

Congress of the United States

Washington, DC 20515

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DELAHUNT-DELAURO INTRODUCE BILL TO BAN FUNDS FOR PROPOSED US-IRAQ LONG TERM SECURITY AGREEMENT

Washington, DC – Congressman Bill Delahunt (D-MA) and Congresswoman Rosa DeLauro (D-CT) held a press conference today on Capitol Hill to announce the introduction of the “Protect Our Troops and Our Constitution Act,” legislation that will cut off funds for a U.S.-Iraqi security agreement that has not been submitted to and approved by Congress.

“Under the Constitution, only Congress can send troops into combat, but the Administration is trying to slip the ‘authority to fight’ into a standard, executive branch “Status of Forces Agreement” for Iraq,” said Delahunt. “Our legislation prohibits this evasion of the Congress’s war powers, and proposes that the UN mandate be extended for a brief period so that our troops can be legally protected while the new Administration and Congress craft our long term policy in Iraq.”

“Our nation’s future presence in Iraq is one of the most important issues facing our country and the Congress must play a role. President Bush must not be allowed to unilaterally make security commitments to Iraq that will tie the hands of the next president,” stated DeLauro. “That is why, we have introduced legislation that enforces the Constitutional requirement that the Bush Administration must either seek Congressional approval before finalizing any future and lasting agreement with Iraq or extend the UN Mandate once again so that a new Administration and Congress can chart our future course in Iraq. Accountability is fundamental. What we do today has serious consequences tomorrow. And we have a responsibility to get it right.”

As Chairman of the House Foreign Affairs Subcommittee on International Organizations, Human Rights, and Oversight, Delahunt has held five hearings on the security agreement over a four-month period since it was first proposed in the November 26, 2007, Declaration of Principles that was signed by President Bush and Prime Minister al-Maliki.

DeLauro, who has also been highly critical of the proposed long-term agreement, wrote last month to the President with Chairman Delahunt and over 50 of their colleagues urging the Administration to enter into consultations with and seek the approval of Congress on any agreement.

Defense Secretary Gates has suggested that the agreement would be similar to those the U.S. made with Japan and South Korea , which came in the form of a treaty requiring, under the Constitution, the advice and consent of two thirds of the Senate. However, the Assistant to the President and Deputy National Security Advisor for Iraq and Afghanistan, Lieutenant General Douglas E. Lute has stated that he does not anticipate “formal negotiations or formal inputs from the Congress.”

The legislation introduced by Delahunt and DeLauro specifically would:

- enforce the Constitutional requirement that any agreement committing or authorizing U.S. forces to engage in combat on behalf of the Government of Iraq be approved by Congress.
- urge the Administration to seek the extension of the five-year old UN Mandate for Multinational Forces in Iraq, which is set to expire in December. This action will ensure that U.S. forces have continued protection from Iraqi and international legal claims as the next President and Congress choose a new direction for U.S. policy in Iraq.

.....
(Original Signature of Member)

110TH CONGRESS
2D SESSION

H. R.

To reassert the constitutional role of Congress in making long-term security commitments, to defer significant long-term security commitments to Iraq to the next Administration and Congress, and to maintain international legal authority and immunity for United States Armed Forces in Iraq by promoting the extension of the United Nations mandate.

IN THE HOUSE OF REPRESENTATIVES

Mr. DELAHUNT (for himself and Ms. DELAURO) introduced the following bill; which was referred to the Committee on _____

A BILL

To reassert the constitutional role of Congress in making long-term security commitments, to defer significant long-term security commitments to Iraq to the next Administration and Congress, and to maintain international legal authority and immunity for United States Armed Forces in Iraq by promoting the extension of the United Nations mandate.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 The Act may be cited as the “Protect Our Troops
3 and Our Constitution Act of 2008”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) On November 26, 2007, by signing the Dec-
7 laration of Principles for a Long-Term Relationship
8 of Cooperation and Friendship Between the Republic
9 of Iraq and the United States of America (herein-
10 after in this Act referred to as the “Declaration of
11 Principles”), the President of the United States
12 pledged to negotiate by July 2008 an agreement to
13 replace the United Nations mandate that currently
14 provides international legal authority as well as im-
15 munity from Iraqi prosecution for United States
16 Armed Forces and other Coalition forces operating
17 in Iraq.

18 (2) In the Declaration of Principles, the Presi-
19 dent pledged that this agreement would include the
20 following security commitments by the United
21 States:

22 (A) “Supporting the Republic of Iraq in
23 defending its democratic system against inter-
24 nal and external threats.”.

