

Issue Brief for Congress

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Iraq-U.S. Confrontation

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Iraq-U.S. Confrontation

SUMMARY

Efforts by Iraq to impede U.N. weapons inspections since late 1997 and to challenge the allied-imposed no-fly zones over northern and southern Iraq have resulted in further confrontations with the United States and its allies. A decision by Iraq to ban almost all U.N. inspections on October 31, 1998, led the United States and Britain to conduct a 4-day air operation against Iraq on December 16-20, 1998 (Operation Desert Fox). The two allies launched approximately 415 missiles and dropped more than 600 bombs targeted at Iraqi military and logistical facilities.

Since the December 1998 operation, the United States and Britain have carried out air strikes against Iraqi air defense units and installations on a frequent basis, in response to Iraqi attempts to target allied aircraft enforcing no-fly zones over northern and southern Iraq. On October 7, 2001, following the September 11 terrorist attacks on the United States, the U.S. Ambassador to the United Nations warned Iraq not to move against Iraqi opposition groups or attack its neighbors while the United States was involved in its campaign against terrorism.

According to the U.S. Defense Department as of late November 1998, expanded military operations and crisis build-ups in the Gulf since the 1991 war had cost a total of \$6.9 billion. Incremental costs of these operations amounted to approximately \$1.6 billion in FY1998, 1.3 billion in FY1999, \$1.1 billion in FY2000, and \$1.1 billion estimated in FY2001. A news report on July 26 estimated that the cost of enforcing no-fly zones is likely to approach \$1 billion during FY2002. These figures do not include costs resulting from operations in Afghanistan or from a possible

expansion of the campaign against terrorism to target Iraq.

Erosion of the former allied coalition and U.S. force constraints limit some military options. Although some Arab states, notably Kuwait and Saudi Arabia, host U.S. aircraft enforcing no-fly zones, no Arab states with the exception of Kuwait have publicly supported allied air strikes against Iraq. At an Arab summit conference on March 27-28, 2002, the attendees welcomed Iraqi assurances that it would respect the independence of Kuwait, called for respecting the integrity of Iraq, and announced its "categorical rejection" of attacking Iraq.

President Bush remains committed to regime change in Iraq, and media reports indicate that a range of military options are under consideration to meet the President's objective. Some officials and analysts have called for expansion of no-fly zones over Iraq. Others support covert operations to inflict damage on key Iraqi facilities and build a viable opposition to the regime. According to press articles, some U.S. officials favor more strikes against Iraq even in the absence of evidence linking it to the September attacks, in view of its efforts to acquire mass destruction weapons, refusal to readmit U.N. weapons inspectors, and long-standing support for terrorism. On July 31 and August 1, 2002, the Senate Foreign Relations Committee held hearings on threats posed by Iraq and options to deal with them. In a letter to Members of Congress on September 4, President Bush said he would "seek congressional support for U.S. action to do whatever is necessary to deal with the threat posed by Saddam Hussein's regime."

MOST RECENT DEVELOPMENTS

On July 31 and August 1, 2002, the Senate Foreign Relations Committee held hearings on Iraq to address four fundamental questions: what is the threat from Iraq; what is the appropriate response; how do other countries perceive the threat; and what are our responsibilities when and if Saddam Hussein departs from the scene? Other congressional committees reportedly plan hearings in September.

In a letter to Members of Congress on September 4, President Bush stated that "America intends to lead the way to make certain that the Saddam Hussein regime is not able to threaten anyone in the world with the world's most devastating weapons" and added that "I am in the process of deciding how to proceed." The President also said that at an appropriate time, "I will seek congressional support for U.S. action to do whatever is necessary to deal with the threat posed by Saddam Hussein's regime."

BACKGROUND AND ANALYSIS

This issue brief covers the most recent U.S.-Iraqi confrontations, which began in the fall of 1998. It summarizes events that led to the crisis, the allied military build-up, military strikes against Iraq, international reactions, costs, and options for U.S. policy makers. It does not cover developments in the war in Afghanistan, except insofar as they may relate to the U.S.-Iraqi confrontation. For further information on previous U.S.-Iraqi confrontations, see CRS Report 98-386, *Iraq: Post-War Challenges and U.S. Responses, 1991-1998*.

Since the cease-fire of March 3, 1991, that ended the Persian Gulf war (Operation Desert Storm), the United States has resorted on several occasions to the use or threat of force against Iraq. Some of these incidents resulted from Iraqi challenges to U.N. cease-fire terms that followed the war. Others resulted from bilateral issues between Iraq and the United States and its allies.

A principal factor in the most recent confrontation was Iraq's failure to cooperate fully with U.N. weapons inspectors. The inspection regime, established by U.N. Security Council Resolution 687 adopted on April 3, 1991, is designed to identify and dismantle Iraq's programs to develop weapons of mass destruction (WMD), including chemical, biological, and nuclear warfare systems as well as missiles capable of delivering them. Two agencies are charged with conducting these inspections: the U.N. Special Commission on Iraq (UNSCOM), which deals with chemical, biological, and missile systems; and the International Atomic Energy Agency (IAEA), which deals with Iraqi nuclear weapons programs. Since the inception of the inspection regime, Iraq has obstructed its work in various ways:

- ! False, misleading, or incomplete responses to questions posed by inspectors;
- ! Interference by Iraqi escorts with the conduct of inspections;
- ! Denial of access to "sensitive" sites on grounds of national security;
- ! Removal of or tampering with material evidence of weapons programs; and
- ! Attempts to exclude U.S. personnel from inspection teams.

On seven occasions between 1991 and 1993, the U.N. Security Council found Iraq in “material breach of cease-fire terms”; however, the Council has not issued a finding of “material breach” since June 17, 1993, despite subsequent Iraqi provocations. According to news reports, some Council members are reluctant to agree to another such finding, which they think might provide the basis for an attack on Iraq.

