

States would not seek a trial before a war crimes tribunal if Saddam steps aside peacefully.

There are three existing precedents for such a course. The Ethiopian war lord Mengestu Haile Mariam agreed to asylum and is currently living in Zimbabwe; the notorious African Dictator Idi Amin is currently living in exile in Saudi Arabia; and the former Haitian dictator Jean-Claude "Baby Doc" Duvalier is living in the south of France.

The possibility that Saddam Hussein would find attractive a life of ease in a dacha on the Black Sea or in a villa on the French Riviera may seem improbable. On the other hand, in the face of the overwhelming force being marshaled against his regime, a survivalist might conclude that abdication could be rationalized for the good of his people and for the good life the resources he has absconded with would make possible.

From America's perspective five central conditions for asylum would have to be met: (1) That Saddam's abdication be permanent; (2) that his extended family and cohorts go with him; (3) that he and they commit themselves to abstaining from complicity in future anarchistic or terrorist acts in or outside Iraq; (4) that processes be established for the creation of a more benign, democratic government in Iraq; and (5) that, following the Ferdinand Marcos asylum model, no commitment be made precluding a successor Iraqi government from seeking international legal recourse to recover Saddam's kleptocratic wealth.

From a humanitarian perspective the choice would seem to be a no-brainer. While the motivations of individuals are always difficult to fathom, clearly a U.S.-led intervention would imply a short life expectancy for Saddam, as well as the potential of loss of life for innocent civilians and military personnel on both sides. Equally clearly, Saddam faces the possibility of an embarrassing erosion of his personal power base, with a castle coup increasingly conceivable.

The question with which Saddam is confronted is whether he would rather be a survivor or a failed martyr, whether his legacy in the end will include sacrificing power for his people or sacrificing his people and national spirit on the altar of his egomania.

To increase the possibility that a rational choice be made by an irrational leader, the United States should precipitate the presentation of an abdication option in a carefully modulated way. Asylum must be more than an abstract concept. There must be a strategy, public and private, for its presentation and implementation.

As distrustful as this Administration is of the U.N., there is no more appropriate figure than U.N. Secretary General Kofi Annan to speak on behalf of the world community regarding such a prospect. The Security Council should ask Annan to make a formal offer to Saddam to accept asylum with clear conditions and possibly alternative destinations. Preferably the request should be made with the active support of the Arab League and a commitment of financial support (already hinted at) from countries like Saudi Arabia to fund asylum for the coterie of regime insiders, some of whom might find attractive different destinations than Saddam.

Such an approach may be the only way to avoid a potentially catastrophic conflict while bringing about progressive change in Iraq and the region. It is the only strategy in which the world community and the American government may at this time find common ground. While the chance of Saddam's acquiescence to the asylum concept may be limited (perhaps 10 to 20 percent), failure to press the offer would be unconscionable.

#### ASYLUM II: AN IDEA STILL IN SEARCH OF A STRATEGY

(By Representative James A. Leach)

Now that Secretary Powell has laid down convincing evidence of the Iraqi weapons program and the United States and Britain have massed a significant force in the Middle East to address the threat these weapons represent, it is apparent that the only way the bloodshed of war and the countervailing possibility of terrorist reaction can be avoided is if Saddam Hussein abdicates and accepts an offer of asylum.

Absent the will to use force, asylum is conceptually a non-starter. With the mobilization that has occurred and the case that Secretary Powell has presented to the U.N., Saddam must understand that he has a narrow window, a week or two at most, in which to decide whether he would rather be a survivor or a humiliated military leader subject to a war crimes tribunal in the unlikely event he lives through the next month.

The prospect of asylum may seem unlikely, but it nonetheless deserves pursuing. What is needed is a precise presentation and implementation strategy. Otherwise asylum will remain an abstract concept, unaccepted because it has never been appropriately developed and proffered.

Substantively, asylum demands a host country and a series of quid pro quos, the most important being an agreement of the international community not to prosecute in return for peaceful abdication and credible assurances of non-participation in future violence in or outside Iraq. Initiative for a proposal at this time would, most appropriately, come from the Secretary General of the U.N., preferably with Arab League support.

Given that American military leaders assume a short, decisive conflict, it is fair to ask why a U.S. strategist should not prefer a military to a diplomatic victory. The answer relates precisely to the case Secretary Powell presented to the Security Council. The assumption in Washington that I find credible is that Iraq is unlikely to be the kind of conventional warfare quagmire Vietnam was. The assumption, however, that is more conjectural is the belief of many that Iraq will react to American intervention in 2003 similarly to the hapless defensive way it did in the 1991 Gulf War.