25 (B) “Providing security assurances and
26 commitments to the Republic of Iraq to deter

1 foreign aggression against Iraq that violates its
2 sovereignty and integrity of its territories, wa-
3 ters, or airspace.”.

4 (C) “Supporting the Republic of Iraq in its
5 efforts to combat all terrorist groups, at the
6 forefront of which is Al-Qaeda, Saddamists, and
7 all other outlaw groups regardless of affiliation,
8 and destroy their logistical networks and their
9 sources of finance, and defeat and uproot them
10 from Iraq.”.

11 (3) However, in testimony before the United
12 States Senate on February 6, 2008, Secretary of
13 Defense Robert Gates effectively renounced this
14 pledge by the President when he said, “[T]he status
15 of forces agreement that is being discussed will not
16 contain a commitment to defend Iraq, and neither
17 will any strategic framework agreement. My under-
18 standing is—and it’s, frankly, a clearer point than
19 I made earlier—and we certainly do not consider the
20 declaration of principles a security commitment to
21 the Iraqis.”.

22 (4) On November 26, 2007, the President’s
23 Deputy National Security Advisor for Iraq and Af-
24 ghanistan, General Douglas Lute, stated in a press
25 briefing that permanent United States military bases

1 in Iraq “will certainly be a key item for negotiation
2 next year”. On January 28, 2008, when signing into
3 law the National Defense Authorization Act for Fis-
4 cal Year 2008, which includes a ban on permanent
5 United States military bases in Iraq, President
6 George W. Bush indicated in a signing statement ac-
7 companying the bill that he would not be bound by
8 a provision of that law that prohibits the United
9 States from establishing permanent military bases in
10 Iraq.

11 (5) However, in testimony before the Senate on
12 February 6, 2008, Secretary of Defense Gates stat-
13 ed, “The fact is, in every meeting that I’ve taken
14 part in, it has been affirmed from the president on
15 down that we do not want permanent bases in
16 Iraq.”.

17 (6) General Lute stated in a press briefing on
18 November 26, 2007, in response to a question as to
19 whether the Administration would seek congressional
20 input into the agreement, “We don’t anticipate now
21 that these negotiations will lead to the status of a
22 formal treaty which would then bring us to formal
23 negotiations or formal inputs from the Congress.”.
24 However, the Department of State has failed to con-
25 sult with congressional leaders on the Declaration of

1 Principles as required by the Department of State's
2 Circular 175 procedure, which implements United
3 States law regarding the conduct of negotiations for
4 international agreements.

5 (7) However, in testimony before the Senate on
6 February 6, 2008, Secretary of Defense Gates stated,
7 "My view is that there ought to be a great deal
8 of openness and transparency to the Congress as we
9 negotiate this status of forces agreement so that you
10 can satisfy yourselves that those kinds of commitments
11 are not being made, and that there are no
12 surprises in this."

13 (8) According to the Congressional Research
14 Service, while the primary purpose of a status of
15 forces agreement between the United States and another
16 country or organization is typically to provide
17 United States Armed Forces with immunity from
18 local prosecution, and no existing status of forces
19 agreement authorizes offensive combat operations by
20 United States Armed Forces (absent reference to a
21 treaty, law, or United Nations Security Council resolution),
22 Secretary of Defense Gates and Secretary of
23 State Condoleezza Rice have written in an opinion
24 piece published February 13, 2008, in the Washington
25 Post that it is the intention of the Adminis-

1 tration to have the status of forces agreement with
2 Iraq include the “authority to fight” for United
3 States Armed Forces engaged in combat operations.

4 (9) The inconsistencies between the various
5 statements and pledges described in paragraphs (1)
6 through (8) raise significant questions about the Ad-
7 ministration’s objectives in seeking new agreements
8 with Iraq.

9 (10)(A) Since August 6, 2004, United States
10 Armed Forces and other Coalition forces in Iraq
11 have had international legal authority to operate in
12 Iraq under the United Nations mandate for the Mul-
13 tinationa l Force–Iraq, most recently renewed in De-
14 cember 2007 until December 31, 2008, and have
15 had immunity from local prosecution under an Iraqi
16 law known as CPA Order 17, which is dependent on
17 that mandate.

18 (B) The Iraqi Ambassador to the United
19 States, Samir Sumaidaie, said on February 5, 2008,
20 “If we cannot have an agreement by that time [De-
21 cember 31, 2008,] we would have no choice but to
22 go back to the Security Council. Basically, we need
23 to have some legal cover for foreign forces.”