Another factor contributing to the recent confrontation was Iraqi violation of the no-fly zones imposed by the United States and its allies over portions of northern and southern Iraq. U.S. and British aircraft (and formerly French aircraft) have conducted overflights of northern and southern Iraq since 1991 and 1992, respectively, to enforce the bans on Iraqi aircraft in these zones. The allied overflights are known as Operation Northern Watch and Operation Southern Watch and are designed to exclude Iraqi aircraft from flying north of the 36th parallel and south of the 33rd parallel, respectively. The southern zone, covering 227,277 square kilometers (87,729 square miles) is larger than the northern zone, which covers 43,707 square kilometers (16,871 square miles), but Iraqi air defenses reportedly are thicker in the northern zone. Together, these zones cover 270,985 square kilometers (104,600 square miles), or 62% of Iraqi territory.

U.S. officials base the no-fly zones primarily on U.N. Security Council Resolution 688 of April 5, 1991, which demands that Iraq end repression of its population (notably Kurds in the north and Shi’ite Muslims in the south), and on the military cease-fire agreements after the Gulf war (the Safwan Accords), which forbid Iraq to interfere with allied air operations over Iraq. Some countries question this interpretation, arguing that Resolution 688 was not passed under Chapter VII provisions (peace and security) and does not by itself permit military action to enforce its terms. Iraq maintains that the no-fly zones constitute an illegal infringement on its sovereignty and has occasionally fired on allied planes conducting overflights to enforce these zones.

Events of the Crisis

Forerunner Episodes

Between mid-1993 and 1996, UNSCOM personnel were able to carry out their inspections of Iraqi weapons programs with relatively little interference by the government of Iraq. Increasing attempts by Iraq in 1997 to impede U.N. weapons inspections and to exclude U.S. personnel from UNSCOM teams prompted demands by the U.N. Security Council that Iraq cease its interference or face further sanctions. A Russian undertaking in November 1997 to seek “balanced representation” in UNSCOM membership temporarily averted a crisis; however, tensions mounted again in January 1998, as Iraq once more barred U.S.-led teams from conducting inspections and declared several “sensitive sites” off limits to U.N. inspectors. After a month of intensive diplomacy and a continuing build-up of U.S. forces in the Persian Gulf region, the Iraqi Deputy Prime Minister and the U.N. Secretary General signed an agreement with the following provisions:

- ! Reconfirmation by Iraq that it accepts relevant U.N. resolutions
- ! Commitment of U.N. member states to “respect the sovereignty and territorial integrity of Iraq”

- ! “Immediate, unconditional, and unrestricted access” by UNSCOM and IAEA within Iraq, with respect for Iraqi concerns relating to “national security, sovereignty, and dignity”
- ! Special procedures to apply to inspections at eight “presidential sites” defined in an annex to the agreement
- ! Efforts to accelerate the inspection process, and an undertaking by the Secretary General to bring to U.N. Security Council members the concerns of Iraq over economic sanctions.

On March 3, the U.N. Security Council unanimously passed Resolution 1154, co-sponsored by Britain and Japan, which commended the initiative of the Secretary General in security these commitments from Iraq, stressed that Iraq must comply with its obligations, and warned that any violation of these terms or other Security Council resolutions “would have the severest consequences for Iraq.” Although inspections during the spring of 1998 proceeded relatively smoothly, many questions concerning Iraq’s weapons programs remained unresolved. Also, Iraqi spokesmen continued periodically to warn of a new crisis if economic sanctions were not quickly removed.

December 1998 Air Strikes

After a lull of several months, tensions mounted in August 1998, as Iraq began to challenge U.N. operations once more. On August 5, Iraq announced that it would no longer allow UNSCOM to inspect new facilities, and followed with a ban on all remaining UNSCOM activities on October 31. U.S. officials described Iraq’s actions as unacceptable, as did some other members of the Security Council. Resolution 1205 of November 5, which demanded that Iraq rescind its bans on U.N. weapons inspection activities and resume full cooperation with UNSCOM, did not specifically mention use of force; however, U.S. officials emphasized again that all options are open including military force to compel Iraqi compliance. On November 11, the United Nations evacuated more than 230 staff personnel from Baghdad, including all weapons inspectors, as the United States warned of possible retaliatory strikes against Iraq.

As U.S. forces were on the verge of conducting air and missile strikes against Iraq on November 14, the Clinton Administration delayed them for 24 hours upon learning that Iraq had agreed to resume cooperation with UNSCOM. After further negotiations, Iraq agreed in a letter to the Security Council on November 15 to provide unconditional cooperation to UNSCOM and rescind its ban on UNSCOM activities. The Administration then canceled the planned strikes; however, the President warned that Iraq must fulfill its obligations. Specifically, in a news conference on November 15, he listed five conditions Iraq must fulfill to meet the criteria of unconditional cooperation:

- ! Resolution of all outstanding issues raised by UNSCOM and the IAEA.
- ! Unfettered access for inspectors with no restrictions, consistent with the February 23 memorandum signed by Iraq.
- ! Turnover by Iraq of all relevant documents.
- ! Acceptance by Iraq of all U.N. resolutions related to mass destructions weapons.
- ! No interference with the independence or professional expertise of weapons inspectors.

Despite its pledges on November 14-15, Iraq began to impede the work of U.N. weapons inspectors once more, according to statements by UNSCOM Chief Butler on December 8. On December 15, Butler submitted a report in which he concluded that “Iraq did not provide the full cooperation it promised on 14 November 1998” and “initiated new forms of restrictions upon the Commission’s work.” On December 15, Butler withdrew remaining UNSCOM inspectors from Iraq, saying that they could no longer perform their mission. On the following day, then President Clinton directed U.S. forces to strike military and security targets in Iraq. He described the mission as “to attack Iraq’s nuclear, chemical and biological weapons programs and its military capacity to threaten its neighbors.”

