

110TH CONGRESS
1ST SESSION

H. CON. RES. 97

Expressing the sense of Congress that the Government of the United States should submit to the Government of Iraq a draft bilateral status-of-forces agreement by not later than September 1, 2007.

IN THE HOUSE OF REPRESENTATIVES

MARCH 22, 2007

Mr. ISRAEL submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Expressing the sense of Congress that the Government of the United States should submit to the Government of Iraq a draft bilateral status-of-forces agreement by not later than September 1, 2007.

Whereas the United States is currently maintaining a significant military presence within the Republic of Iraq;

Whereas the people of Iraq have expressed repeated concern about the status of United States Armed Forces in their country;

Whereas Iraq is a sovereign nation, having regained its sovereignty on June 28, 2004, meaning that it is capable of being party to bilateral and multilateral treaties;

Whereas the Interim Constitution of Iraq, in recognizing Coalition Provisional Order Number 17 (relating to status

of forces), establishes a precedent that will not be incorporated into the permanent constitutional law of Iraq;

Whereas a status-of-forces agreement is a standard bilateral agreement entered into between two countries when the military forces of one country operate within the sovereign territory of the other country;

Whereas a status-of-forces agreement is an important measure taken both to underline the sovereignty of the host country and to protect the military justice system of the visiting country;

Whereas The New York Times reported on November 29, 2006, that Stephen Hadley, the National Security Advisor, wrote a memorandum to President George W. Bush stating that a status-of-forces agreement with the Government of Iraq should be negotiated over the next year; and

Whereas United States Armed Forces currently operate under status-of-forces agreements within the territory of Japan, South Korea, and many other countries: Now, therefore, be it

1 *Resolved by the House of Representatives (the Senate*
2 *concurring), That it is the sense of Congress that—*

3 (1) the Government of the United States should
4 submit to the Government of Iraq a draft bilateral
5 status-of-forces agreement by not later than Sep-
6 tember 1, 2007; and

7 (2) the draft status-of-forces agreement
8 should—

1 (A) address the sovereign rights of Iraq,
2 underlining that the United States is not an oc-
3 cupying power;

4 (B) subject to negotiation with the Govern-
5 ment of Iraq, address the legal status of United
6 States personnel in Iraq, including the rights of
7 United States personnel in civil and criminal
8 matters that are subject to the jurisdiction of
9 the Government of Iraq; and

10 (C) subject to negotiation with the Govern-
11 ment of Iraq, establish primacy and
12 coordinative mechanisms with respect to inves-
13 tigation and operations involving United States
14 and Iraqi forces, including civilian police forces.

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