In 1991 Saddam survived by failing to mount much more than token resistance. He recognized that allied goals were limited to rolling back Iraqi aggression in Kuwait. Now our goals are different and his non-conventional war capacities enhance. When a cornered tyrant is confronted with a "lose or use" option with his weapons of mass destruction, and in the Arab world is isolated unless he launches a "jihad" against Israel, we must assume that more than a slight possibility exists that he may consider unleashing bio-chemical weapons against Israel or even American troops or an American city. We also must assume that Moslem radicals around the world might view an American-led intervention against a state that has not attacked us or a neighbor as the opening shot of a war between the Judeo-Christian and Moslem civilizations. The implications, short and long-term, for terrorism against American interests could be large.

Precision of strategy is in order. What is at issue are four goals: (1) The removal of Saddam Hussein and his cohorts; (2) the elimination of weapons of mass destruction in Iraq; (3) the building of a stable Iraqi government capable of being a model civil society in the region; and (4) the continuing effort to thwart terrorism around the globe.

While military intervention may accomplish these purposes, it might also precipi-

tate great loss of life in Iraq and elsewhere. A wiser approach would be to incentivize Saddam to step aside. The challenge is to put as much effort into causing this to happen as we have to preparing for war itself.

#### INTRODUCTION OF THE RANCHO CORRAL DE TIERRA GOLDEN GATE NATIONAL RECREATION AREA BOUNDARY ADJUSTMENT ACT

**HON. TOM LANTOS**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, February 5, 2003*

Mr. LANTOS. Mr. Speaker, today I introduced H.R. 532, the "Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act" to improve the world's largest urban park.

One of the nation's most visited national parks, Golden Gate National GGNRA comprises numerous sites, including Alcatraz, Marin Headlands, Fort Funston, Fort Mason, as well as Muir Woods National Monument, Fort Point National Historic Site, and the Presidio of San Francisco.

The Rancho Corral de Tierra addition to the GGNRA includes one of the largest undeveloped parcels on the San Mateo coast south of San Francisco, and it contains rugged land that is unparalleled in other areas of the park. These lands consist of some of the last undeveloped acreage adjacent to existing parkland in the Bay Area. Permanent protection of these open spaces will protect and preserve unique coastal habitats of threatened, rare and endangered plant and animal species, curb future disruptive development along the coast, and provide important scenic and recreation opportunities for Bay Area residents and visitors to our area.

This important land conservation legislation was near enactment in the last Congress. In fact both Houses of Congress approved this legislation, but because our bill was included in a package with other unrelated provisions it was not approved in the same form by both Houses.

Mr. Speaker, I urge my colleagues to join me in seizing this unique, exciting and significant opportunity for a public-private-partnership to preserve open space. Companion legislation is being introduced today in the Senate by Senator Dianne Feinstein and Senator Barbara Boxer.

H.R. 532, the "Rancho Corral de Tierra Golden Gate Boundary Adjustment Act" will add three new areas to the GGNRA. These lands are critically situated between existing parkland and would connect national parklands with State parkland and San Mateo County parklands. Adding these lands to park areas in the City of Pacifica would help round out the uneven boundary along the Pacific coast and create a logical and appropriate entrance to the GGNRA for visitors from the south. The lands will also provide important regional trail links between the existing parklands, and would link the congressionally mandated Bay Area Ridge Trail with the California Coastal Trail. The lands would also provide a wildlife corridor for the diverse array of wildlife that inhabit Montara Mountain.

Mr. Speaker, the largest parcel of land included in this bill is comprised of 4,262 acres, and is known as the Rancho Corral de Tierra.

This parcel shares three miles of boundary with the GGNRA as well as with a California state park and a San Mateo County park. Its relatively untouched upper elevations preserve habitat for several threatened and endangered plant and animal species. This property also contains four important coastal watersheds, which provide riparian corridors for steel head trout, coho salmon and other aquatic species.

When the owner of Rancho Corral de Tierra recently put this property on the market the Peninsula Open Space Trust (POST) negotiated to purchase the property. POST acquired the site for \$29.75 million to save the site from development, to preserve this important natural area, and to donate, through private contributions, a substantial amount for the federal acquisition of Rancho Corral de Tierra.

Mr. Speaker, POST is a local land conservancy trust in the San Francisco Bay Area. It has a remarkable track record in working with and assisting the federal government with the protection of other important open space in the Bay Area. In 1994, POST negotiated acquisition of the Phleger Estate in Woodside and its inclusion in the GGNRA. This provided local residents some 1,300 acres of pristine second-growth redwood forest, and the area has become a primary hiking destination in the mid-Peninsula area. I introduced the legislation that added this important parcel to the GGNRA, and I worked closely with my neighbor and colleague, Congresswoman Anna Eshoo, who took the lead in securing the federal funding of one-half of the purchase price. In this case, POST also provided one half of the purchase price through private donations. POST also assisted the federal government with the protection and acquisition of Bair Island, an important wildlife refuge in San Francisco Bay, which is now managed by the U.S. Fish and Wildlife Service. Congresswoman Eshoo played a key role in the Bair Island acquisition. H.R. 532 also authorizes the National Park Service to include within its boundaries an additional 525 acres of land in the Devil's Slide section of Coastal Highway 1, which is the scenic highway that winds its way along the entire California coast. The Devil's Slide properties are also adjacent to the Rancho Corral de Tierra property. It is my understanding that the California Department of Transportation (Caltrans) will acquire these lands when it builds the Devil's Slide tunnel. This legislation includes the five properties that border the highway alignment and will be abandoned when the tunnel is completed. Since these properties will have no access once the Devil's Slide road is abandoned,