Attacks began on December 16, 1998, at 5:06 p.m. EST (December 17 at 1:06 a.m. Baghdad time) in an operation known as Desert Fox, as U.S. forces launched over 200 cruise missiles (officials declined to give an exact number) at over 50 targets in Iraq, from the aircraft carrier *U.S.S. Enterprise*, other Navy ships in the region, and some 70 Navy and Marine Corps aircraft. According to some media reports, B-52 bombers based in the Indian Ocean island of Diego Garcia took part as well. British forces also joined in the attacks. A second wave of attacks took place on the evening of December 17-18, involving approximately 100 cruise missiles (but with larger warheads than those used in the first wave of attacks) and B-52 bombers, again with British participation. B-1 bombers joined the attack during the third wave (evening of December 18-19), marking the first combat operations for this aircraft. After the fourth wave of attacks (evening of December 19-20), President Clinton halted the 72-hour operation (code named Operation Desert Fox) on December 20. Senior U.S. officials warned that the United States would repeat its attacks as often as necessary to prevent Iraq from continuing programs to develop mass destruction weapons.

During Operation Desert Fox, U.S. and British forces launched approximately 415 cruise missiles (325 Tomahawks fired by Navy ships and 90 air launched cruise missiles mainly by B-52s) and dropped more than 600 bombs. According to reports by the U.S. Department of Defense, the 97 targets of allied attacks included lethal weapons production or storage facilities (11), security facilities for weapons (18), Iraqi Republican Guards and other military facilities (9), government command, control, and communications facilities (20), air defense systems (32), airfields (6), and one oil refinery. According to preliminary Defense Department assessments on December 20, 10 targets were destroyed, 18 severely damaged, 18 moderately damaged, 18 lightly damaged, and 23 not yet assessed. A second assessment on December 21 cited a total of 98 targets, of which 43 were severely damaged or destroyed, 30 moderately damaged, 12 lightly damaged, and 13 not damaged. The U.S. theater commander described the estimates as conservative, pointing out that even lightly damaged facilities can be rendered unusable. There were no U.S. or British casualties. According to the Iraqi Deputy Prime Minister, the allied action killed 62 Iraqi military personnel (including 38 Republican Guards) and wounded 180; there have been no estimates of Iraqi civilian casualties. Chairman of the Joint Chiefs of Staff General Harry Shelton told the Senate on January 5, 1999, however, that allied strikes killed or wounded an estimated 1,400 members of Iraq’s elite military and security forces (600 from the Special Republican Guard and 800 from the Republican Guard).

Further Actions

A series of follow-on military actions have occurred since December 28, 1998, as Iraqi air defenses have tried to target U.S. and British aircraft patrolling the no-fly zones and Iraqi aircraft have made brief intrusions into the zones. U.S. Air Force and Navy aircraft, as well as British aircraft, have responded to Iraqi challenges with anti-radiation missile strikes directed against Iraq air defense and command and control installations and have fired at intruding Iraqi aircraft. Before Operation Desert Fox, U.S. responses to Iraqi violations of the no-fly zones were usually confined to the immediate source of the violation, i.e., an air defense battery or an intruding Iraqi aircraft. On January 27, 1999, authorities expanded rules of engagement to allow U.S. aircraft to target a wider range of Iraqi air defense systems and related installations in response to Iraqi violations of the no-fly zones. In congressional testimony on March 23, 2000, a Defense Department official said operational commanders have been given additional flexibility in responding to Iraqi provocations; under the current rules of engagement, pilots may respond not only by defending themselves but also by acting to reduce the overall Iraqi air defense threat to coalition aircraft.

Official Iraqi media reported on January 3, 1999 that President Saddam Hussein condemned the no-fly zones as illegal and said his people would resist them with “bravery and courage.” The Iraqi President followed up by offering a \$14,000 bounty to any unit that succeeded in shooting down an allied plane and an additional \$2,800 reward for capturing an allied pilot. In an NBC interview carried on June 17, 2001, the Iraqi Ambassador to the United Nations said Iraq would do “anything possible to down American planes” and confirmed that the government had offered a reward to Iraqi military personnel who succeeded in doing so.

In a May 8, 2000 interview, the U.S. commander of Operation Northern Watch said Iraqi air defense weapons, which can reach altitudes of 40,000 feet, have the capability to hit U.S. aircraft. According to a July 24 press report, however, the newly designated commander responsible for the Southern Watch operation told the Senate Armed Services Committee that Iraqi air defense missiles are largely ineffective because they do not use their radar systems (which allied pilots can target) and because they must move frequently (approximately every 12 hours). On June 15, the commander of Iraqi air defense forces asserted that Iraq had succeeded in shooting down or intercepting 100 U.S. high-speed anti-radar missiles (HARM) used by allies to target Iraqi radar; however, allied sources dismissed the Iraqi claim. Similarly, allied officials state that no U.S. or British planes have been lost, despite Iraqi claims to the contrary. (On September 13, 2000, an Iraqi air defense spokesman asserted that Iraqi air defense units had shot down 10 allied aircraft since December 17, 1998.)

Iraq has claimed that allied air strikes have killed a number of Iraqi civilians. In a note to the U.N. Human Rights Commission released by U.N. officials on March 26, 2001, the Iraqi government protested that allied air strikes had killed 315 and wounded 965 Iraqis, all civilians; the note described the allied overflights as a violation of international law. Subsequently, the Iraqi government claimed that a U.S.-British air strike on June 20, 2001 killed 23 Iraqis and injured 11 others participating in a soccer game near the city of Mosul in northern Iraq.