1 **SEC. 3. LIMITATION ON USE OF FUNDS.**

2 No funds appropriated or otherwise made available
3 to any department or agency of the United States may
4 be used—

5 (1) to establish or maintain any permanent or
6 long-term United States military base or facility in
7 Iraq; or

8 (2) to implement any agreement that is con-
9 sistent with the security commitments of the United
10 States to Iraq under the Declaration of Principles,
11 including the security commitments described in
12 subparagraphs (A) through (C) of section 1(2) of
13 this Act, or any agreement that provides “authority
14 to fight” for United States Armed Forces engaged
15 in combat operations, other than for self-defense
16 purposes, unless the agreement is in the form of a
17 treaty with respect to which the Senate has given its
18 advice and consent to ratification under Article II of
19 the Constitution of the United States or the agree-
20 ment is approved by an Act of Congress enacted
21 after the date of the enactment of this Act.

22 **SEC. 4. SENSE OF CONGRESS.**

23 It is the sense of Congress that—

24 (1) long-term relations between the United
25 States and Iraq should be determined by the United

1 States Administration taking office on January 20,
2 2009;

3 (2) in determining its policy toward Iraq, the
4 United States Administration referred to in para-
5 graph (1) should consult fully with the United
6 States Congress, the Government of Iraq, Coalition
7 partners, and Iraq's neighbors; and

8 (3) to maintain current international legal au-
9 thority as well as immunity from Iraqi prosecution
10 for United States Armed Forces and other Coalition
11 forces operating in Iraq while the United States Ad-
12 ministration referred to in paragraph (1) determines
13 United States policy toward Iraq, the current United
14 States Administration should encourage the Govern-
15 ment of Iraq to request the renewal of the United
16 Nations mandate for Iraq beyond December 31,
17 2008.

Description of the Delahunt-DeLauro Bill Asserting Congressional Control over any U.S.-Iraq Security Agreement and Extending the UN Mandate

Summary of the bill: The legislation uses a funding ban to enforce the Constitutional requirement that any agreement committing or authorizing U.S. forces to engage in combat on behalf of the Government of Iraq be approved by Congress. The legislation also encourages the Administration to seek the extension of the five-year old UN Mandate for Multinational Forces in Iraq, which is set to expire in December, so that U.S. forces will be protected from Iraqi and international legal claims as the next President and Congress choose a new direction for U.S. policy in Iraq.

Section 1: This section makes ten findings about the inconsistencies between various claims by the Administration about its intentions toward negotiations to implement the *Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship between the Republic of Iraq and the United States of America*, signed by President Bush and Prime Minister al-Maliki on November 26, 2007. These findings show that the security pledges made by President Bush in the Declaration have effectively been renounced by other administration officials. They also challenge the Administration's claim that a sole executive agreement, rather than a congressional-approved agreement, can include "authority to fight" for U.S. forces, and note that the UN Mandate provides international legal authority for U.S. and Coalition military forces.

Section 2: This section prohibits the use of funds (1) to establish permanent US. military facilities in Iraq and (2) to implement any agreement with Iraq that commits or authorizes U.S. forces to engage in combat, other than for defensive purposes, unless there has been congressional approval.

Section 3: This section calls on the Administration to encourage the Government of Iraq to seek an extension of the UN Mandate, so that U.S. and Coalition forces can continue to operate under international legal authority while the next U.S. Administration determines its policy toward Iraq.

* * *

Congress of the United States
House of Representatives
Washington, DC 20515

February 08, 2008

The Honorable George W. Bush
The White House
1600 Pennsylvania Ave., NW
Washington, D.C. 20500

Dear Mr. President:

We write to express our deep concern over the “Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship Between the Republic of Iraq and the United States of America” that you and Iraqi Prime Minister Nouri al-Maliki signed on November 26, 2007. Specifically, we seek to understand the parameters of the document and the reported provisions you are seeking to include in the final agreement. We believe an agreement of such immense importance to the long-term interests of the United States deserves close consultation with Congress.

Most disconcerting to us are the security-related obligations laid out in the Declaration of Principles, including a commitment to support “the Republic of Iraq in defending its democratic system against internal and external threats,” to provide “security assurances and commitments to the Republic of Iraq to deter foreign aggression,” to support Iraq “in its efforts to combat all terrorist groups” including “Saddamists, and all other outlaw groups regardless of affiliation,” and to support Iraq in “training, equipping, and arming the Iraqi Security Forces.” Foremost amongst our concerns is that such terms will commit U.S. forces to combat any internal armed faction or external enemy that is deemed a threat by the al-Maliki government regardless of whether such action is clearly in our national interest.