Caltrans will purchase these properties from their current owners. It is my understanding that Caltrans will donate these properties to a state park agency for open space use. Caltrans will also relinquish the abandoned Highway 1 alignment to San Mateo County, which will transfer these properties to a park agency after the tunnel is completed. I want to make something particularly clear, Mr. Speaker. It is not the intention of this legislation to give the federal government any responsibility for the acquisition of land or the construction or completion of the Devil's Slide tunnel. This legislation has nothing to do with the matter of the highway and tunnel construction. This legislation will simply make it possible for Caltrans to donate these properties to the National Park Service when the Devil's Slide tunnel is completed and when the National Park Service has determined the acquisition of these lands is appropriate. Mr. Speaker, H.R. 532 also includes within the GGNRA boundary the Caltrans-owned Martini Creek-Devil's Slide Bypass right-of-way, which was originally purchased by Caltrans for the purpose of building a highway across Montara Mountain. When San Mateo County voters overwhelmingly decided in a local referendum in favor of the Devil's Slide tunnel rather than the Martini Creek Bypass in 1996, this right-of-way became obsolete. This property, which covers approximately 300 acres, bisects the proposed additions to the GGNRA and will provide important recreation access to the surrounding parklands. It is my understanding that once the GGNRA boundary is adjusted to include this right-of-way, Caltrans will be able to donate this property to the National Park Service. Mr. Speaker, H.R. 532 will also reauthorize the Golden Gate National Recreation Area and Point Reyes National Seashore Advisory Commission for 10 years. The GGNRA and Point Reyes Advisory Commission was established by Congress in 1972 to provide for the free exchange of ideas between the National Park Service and the public and to facilitate the solicitation of advice from members of the public on problems pertinent to the National Park Service Parks or sites in Marin, San Francisco, and San Mateo Counties. The Advisory Commission holds open and accessible public meetings monthly at which the public has an opportunity to comment on park-related issues. The Advisory Commission is an invaluable resource for park management. It provides an important forum for the gathering and receipt of public input, public opinion and public comment and allows the park to maintain constructive and informal contacts with both the private sector and other federal, state

and local public agencies. The Advisory Commission aids in strengthening the spirit of cooperation between the National Park Service and the public, encourages private cooperation with other public agencies, and assists in developing and ensuring that the park's general management plan is implemented. As part of its regular monthly hearing process, the Advisory Commission held public hearings on this legislation in Half Moon Bay, California. Advisory Commission members heard overwhelming public support for the boundary study for "Rancho Corral de Tierra GGNRA Boundary Adjustment Act" that was produced by Peninsula Open Space Trust in consultation with the National Park Service. All Advisory Commission meetings are open to the public and an official transcript of each meeting is on record and available to the public. The activities and contributions of the Advisory Commission are critical to the efficient operation and management of the two adjoining national park units of Point Reyes National Seashore and the GGNRA. Mr. Speaker, preserving our country's unique natural areas must be one of our highest national priorities, and it is one of my highest priorities as a Member of Congress. We must preserve and protect these areas for our children and grandchildren today or they will be lost forever. Adding these new lands in San Mateo County to the GGNRA will allow us to protect these fragile areas from development or other inappropriate use that would destroy the scenic beauty and natural character of this key part of the Bay Area.

Mr. Speaker, this bill was agreed to by both Houses in the 107th Congress and should have been enacted, but issues unrelated to the Golden Gate National Recreation Area precluded its final passage. I am hopeful that the House will take up this bill where we left off last year, complete legislative action, and enact H.R. 532 expeditiously. The Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act has the support of the Bay Area Congressional Delegation. Joining me as co-sponsors are my distinguished colleagues, NANCY PELOSI, GEORGE MILLER, ANNA ESHOO, BARBARA LEE, ELLEN TAUSCHER, MIKE HONDA, MIKE THOMPSON, PETE STARK, and ZOE LOFGREN. I urge my colleagues to take advantage of this unique opportunity to preserve these important lands for addition to our national parks and support passage of H.R. 532, the Rancho Corral de Tierra Golden Gate National Recreation Area Boundary Adjustment Act.