U.S. and British officials have denied some Iraqi reports of civilian casualties and have attributed others to the Iraqi practice of placing air defense weapons in close proximity to populated areas, thus using nearby residents as human shields. For example, on August 18, 1999, U.S. Defense Department officials said reconnaissance photographs showed two Iraqi missile launchers located 115 feet from homes in the northern city of Mosul. On at least one occasion, in May 1999, U.S. authorities reportedly acknowledged the likelihood that allied units had erroneously identified a civilian target as an air defense installation. Allied officials have dismissed some Iraqi complaints as distortions or fabrications; with regard to the alleged soccer casualties, for example, allied spokesmen said their aircraft had not carried out any air strikes on June 20 and suggested that any casualties or injuries that occurred may have been caused by misdirected Iraqi ground fire.

Iraq reportedly has succeeded in extending the range of some of its older model air defense missiles and has made its communications less vulnerable by installing fiber optic cable, reportedly with Chinese assistance. On July 31, 2001, U.S. Defense Department spokesman Rear Admiral Quigley told reporters that Iraq has shown "a considerably more aggressive stance in trying to bring down a coalition aircraft." He noted continuing provocations by Iraq against allied aircraft over the two no-fly zones, especially in the southern zone, and allied retaliations (number of days on which allied aircraft have struck Iraqi targets in response):

- ! Southern Watch: 221 provocations in 2000 (18.4 per month); 370 in the first seven months of 2001 (30.8 per month).
- ! Northern Watch: 145 provocations in 2000 (12.1 per month); 62 in the first seven months of 2001 (8.9 per month).

In response, allied forces conducted strikes on Iraqi targets in the Southern Watch area on 32 days in 2000 and 19 days during the first 7 months of 2001; in the Northern Watch area, on 48 days in 2000 and 7 days during the first 7 months of 2001.

According to a July 26, 2002 press report, a spokesman for U.S. European Command (which is responsible for Operation Northern Watch) gave the following statistics on the numbers of incidents in which Iraqi air defense units threatened U.S. or British aircraft: 143 in 1999; 145 in 2000; 97 in 2001; and 32 during the first six months of 2002. The press report cites the following figures on the number of times U.S. and British aircraft returned Iraqi fire: 102 in 1999; 48 in 2000; and 11 in 2001. (It is not clear whether these figures cover only Northern Watch or Southern Watch as well.) According to the same press report, a Pentagon spokesperson said U.S. and British combat aircraft returned fire from Iraq on 14 occasions over the southern zone and 8 occasions over the northern zone during the current *fiscal* year (i.e., beginning on October 1, 2001).

The February 2001 Strikes. On February 16, between the hours of 11:20 a.m. and 1:40 p.m. Washington, D.C. time, 24 U.S. and British combat aircraft struck five Iraqi air defense command-and-control installations, using precision guided munitions. According to a U.S. Defense Department spokesman, four of the five installations struck by the allied aircraft were located north of the 33rd parallel (the northern limit of the southern no-fly zone), but the aircraft themselves did not go north of the 33rd parallel. The spokesman noted that this was the first time since Operation Desert Fox that allied aircraft had hit targets outside

the southern no-fly zone, although targets outside the northern zone had been struck during the fall of 1999.

According to press reports, one goal of the allied strikes was to destroy a fiber optic cable network that Chinese are reportedly installing to upgrade the effectiveness of Iraqi air defense radars. On March 6, China's foreign minister said relevant agencies had investigated these allegations and found no evidence that Chinese companies had assisted Iraq in installing fiber optic cables for Iraqi air defenses. A March 17 *Washington Post* article, citing U.N. documents and unidentified diplomats, reported that a Chinese company, Huawei Technologies, has been seeking U.N. approval to sell Iraq telecommunications equipment and switching systems.

Subsequent press reports indicated that many of the munitions fired by allied units had missed their targets; according to these reports, a majority of the AGM-154A Joint Stand-Off Weapons (JSOWs) dropped by U.S. aircraft went astray, although two other types of "smart weapons" (AGM-130 guided missiles and Stand-Off Land Attack missiles) achieved somewhat more success. These alleged problems have been attributed by press sources to several possible factors: human error in programming, heavy wind, software defects, mechanical failure, or jamming of signals by Iraqis; officials reportedly believe the first two explanations are the most likely. Defense spokesmen have declined to identify the munitions used in the strikes.

Additional Strikes and Provocations. Since February 2001, allied forces have carried out several significant strikes against Iraqi air defense installations, including an Iraqi mobile early warning radar in southern Iraq on April 19, an air defense site in northern Iraq on April 20, an air defense installation 180 miles southeast of Baghdad on May 18, and an air defense site in northern Iraq on August 7. On August 10, in the largest air strike since February, U.S. and British aircraft hit three installations: a surface-to-air missile battery 170 miles southeast of Baghdad, an associated long-range mobile radar system, and a fiber optic communications station 70 miles southeast of Baghdad. Before this strike, on July 29, U.S. National Security Advisor Condoleezza Rice told CNN that the Administration is contemplating the use of "military force in a more resolute manner" and said that "Saddam Hussein is on the radar screen for the Administration."

Meanwhile, some observers believe Iraqi air defense forces may be improving their ability to target allied aircraft. On July 24, Iraqi forces fired a surface-to-air missile at a U.S. high altitude U-2 reconnaissance aircraft, and Defense Department sources reportedly said the missile came close to hitting the plane. On August 27, according to the U.S. Defense Department, a U.S. Air Force RQ-1B Predator – an unmanned aerial vehicle (UAV or "drone") – was reported missing over southern Iraq while on a routine mission in support of Operation Southern Watch. A Defense Department statement described the Predator as "one of many systems used for reconnaissance and surveillance to monitor Iraqi compliance with United Nations Security Council Resolutions." Iraqi media claimed that Iraq's air defense units successfully hit the UAV, while the U.S. Defense Department statement said the aircraft may have crashed or may have been shot down. According to the U.S. Defense Department, no sensitive technology was compromised by the loss of the aircraft. Press reports have noted, however, that if the Iraqi claim is correct, it would be the first time that a U.S. aircraft involved in enforcing the Northern or Southern Watch Operations has been brought down by enemy fire.