We note that Secretary of Defense Robert Gates asserted in Congressional testimony this week that the agreement “will not contain a commitment to defend Iraq,” yet we remain concerned that such a commitment is nevertheless included in a written document signed by two heads of state. We are left to question whether his comments indicate that you will renounce the parameters laid out in the Declaration of Principles. Regardless, we believe it is clear that any agreement with Iraq would likely authorize our forces to engage in combat. Currently U.S. forces in combat are operating under a U.N. mandate. Should that mandate end as proposed in the Declaration of Principles, we believe such authority should be approved by legislatures in both Iraq and the United States.

Such assurances and commitments could also very well in our view necessitate the continued deployment of a substantial number of troops in Iraq, a policy that directly conflicts with the wishes of a majority of both the Senate and House of Representatives and, more importantly, the wishes of the majority of Americans. In addition, such an agreement could lead to permanent bases in Iraq despite bipartisan legislation that you signed into law restricting funding for any permanent U.S. installation in Iraq.

While Secretary Gates also testified that your Administration will not “seek permanent bases in Iraq,” that commitment is contradicted by an earlier statement from your Assistant to the President and Deputy National Security Advisor for Iraq and Afghanistan, Lieutenant General Douglas E. Lute who called permanent bases “a key item for negotiation.” Moreover, Secretary Gates’ comment is further contradicted by the signing statement you issued along with the 2008 National Defense Authorization Act in which you declared that you have the power to bypass a provision in the bill barring the establishment of “any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.”

Along with these provisions in the Declaration of Principles, recent media reports point to how your Administration is seeking to guarantee civilian contractors specific legal protections from Iraqi law. We question the wisdom of pursuing such negotiations when such an agreement to date has protected Blackwater employees who killed 17 Iraqi civilians on September 16, 2007 causing substantial damage to America’s image, and when in no other country are American military contractors granted such protection from domestic law.

Unfortunately, these and other questions pertaining to the proposed long-term agreement with Iraq have not been answered because, to our knowledge, your Administration has refused to consult with the Congress. General Lute stated at the outset that he does not “anticipate now that these negotiations will lead to the status of a formal treaty which would then bring us to formal negotiations or formal inputs from the Congress.” Moreover, your Administration declined four separate invitations, including one to General Lute, to participate in a joint hearing of the House Foreign Affairs Subcommittee on International Organizations, Human Rights and Oversight and the Subcommittee on the Middle East and South Asia on January 23, 2008, as well as additional invitations to a subsequent hearing today.

This refusal to engage with Congress contradicts the Department of State’s “Circular 175” regulations, which implement U.S. laws on the handling of international agreements. These regulations require that the relevant Committees be “advised of the intention to negotiate significant new international agreements, consulted concerning such agreements, and kept informed of developments affecting them, especially whether any legislation is considered necessary or desirable for the implementation of the new treaty or agreement.” While you are now offering to provide closed door briefings to Members of the House Foreign Affairs Committee, we believe this offer falls well short of the “openness and transparency” in the negotiations promised by Secretary Gates in his Congressional testimony this week.

Furthermore, we are deeply troubled by your decision not to provide a full and detailed supplemental war funding request with the fiscal year 2009 annual budget. As you know, under the fiscal year 2007 defense authorization (PL 109-364), you are required to include a war cost estimate in the budget, a law that you did comply with last year. In light of the fact that you and Prime Minister al-Maliki are proposing to enact this pact beginning in fiscal year 2009, we believe this decision only further leaves the Congress and the American people in the dark with regard to this agreement.

Secretary Gates has discussed a “long and enduring presence” in Iraq of which the “Korea model” and the “security relationship that we have with Japan” are examples. Both of these relationships were established after consultations with Congress and after two-thirds of the Senate had given its advice and consent to ratification of a treaty. While we agree that it is in our national interest to map out our future relationship with Iraq, in light of the long-term repercussions the agreement you are currently negotiating will have on the United States, we strongly urge you to enter serious consultations with and seek the approval of Congress rather than unilaterally locking in commitments that constrain your successor’s ability to forge a new direction in Iraq.

