debated the costs and risks of an invasion of Iraq. Congress adopted H.J.Res. 114, authorizing the President to use military force against Iraq if he determines that doing so is in the national interest and would enforce U.N. Security Council resolutions on Iraq. The measure passed the House on October 11, 2002 by a vote of 296-133, and the Senate the following day by a vote of 77-23. The legislation was signed into law on October 16, 2002 (P.L. 107-243).

The 108th Congress held numerous hearings on post-Saddam Iraq and, as noted above, has appropriated reconstruction and military funding for the Iraq effort. Although Congress has applauded the performance of the U.S. military and the overthrow of the regime, several Members have criticized the Administration for inadequate planning for the post-war period. Criticism has escalated as attacks on U.S. occupation forces have mounted, and some Members have offered suggestions to stabilize Iraq, including adding U.S. forces, although criticism of the Administration's policy appeared to subside after the relatively successful January 30, 2005 elections. Many Members have visited Iraq, and many who have done so say reconstruction is proceeding and that Iraq is more stable than is widely portrayed in the press.[61]

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[59] See CRS Report RL30472, *Iraq: Oil-for-Food Program, Sanctions, and Illicit Trade*.

[60] For more information, see CRS Report RS21765, *Iraq: Paris Club Debt Relief*.

[61] Chaddock, Gail Russell. "Trips to Iraq Reshape War Views On Hill." *Christian Science*
(continued...)

Appendix. U.S. Assistance to the Opposition

Table 2. Appropriated Economic Support Funds (E.S.F.) to the Opposition

(Figures in millions of dollars)

	INC	War Crimes	Broadcasting	Unspecified Opposition Activities	Total
FY1998 (P.L. 105-174)		2.0	5.0 (RFE/RL)	3.0	10.0
FY1999 (P.L. 105-277)	3.0	3.0		2.0	8.0
FY2000 (P.L. 106-113)		2.0		8.0	10.0
FY2001 (P.L. 106-429)	12.0 (aid distribution inside Iraq)	2.0	6.0 (INC radio)	5.0	25.0
FY2002 (P.L. 107-115)				25.0	25.0
Total, FY1998-FY2002	**15.0**	**9.0**	**11.0**	**43.0**	**78.0**
FY2003 (no earmark)	3.1 (announced April 2003)			6.9 (remaining to be allocated)	10.0
FY2004 (request)				0	0

Notes: The figures above do not include defense articles and services provided under the Iraq Liberation Act. 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.

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[61] (...continued)
Monitor, January 6, 2004.

Figure 1. Map of Iraq

Source: Map Resources. Adapted by CRS. (K.Yancey 7/21/04)