A second RQ-1B was lost over southern Iraq on September 11 and a third on October 10. Again, Iraqi media claimed responsibility for both losses but U.S. military spokesmen said they had not confirmed the cause. Conflicting reports indicate that a fourth Predator may have been lost on May 27, 2002; Iraq claimed to have forced an unmanned reconnaissance plane (nationality not indicated) on a mission over northern Iraq to land, while unnamed defense sources in Kuwait said a Predator malfunctioned and crashed in northern Kuwait. According to a U.S. military spokesman commenting on the first incident, U.S. officials are aware of efforts by Iraq to bring down a manned allied aircraft. Press articles on April 23, 2002, reported that Iraq had significantly reinforced its surface-to-air missiles in the no-fly zones; however, Chairman of the Joint Chiefs of Staff General Richard B. Myers said Iraq frequently moves anti-aircraft systems in and out of these zones.

Aftermath of the Terrorist Attacks. The Iraqi government was the only Middle East regime that did not send condolences to the United States after the September 11 attacks, although Iraq officials did express sympathy to several U.S. non-government organizations known to oppose U.S. containment policies toward Iraq. According to numerous press reports, U.S. officials have found no hard evidence of an Iraqi hand in the attacks or subsequent cases of anthrax, although some U.S. officials suspect Iraqi involvement. Some commentators have pointed to several alleged meetings in recent years between Iraqi intelligence officials and members of Osama bin Laden's Al Qaeda organization and speculated that Iraq could provide Al Qaeda with money and expertise on chemical and biological warfare. Other commentators counter that Saddam and bin Laden have different views and ideologies and note that Iraq has been trying recently to cultivate better relations with western countries in an effort to gain support for terminating economic sanctions imposed after Iraq invaded Kuwait in 1990. In testimony before the Senate Armed Services Committee on March 19, 2002, Director of Central Intelligence George Tenet said "the jury's out" regarding any Iraqi involvement in the September 11 attacks but added that "it would be a mistake to dismiss the possibility of state sponsorship, whether Iranian or Iraqi, and we'll see where the evidence takes us."

On October 11, U.S. Defense Department spokesmen were quoted as saying that there had been no significant increase in skirmishes between allied forces and Iraqi forces since the September 11 attacks. More recent press reports, quoting U.S. military officials, indicate that a two-month lull in Iraqi air defense activity after the September attacks proved short-lived and that Iraq subsequently resumed more aggressive engagements with allied aircraft enforcing the no-fly zones.

Statements. On January 29, 2002, in his State of the Union address, President Bush described Iraq, Iran, and North Korea as constituting "an axis of evil." During a speech on June 1, 2002 to graduating West Point cadets, President Bush promised to "confront regimes that sponsor terror" and said we must "confront the worst threats before they emerge," while not mentioning Iraq directly. On July 9, a *New York Times* article quoted President Bush as making the following comments at a news conference on the previous day: "It's the stated policy of this government to have regime change [in Iraq]. And it hasn't changed. And we'll use all tools at our disposal to do so." On September 4, the President briefed leading Members of Congress on Iraq and gave them a letter, in which he stated among other things: "America intends to lead the way to make certain that the Saddam Hussein regime is not able to threaten anyone in the world with the world's most devastating weapons" and added that "I am in the process of deciding how to proceed." The President went on to say that at an

appropriate time, after discussion with the congressional leadership, “I will seek congressional support for U.S. action to do whatever is necessary to deal with the threat posed by Saddam Hussein’s regime.”

Force Deployments and Costs

Force Levels

U.S. force levels in the Persian Gulf region have fluctuated since the Gulf war of 1991. During the mid-1990s, U.S. forces in this area on an average comprised 15,000 to 20,000 personnel (many of them Navy and Marine Corps personnel embarked on ships), together with up to 200 aircraft and 20 ships (usually but not always including an aircraft carrier). After brief upsurges during the run-up to Operation Desert Fox in December 1998, force levels averaged somewhat higher, varying from 20,000 to 25,000, between 1998 and 2001. Most U.S. personnel in the region, including those conducting Operation Southern Watch, are assigned to the U.S. Central Command (CENTCOM), whose area of responsibility covers large parts of the Middle East, southern and central Asia, and northeast Africa. U.S. forces conducting Operation Northern Watch are based in Turkey and assigned to U.S. European Command (EUCOM). The task forces responsible for enforcing the two no-fly zones are linked by a hot line and coordinate many of their operations.

U.S. and other allied forces in the region have increased significantly since the September 11 attacks. Recent official figures are not available; however, according to a February 24, 2002 *Washington Post* article, Defense Department officials said there are 60,000 U.S. troops in the CENTCOM area of operations, of which 4,000 are on the ground in Afghanistan. Many other troops in the CENTCOM area are involved in supporting allied operations Afghanistan. Asked by reporters on June 11, 2002, if the United States has any plans to reduce U.S. military presence in the Gulf region, Secretary Rumsfeld answered “we don’t discuss the size of our military presence around the world” and added: “Do we have any plans at the moment to make significant changes [in force presence] up or down? Not that I know of.” According to a news report of July 12, 2002, Britain is planning to withdraw most of its 2,400 troops from Kosovo, feeding speculation that Britain may be planning to support a U.S. attack on Iraq.