Sincerely,



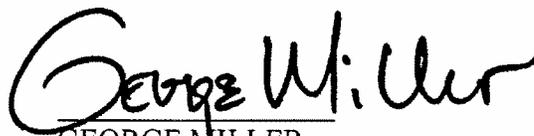
ROSA L. DeLAURO
Member of Congress



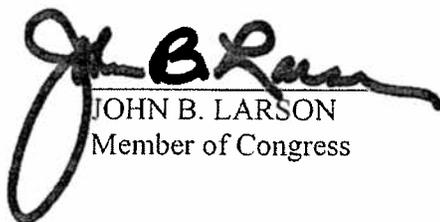
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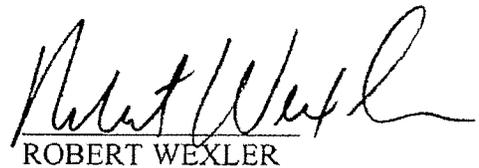
JOHN B. LARSON
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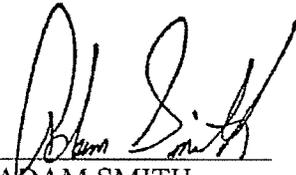
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MICHAEL CAPUANO
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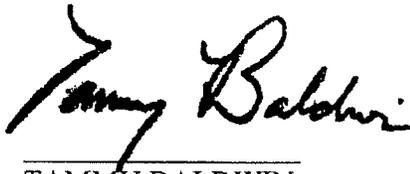
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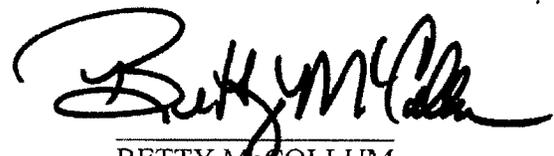
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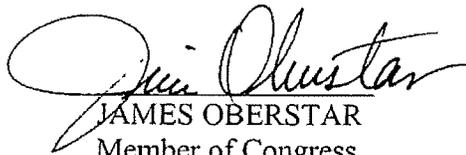
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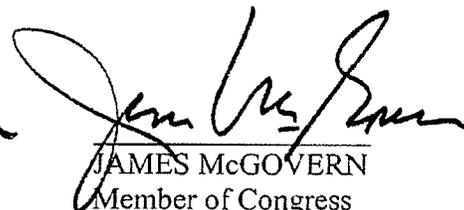
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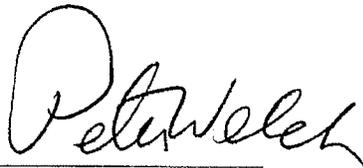
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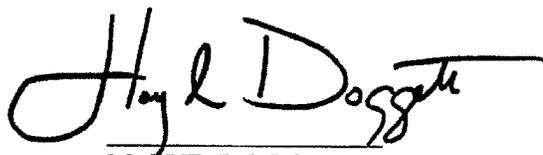
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PETER WELCH
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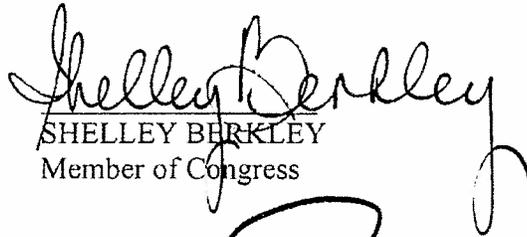
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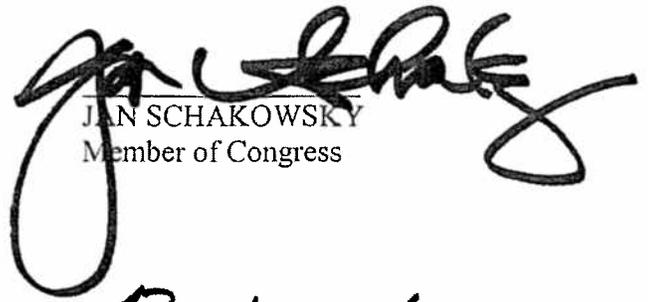


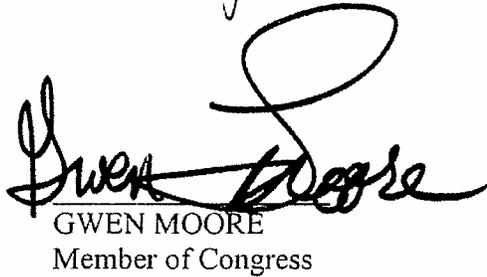
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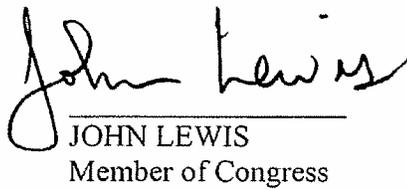
MAZIE HIRONO
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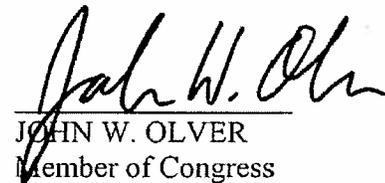

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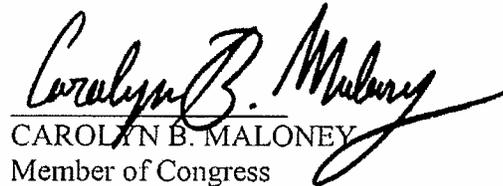

BARBARA LEE
Member of Congress


JOHN LEWIS
Member of Congress

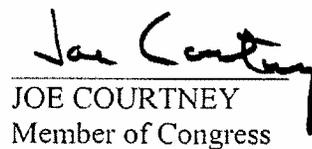

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ELEANOR HOLMES NORTON
Member of Congress

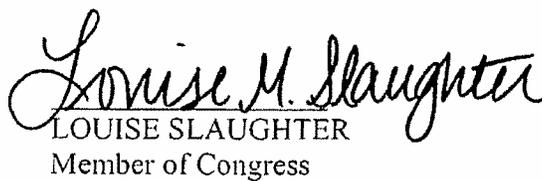

GABRIELLE GIFFORDS
Member of Congress


CAROLYN B. MALONEY
Member of Congress

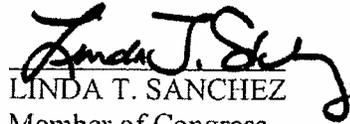

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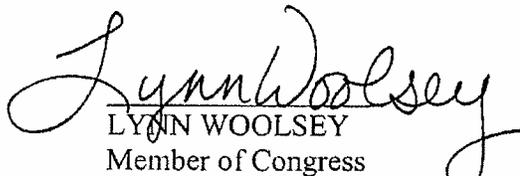

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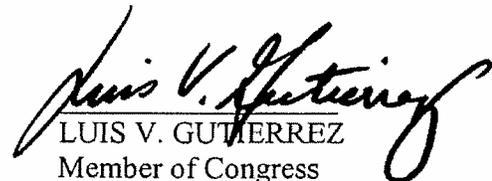

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Member of Congress

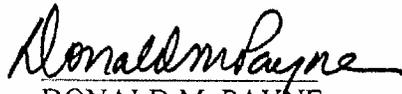

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EDWARD J. MARKEY
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MICHAEL HONDA
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LYNN WOOLSEY
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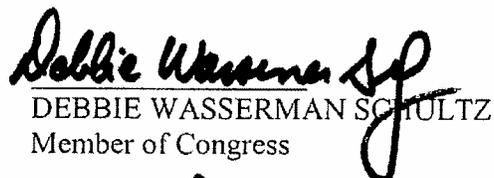

LUIS V. GUTIERREZ
Member of Congress

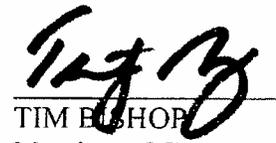

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Member of Congress

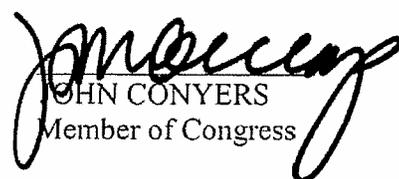

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DORIS O. MATSUI
Member of Congress

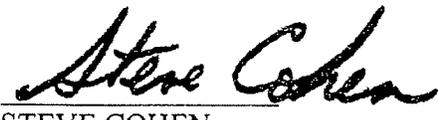

DEBBIE WASSERMAN SCHULTZ
Member of Congress


TIM ESH
Member of Congress


CHRISTOPHER MURPHY
Member of Congress

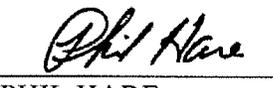

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What We Need Next in Iraq

Advertisement

By Condoleezza Rice and Robert Gates
Wednesday, February 13, 2008; A19

Over the past year, we have seen that Iraqis are committed to affirming their own sovereignty. The Iraqi army and police are taking the lead in providing security over much of the country. Iraq is building relationships with other nations in the Middle East. The Iraqi people want to meet their own needs and control their own destiny. And they desire a more normal relationship with the United States.

Our troops and diplomats have made untold sacrifices to help put Iraq on the path to self-sufficiency. A crucial phase in this process will unfold in the coming months, when our ambassador in Baghdad, Ryan Crocker, begins negotiating a basic framework for normalized relations with the Iraqi government -- to include what is known as a "status of forces" agreement. We encourage Congress and the public to support the efforts of our senior diplomats and military officers as they forge ahead with these talks -- which we believe are essential to a successful outcome in Iraq and, by extension, the vital interests and security of the United States.

First, some background. Whenever American troops are stationed or temporarily present on foreign soil, a number of legal questions arise, ranging from the overall scope of their mission to the minutiae of day-to-day life -- from authority to fight to rules for delivering mail. In more than 115 nations, we have individually tailored status-of-forces agreements. These agreements are crafted to take into account circumstances in each host country as well as the unique requirements and missions of our forces there.