Costs

A Defense Department spokesman told reporters on November 17, 1998 that expanded military operations and crisis build-ups in the Gulf since the war in 1991 had cost a total of \$6.9 billion. Much of this figure represents the costs of enforcing the no-fly zones over northern and southern Iraq. Following are costs estimates for several other crisis build-ups and retaliatory operations undertaken by the United States between 1991 and 1997.

- ! Troop movements and retaliatory strikes against Iraq, December 1992-January 1993: \$400 million
- ! Troop deployments to counter Iraqi force movements, October 1994 (Operation Vigilant Warrior): \$257 million (partially defrayed by Kuwait and Saudi Arabia)

- ! Retaliatory strikes following Iraqi incursion into protected northern zone, August-September 1996 (Operation Desert Strike): \$102.7 million.

Incremental costs of U.S. operations in the Persian Gulf since FY1997 appear in **Table 1**, below. Official cost figures since FY2001 are not available. A press report on July 26, 2002, indicated that expenditures on Operations Southern Watch and Northern Watch were \$519.5 million and \$118 million, respectively, during the first eight months of FY2002 (October 2001 through May 2002) and are likely to reach almost \$1 billion by the end of the current fiscal year (September 30, 2002).

Britain, according to an August 23, 1999 *London Times* report, is spending approximately 4.5 million pounds (\$7.19 million at exchange rate of U.K. 1 pound=U.S. \$1.5974) per month on its deployments in the Gulf. Current figures are not available.

Table 1. Costs of Persian Gulf Operations
(in U.S. \$ millions)

Operation	FY1998	FY1999	FY2000	FY2001*
Southern Watch	1,497.2	933.2	755.4	678.0
Northern Watch	136.0	156.4	143.7	138.7
Desert Spring (Kuwait training)**	5.6	13.8	239.8	241.8
Desert Thunder (Nov. 1998 build-up)	n/a	43.5	n/a	n/a
Desert Fox (Dec. 1998 air strikes)	n/a	92.9	n/a	n/a
Totals	1,638.8	1,239.8	1,138.9	1,058.5

Source: Department of Defense, Comptroller

*Estimate.

**Known as Intrinsic Action until FY2000.

U.S. and International Reactions

Administration Position on Use of Force

U.S. administrations have taken the position that they already have sufficient authority to use military force to compel Iraqi compliance. On February 3, 1998, during an earlier phase of the present confrontation, Clinton Administration officials reportedly cited the joint resolution passed by Congress on the eve of the 1991 Gulf war (P.L. 102-1) as the basis for this authority. P.L. 102-1 has no expiration date, and some specialists in international law argue that this law provides sufficient authority to U.S. administrations to use force against Iraq. According to an August 1, 2002 press report, at least one congressional supporter of the current Bush Administration expressed the view that a joint resolution enacted a week after the September 11 attacks also provides the Administration with sufficient authority for an assault on Iraq without further authorization by Congress, because of the suspected

presence of Al Qaeda elements in Iraq. The resolution (S.J.Res. 23, P.L. 107-40) authorizes the President “to use all necessary and appropriate force against those nations, organization, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2002, or harbored such organizations or persons ...” Another Member, however, said he knew of no intelligence confirming his colleague’s assertion. As noted above, President Bush informed Members of Congress on September 4 that he would “seek congressional support for U.S. action” to deal with the threat posed by Iraq. According to a September 4 news wire article, a U.S. official said President Bush believes he already has legal authority to act but wants to obtain a gesture of support from Congress.

In the international context, the United States believes that two previous U.N. Security Council resolutions provide sufficient authority to use force against Iraq: Resolution 678 (November 29, 1990), which authorized military action after Iraq’s invasion of Kuwait, and Resolution 687 (April 3, 1991), which made a cease-fire conditional on Iraqi compliance with various specified terms, including the inspection and dismantling of Iraq’s lethal weapons programs. U.N. Security Council Resolution 1154 of March 2, 1998 (see above) does not specifically mention the use of force, but warns Iraq of “severest consequences” for violation. In a news conference on March 11, President Clinton said “We believe that the resolution gives us the authority to take whatever actions are necessary. But, of course, we would consult [with other Security Council members].” Subsequently, U.N. Security Council Resolution 1205 of November 5, 1998 condemned Iraq’s refusal to cooperate with UNSCOM as a “flagrant violation” of Resolution 687 and other relevant agreements, and expressed full support for efforts by the Secretary General to seek full implementation of the February 23 agreement. Other members of the Security Council, however, with the notable exception of Britain, do not believe that the wording of recent U.N. Security Council resolutions provides an automatic trigger authorizing military force.

Congressional Reactions

Congress has been largely supportive of Administration efforts to compel Iraqi compliance with U.N. resolutions. Congress has also appropriated funds to defray the cost of increased U.S. force deployments to the Gulf since 1997. On December 17, 1998, during Operation Desert Fox, the House of Representatives passed H.Res. 612, expressing unequivocal support for the men and women of our Armed Forces carrying out missions in the Persian Gulf region, and supporting efforts to remove Saddam Hussein from power. More recently, in the aftermath of the September 11, 2001 attacks, the House of Representatives passed H.J.Res. 75, the House of Representatives passed H.J.Res. 75, entitled “Regarding inspection and monitoring to prevent the development of weapons of mass destruction in Iraq”, on December 20, 2001. Among other things, this resolution stated that Iraq “remains in material and unacceptable breach of its international obligations” and that Iraq’s refusal to allow U.N. weapons inspectors “immediate, unconditional, and unrestricted access ... presents a mounting threat to the United States, its friends and allies, and international peace and security.”