In Iraq, the presence and role of the United States and our coalition partners have been authorized by U.N. resolutions. The current U.N. authorization expires at the end of this year, and Iraq has indicated that it will not seek an extension. It would rather have an arrangement that is more in line with what typically governs the relationships between two sovereign nations.

There is debate here at home about the future presence, composition and mission of U.S. forces in Iraq. It is clear, however, that U.S. forces will need to operate in Iraq beyond the end of this year for progress in stabilizing Iraq to continue.

In these negotiations, we seek to set the basic parameters for the U.S. presence in Iraq, including the appropriate authorities and jurisdiction necessary to operate effectively and to carry out essential missions, such as helping the Iraqi government fight al-Qaeda, develop its security forces, and stem the flow of lethal weapons and training from Iran. In addition, we seek to establish a basic framework for a strong relationship with Iraq, reflecting our shared political, economic, cultural and security interests.

Nothing to be negotiated will mandate that we continue combat missions. Nothing will set troop levels. Nothing will commit the United States to join Iraq in a war against another country or provide other such security commitments. And nothing will authorize permanent bases in Iraq (something neither we nor Iraqis want). And consistent with well-established practice regarding such agreements, nothing will involve the U.S. Senate's treaty-ratification authority -- although we will work closely with the appropriate committees of Congress to keep lawmakers informed and to provide complete transparency. Classified briefings have already begun, and we look forward to congressional input.

In short, nothing to be negotiated in the coming months will tie the hands of the next commander in chief, whomever he or she may be. Quite the contrary, it will give the president the legal authority to protect our national interest -- and the latitude to chart the next administration's course.

There is wide recognition of the need for a normal bilateral relationship of this type. It has the support of moderate political forces from all of Iraq's communities -- Sunni, Shiite and Kurd. A bipartisan group of senior senators have called for it -- among them [Carl Levin](#), [John Warner](#) and [Richard Lugar](#). And it has been promoted by bipartisan panels such as the Independent Commission on the Security Forces of Iraq, chaired by retired [U.S. Marine Corps Gen. James L. Jones](#). Similarly, the Baker-Hamilton commission advocated a series of longer-term missions that would require an agreement of this sort.

There is little doubt that 2008 will be a year of critical transition in Iraq as our force levels continue to come down, as our mission changes and as Iraqis continue to assert their sovereignty. But to continue the success we have seen in recent months, the Iraqi people and government will continue to need our help. Iraqis have requested a normalized relationship with us, and such a relationship will be part of a foundation of success in Iraq -- a foundation upon which future U.S. administrations can build.

The writers are, respectively, the secretary of state and secretary of defense.

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In Pact, U.S. Won't Commit to Protecting Iraq

By Karen DeYoung
Washington Post Staff Writer
Thursday, February 7, 2008; A17

A long-term "relationship" being negotiated between the United States and Iraq will include U.S. "security assurances and commitments . . . to deter foreign aggression against Iraq that violates its sovereignty and integrity of its territories, waters, or airspace," according to an agreement signed by President Bush and Prime Minister Nouri al-Maliki last November.

Or maybe it won't.

Defense Secretary Robert M. Gates said in congressional testimony yesterday that the agreement "will not contain a commitment to defend Iraq."

Democrats have said that Bush is seeking to tie the hands of a new administration by negotiating a broad military commitment to Iraq. The agreement, targeted for completion this summer, is designed to replace a U.N. mandate sanctioning the U.S. troop presence that ends Dec. 31.

Pressed in hearings before the House and Senate Armed Services committees, Gates reiterated that the administration will not "seek permanent bases in Iraq." Asked to submit any agreement for congressional approval, he said there will be "openness and transparency" in the negotiations.

Several lawmakers asked about a pledge to defend Iraq, noting that any such "security commitment" would require a treaty subject to Senate ratification. There will be no such pledge in any status of forces agreement, Gates said.

Gates agreed with Rep. Ike Skelton (D-Mo.), however, that a status of forces agreement, which he said set the "rules of the road" for forces in any foreign country, was different than what Skelton, the House committee chairman, called "a security agreement with an ally."

In a later exchange with Senate committee Chairman Carl M. Levin (D-Mich.), Gates clarified that neither a status of forces agreement nor "any strategic framework agreement" would include "a commitment to protect Iraq."

The committee, Levin noted, was "very grateful" for Gates's "flat-out assurance that any agreement with Iraq will not include a security provision."

Asked to reconcile an apparent contradiction between Gates's testimony and the November Bush-Maliki "statement of principles," National Security Council spokesman Gordon Johndroe said members of the administration were "carefully choosing our words because so many have tried to be misleading as to what's really going to be negotiated."