Although there appears to be strong bipartisan support in Congress for ousting Iraqi President Saddam Hussein, some Members believe the Administration should seek further congressional authorization before engaging in any significant escalation of hostilities. On July 31 and August 1, 2002, the Senate Foreign Relations Committee held hearings on Iraq to address four fundamental questions: what is the threat from Iraq; what is the appropriate

response; how do other countries perceive the threat; and what are our responsibilities when and if Saddam Hussein departs from the scene? Other congressional committees reportedly plan hearings on Iraq in September. As noted above, at least one congressional supporter of the Bush Administration has expressed the view that P.L. 107-40 provides the Administration with sufficient authority for an assault on Iraq, but not all Members agree. Another Member opined that gaining congressional support for an invasion would help the Administration build broader support for its Iraq policies. On July 30, 2002, Senator Dianne Feinstein introduced S.Con.Res. 133, “expressing the sense of Congress that the United States should not use force against Iraq, outside of the existing Rules of Engagement, without specific statutory authorization or a declaration of war under Article I, Section 8, Clause 11 of the Constitution of the United States.”

International Reactions

International reactions to U.S. reprisals against Iraq have been mixed and have varied according to the nature of the crisis that precipitated a U.S. military response. On the whole, altered international conditions have caused some erosion since 1991 in international support for the use of force against Iraq. Factors contributing to this erosion include differing U.S. and European perspectives on the region, Arab disillusionment with broader U.S. Middle East policies, diminished Arab concerns over a potential threat from Iraq, and increasing sympathy for the sufferings of the Iraqi people. This erosion in support for U.S. policy toward Iraq has been particularly pronounced within the Arabic-speaking world, despite the hostility many Arab leaders feel toward Saddam Hussein.

Since the September 11, 2001 attacks, friendly Arab leaders have urged the United States not to expand the current war against terrorism to target Iraq or other Arab countries. At a summit conference in Beirut, Lebanon on March 27-28, 2002, Arab leaders adopted a resolution that contained several clauses dealing with Iraq. The resolution welcomed assurances by Iraq that it will respect “the independence, sovereignty, and security of the state of Kuwait”; it called on Iraq to cooperate with Kuwait in identifying and returning missing Kuwaiti persons and property; it called for lifting economic sanctions on Iraq; it rejected “threats of aggression against some Arab states, particularly Iraq”; and it reiterated a “categorical rejection” of attacking Iraq or threatening any Arab state. Among Iraq’s non-Arab neighbors, Iran remains hostile to the Iraqi regime but opposes any western military intervention in the region. Turkey, Iraq’s other non-Arab neighbor, has long opposed a campaign to overthrow Saddam Hussein because of fears that it might lead to a power vacuum in the Kurdish areas of northern Iraq and encourage Kurdish separatism in Turkey itself. However, there are emerging voices in Turkey who argue that Turkey should participate in a move against the Iraqi regime in order to have greater influence over post-Saddam arrangements in the region.

Some U.S. officials and commentators believe Arab leaders would secretly welcome the overthrow of the Saddam Hussein regime, notwithstanding public statements to the contrary. On his return from a trip to the Middle East, Vice President Dick Cheney told reporters on March 21, 2002, that he had found regional leaders “uniformly concerned about the situation in Iraq, in particular about Saddam Hussein’s failure to live up to the U.N. Security Council resolutions, especially number 687, that he pledged to at the end of the war, that said he’d get rid of all of his weapons of mass destruction.” But news reports indicated

that the Vice President's hosts expressed more concern over mounting Israeli-Palestinian tensions in the Israeli-occupied West Bank territory than with issues related to Iraq.

After subsequent talks between President Bush and Saudi Crown Prince Abdullah on April 25, Saudi Foreign Minister Prince Saud al-Faysal told reporters that "we see no need for any military or other action" against Iraq, inasmuch as Iraq and U.N. representatives were discussing the issue of re-admitting weapons inspectors. Other allied leaders, including Egyptian President Husni Mubarak and Jordanian King Abdullah, have spoken against attacking Iraq. On the eve of a meeting with President Bush on August 1, King Abdullah told the *Washington Post* that he thought it would be a "tremendous mistake" not to heed warnings from abroad against a military campaign against Iraq and expressed fears that "a miscalculation in Iraq would throw the whole area into turmoil." Outside the region, leaders of Russia, Germany, and France also voiced opposition to an attack on Iraq during late July; French President Jacques Chirac expressed the view that such action would require a new U.N. resolution.

The issue of U.S. use of bases in neighboring countries to mount military operations against Iraq is particularly sensitive. For some years, Saudi Arabia and Kuwait have hosted U.S. and allied aircraft enforcing the no-fly zones over Iraq, but Gulf states in the main have not permitted the use of bases on their territory for major direct attacks against Iraq. During Operation Desert Fox in December 1998, according to contemporary news reports, Kuwait and Oman allowed combat operations against Iraq from their territory; however, the other four Gulf states (including Saudi Arabia) only allowed logistical support, including use of air space and take-off and landing by refueling planes. According to a senior Administration official, the subject of bases did not arise during the visit of Saudi Crown Prince Abdullah to President Bush on April 25, 2002. News reports in early July that U.S. military officials are planning to conduct military operations against Iraq from bases in Jordan were met with denials from Jordanian leaders, including the Prime Minister. On July 9, the press quoted Foreign Minister Marwan Muasher as telling reporters that "Jordan will not be used as a launching pad, and we do not have any U.S. forces in Jordan." King Abdullah also dismissed such reports in an interview on August 1. Qatar, where the United States has upgraded a local airfield and set up a new command and control facility, has been non-committal about supporting future U.S. combat operations against Iraq. Elsewhere in the region, on September 5, Turkey's Foreign Minister said the United States has not yet sought permission from Turkey to use its air bases for a strike against Iraq.