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For Immediate Release
Office of the Press Secretary
November 26, 2007

Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship Between the Republic of Iraq and the United States of America

As Iraqi leaders confirmed in their Communiqué signed on August 26, 2007, and endorsed by President Bush, the Governments of Iraq and the United States are committed to developing a long-term relationship of cooperation and friendship as two fully sovereign and independent states with common interests. This relationship will serve the interest of coming generations based on the heroic sacrifices made by the Iraqi people and the American people for the sake of a free, democratic, pluralistic, federal, and unified Iraq.

The relationship of cooperation envisioned by the Republic of Iraq and the United States includes a range of issues, foremost of which is cooperation in the political, economic, cultural, and security fields, taking account of the following principles:

First: The Political, Diplomatic, and Cultural Spheres

1. Supporting the Republic of Iraq in defending its democratic system against internal and external threats.
2. Respecting and upholding the Constitution as the expression of the will of the Iraqi people and standing against any attempt to impede, suspend, or violate it.
3. Supporting the efforts of the Republic of Iraq to achieve national reconciliation including as envisioned in the Communiqué of August 26.
4. Supporting the Republic of Iraq's efforts to enhance its position in regional and international organizations and institutions so that it may play a positive and constructive role in the region and the world.
5. Cooperating jointly with the states of the region on the basis of mutual respect, non-intervention in internal affairs, rejection of the use of violence in resolving disputes, and adoption of constructive dialogue in resolving outstanding problems among the various states of the region.
6. Promoting political efforts to establish positive relationships between the states of the region and the world, which serve the common goals of all relevant parties in a manner that enhances the security and stability of the region, and the prosperity of its peoples.
7. Encouraging cultural, educational, and scientific exchanges between the two countries.

Second: The Economic Sphere

1. Supporting Iraq's development in various economic fields, including its productive capabilities, and aiding its transition to a market economy.

2. Encouraging all parties to abide by their commitments as stipulated in the International Compact with Iraq.
3. Supporting the building of Iraq's economic institutions and infrastructure with the provision of financial and technical assistance to train and develop competencies and capacities of vital Iraqi institutions.
4. Supporting Iraq's further integration into regional and international financial and economic organizations.
5. Facilitating and encouraging the flow of foreign investments to Iraq, especially American investments, to contribute to the reconstruction and rebuilding of Iraq.
6. Assisting Iraq in recovering illegally exported funds and properties, especially those smuggled by the family of Saddam Hussein and his regime's associates, as well as antiquities and items of cultural heritage, smuggled before and after April 9, 2003.
7. Helping the Republic of Iraq to obtain forgiveness of its debts and compensation for the wars waged by the former regime.
8. Supporting the Republic of Iraq to obtain positive and preferential trading conditions for Iraq within the global marketplace including accession to the World Trade Organization and most favored nation status with the United States.

Third: The Security Sphere

1. Providing security assurances and commitments to the Republic of Iraq to deter foreign aggression against Iraq that violates its sovereignty and integrity of its territories, waters, or airspace.
2. Supporting the Republic of Iraq in its efforts to combat all terrorist groups, at the forefront of which is Al-Qaeda, Saddamists, and all other outlaw groups regardless of affiliation, and destroy their logistical networks and their sources of finance, and defeat and uproot them from Iraq. This support will be provided consistent with mechanisms and arrangements to be established in the bilateral cooperation agreements mentioned herein.
3. Supporting the Republic of Iraq in training, equipping, and arming the Iraqi Security Forces to enable them to protect Iraq and all its peoples, and completing the building of its administrative systems, in accordance with the request of the Iraqi government.

The Iraqi Government in confirmation of its resolute rights under existing Security Council resolutions will request to extend the mandate of the Multi-National Force-Iraq (MNF-I) under Chapter VII of the United Nations Charter for a final time. As a condition for this request, following the expiration of the above mentioned extension, Iraq's status under Chapter VII and its designation as a threat to international peace and security will end, and Iraq will return to the legal and international standing it enjoyed prior to the issuance of U.N. Security Council Resolution No. 661 (August, 1990), thus enhancing the recognition and confirming the full sovereignty of Iraq over its territories, waters, and airspace, and its control over its forces and the administration of its affairs.

Taking into account the principles discussed above, bilateral negotiations between the Republic of Iraq and the United States shall begin as soon as possible, with the aim to achieve, before July 31, 2008, agreements between the two governments with respect to the political, cultural, economic, and security spheres.

**President of the United States of America
George W. Bush**

**Prime Minister of the Republic of Iraq
Nouri Kamel Al-Maliki**