Plans and Alternatives

On July 9, 2002, a *New York Times* article quoted President Bush as making the following comments at a news conference on the previous day: "It's the stated policy of this government to have regime change [in Iraq]. And it hasn't changed. And we'll use all tools at our disposal to do so." News media continue to describe an on-going debate among U.S. officials over the feasibility, scope, and timing of possible military action against Iraq to achieve the President's objective of regime change and related objectives such as the elimination of Iraq's weapons of mass destruction. Some argue that the Iraqi regime has been seriously weakened and would collapse with the application of minimal force, and that its demise would be privately welcomed throughout much of the Middle East. Others are more skeptical, believing that increased military pressure on Iraq might cause otherwise

discontented citizens to rally around their leadership, could destabilize the region, and would entail major efforts and costs. Press articles cite a range of options under consideration, including, but not limited to, the following.

- ! Continued allied enforcement of the existing no-fly zones over northern and southern Iraq, with calibrated responses to provocations by Iraqi air defense units, supplemented by naval enforcement of sanctions, with the goal of containing the Saddam Hussein regime and limiting his ability to support terrorism. As a related option, some have advocated expansion of the present no-fly zones to curtail further Iraq's freedom of maneuver.
- ! Covert action targeting the current Iraqi regime combined with expanded programs to buttress the efforts of opposition groups in Iraq, with the goal of triggering a coup.
- ! A small invasion force of up to 70,000 military personnel, with the main emphasis on air power, special operations forces, and Iraqi opposition groups (akin to the Afghanistan model), with the goal of bringing down the Saddam regime.
- ! A heavy invasion force with a strong ground force component, perhaps on the order of 200,000-250,000 military personnel. This option would require permission from one or more of Iraq's neighbors (Turkey, Jordan, Kuwait, Saudi Arabia, for example) to stage an invasion from their territory. The goal would be to build a new regime and eliminate WMD programs.
- ! An operation aimed at seizing Baghdad and several key command posts through heavy air strikes and combined airborne and ground assault operations at strategic sites. Such an operation would be designed to isolate the Iraqi leadership and disrupt its command and control facilities, leading to the collapse of the Saddam regime. (*The New York Times*, July 29, 2002.)

President Bush has repeatedly said that there are no plans for attacking Iraq on his desk, and Secretary of Defense Donald Rumsfeld has questioned the accuracy of conflicting press accounts of alleged U.S. war plans involving Iraq. In a news conference on July 29, for example, he appeared to dismiss a *Washington Post* report that some senior U.S. military commanders prefer to continue present policies of containment rather than mounting a major military assault against Iraq. In other comments, Secretary Rumsfeld has warned that air power alone will not be able to destroy all of Iraq's chemical, biological, and nuclear sites because many of these sites are mobile or deeply buried. Press reports in late August 2002 stated that the U.S. Defense Department has hired two large cargo ships to carry armored vehicles, helicopters, and other heavy equipment and eight additional cargo ships to carry lighter equipment to the Gulf region; however, some Defense sources indicate that such Gulf-bound shipments represent resupply operations for U.S. forces already in the region or engaged in routine military exercises and should not be interpreted as presaging a major military operation against Iraq.

Besides the composition and scope of military action, debate has centered on other factors including the timing of a possible attack. Press articles, not confirmed by official

U.S. sources, report divergent views between senior civilian Defense Department officials and much of the uniformed military leadership, with the latter arguing for a longer period of preparation before initiating any major military action. Earlier in the year, some press reports indicated that depletion of arms stocks during operations in Afghanistan, coupled with severe strains on U.S. active and reserve forces, could compel the United States to delay a coordinated assault on Iraq. Analysts cited in particular the need to produce additional precision bombs such as the Joint Direct Attack Munitions (JDAM) used in Afghanistan. Other media reports have suggested that forces on hand are capable of launching an attack on Iraq in a short time frame and quoted Defense Department officials as saying that JDAM production has been accelerated.

Still other questions have been raised by U.S. officials, observers, and Members of Congress. How serious is the threat posed by Iraq to the United States and its allies? How high are the likely costs and casualties that might result from military options? Are U.S. forces likely to face large-scale urban warfare in Baghdad and other major population centers? What kind of regime might replace the present one? How long would U.S. forces have to remain in Iraq? What effect would major U.S. military action against Iraq have on other U.S. objectives in the Middle East?

Table 2. Comparative Military Strengths and Inventories: Gulf States

Country	Military Personnel	Tanks	Other Armored Vehicles	Field Artillery		Attack Heli-copters	Combat Aircraft	Naval Units	
				Towed	Self-Propelled			Surface Combat-ants	Sub-marines
Saudi Arabia	205,500	910	5,017	160	200	33	348	8	0
United Arab Emirates	65,000	411	1,360	80	181	49	101	2	0
Oman	43,400	117	290	96	24	0	40	0	0
Kuwait	15,500	293	556	0	68	20	82	0	0
Qatar	12,330	35	302	12	28	19	18	0	0
Bahrain	11,000	106	306	22	62	40	34	1	0
<i>Total: Allies</i>	<i>348,730</i>	<i>1,872</i>	<i>7,831</i>	<i>370</i>	<i>563</i>	<i>161</i>	<i>623</i>	<i>11</i>	<i>0</i>
Iraq	424,000	2,200	3,700	1,900	150	100	316	0	0
Iran	513,000	1,565	1,455	2,085	310	104	288*	3	5

Source: International Institute for Strategic Studies, *The Military Balance 2001-2002*. (Note: Figures shown here do not include materiel believed to be in storage and inoperable.)

* Includes aircraft flown from Iraq to Iran during 1991 Gulf war.

FOR ADDITIONAL READING

CRS Issue Brief IB92117. *Iraqi Compliance with Cease-Fire Agreements*, by Kenneth Katzman.

CRS Report 98-386. *Iraq: Post-War Challenges and U.S. Responses, 1991-1998*, by Alfred B. Prados.

CRS Report RL31339. *Iraq: U.S. Efforts to Change the Regime*, by Kenneth Katzman.