

Calendar No. 19

110TH CONGRESS
1ST SESSION**S. 470**To express the sense of Congress on Iraq.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2007

Mr. LEVIN (for himself, Mr. BIDEN, Mr. SALAZAR, Ms. LANDRIEU, and Mr. NELSON of Florida) introduced the following bill; which was read the first time

FEBRUARY 1, 2007

Read the second time and placed on the calendar

A BILL

To express the sense of Congress on Iraq.

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

3 **SECTION 1. SENSE OF CONGRESS ON IRAQ.**

4 (a) FINDINGS.—Congress makes the following find-
5 ings:

6 (1) We respect the constitutional authorities
7 given a President in Article II, Section 2, which
8 states that “The President shall be commander in

1 chief of the Army and Navy of the United States;”
2 it is not the intent of this Act to question or con-
3 travene such authority, but to accept the offer to
4 Congress made by the President on January 10,
5 2007, that, “if members have improvements that can
6 be made, we will make them. If circumstances
7 change, we will adjust”.

8 (2) The United States’ strategy and operations
9 in Iraq can only be sustained and achieved with sup-
10 port from the American people and with a level of
11 bipartisanship.

12 (3) Over 137,000 American military personnel
13 are currently serving in Iraq, like thousands of oth-
14 ers since March 2003, with the bravery and profes-
15 sionalism consistent with the finest traditions of the
16 United States armed forces, and are deserving of the
17 support of all Americans, which they have strongly.

18 (4) Many American service personnel have lost
19 their lives, and many more have been wounded, in
20 Iraq, and the American people will always honor
21 their sacrifices and honor their families.

22 (5) The U.S. Army and Marine Corps, includ-
23 ing their Reserve and National Guard organizations,
24 together with components of the other branches of

1 the military, are under enormous strain from mul-
2 tiple, extended deployments to Iraq and Afghanistan.

3 (6) These deployments, and those that will fol-
4 low, will have lasting impacts on the future recruit-
5 ing, retention and readiness of our nation's all vol-
6 unteer force.

7 (7) In the National Defense Authorization Act
8 for Fiscal Year 2006, the Congress stated that "cal-
9 endar year 2006 should be a period of significant
10 transition to full sovereignty, with Iraqi security
11 forces taking the lead for the security of a free and
12 sovereign Iraq".

13 (8) United Nations Security Council Resolution
14 1723, approved November 28, 2006, "determin[ed]
15 that the situation in Iraq continues to constitute a
16 threat to international peace and security".

17 (9) Iraq is experiencing a deteriorating and
18 ever-widening problem of sectarian and intra-sec-
19 tarian violence based upon political distrust and cul-
20 tural differences between some Sunni and Shia Mus-
21 lims.

22 (10) Iraqis must reach political settlements in
23 order to achieve reconciliation, and the failure of the
24 Iraqis to reach such settlements to support a truly

1 unified government greatly contributes to the in-
2 creasing violence in Iraq.

3 (11) The responsibility for Iraq's internal secu-
4 rity and halting sectarian violence must rest pri-
5 marily with the Government of Iraq and Iraqi Secu-
6 rity Forces.

7 (12) U.S. Central Command Commander Gen-
8 eral John Abizaid testified to Congress on November
9 15, 2006, "I met with every divisional commander,
10 General Casey, the Corps Commander, [and] Gen-
11 eral Dempsey. We all talked together. And I said, in
12 your professional opinion, if we were to bring in
13 more American troops now, does it add considerably
14 to our ability to achieve success in Iraq? And they
15 all said no. And the reason is, because we want the
16 Iraqis to do more. It's easy for the Iraqis to rely
17 upon us to do this work. I believe that more Amer-
18 ican forces prevent the Iraqis from doing more, from
19 taking more responsibility for their own future".

20 (13) Iraqi Prime Minister Nouri al-Maliki stat-
21 ed on November 27, 2006, that "The crisis is polit-
22 ical, and the ones who can stop the cycle of aggrava-
23 tion and bloodletting of innocents are the politi-
24 cians".

1 (14) There is growing evidence that Iraqi public
2 sentiment opposes the continued U.S. troop presence
3 in Iraq, much less increasing the troop level.

4 (15) In the fall of 2006, leaders in the Adminis-
5 tration and Congress, as well as recognized experts
6 in the private sector, began to express concern that
7 the situation in Iraq was deteriorating and required
8 a change in strategy; and, as a consequence, the Ad-
9 ministration began an intensive, comprehensive re-
10 view by all components of the Executive branch to
11 devise a new strategy.

12 (16) In December 2006, the bipartisan Iraq
13 Study Group issued a valuable report, suggesting a
14 comprehensive strategy that includes “new and en-
15 hanced diplomatic and political efforts in Iraq and
16 the region, and a change in the primary mission of
17 U.S. forces in Iraq that will enable the United
18 States to begin to move its combat forces out of Iraq
19 responsibly”.

20 (17) On January 10, 2007, following consulta-
21 tions with the Iraqi Prime Minister, the President
22 announced a new strategy (hereinafter referred to as
23 the “plan”), which consists of three basic elements:
24 diplomatic, economic, and military; the central com-
25 ponent of the military element is an augmentation of

1 the present level of U.S. military forces through ad-
2 ditional deployments of approximately 21,500 U.S.
3 military troops to Iraq.

4 (18) On January 10, 2007, the President said
5 that the “Iraqi government will appoint a military
6 commander and two deputy military commanders for
7 their capital” and that U.S. forces will “be embed-
8 ded in their formations;” and in subsequent testi-
9 mony before the Armed Services Committee on Jan-
10 uary 25, 2007, by the retired former Vice Chief of
11 the Army, it was learned that there will also be a
12 comparable U.S. command in Baghdad, and that
13 this dual chain of command may be problematic be-
14 cause “the Iraqis are going to be able to move their
15 forces around at times where we will disagree with
16 that movement,” and called for clarification.

17 (19) This proposed level of troop augmentation
18 far exceeds the expectations of many of us as to the
19 reinforcements that would be necessary to implement
20 the various options for a new strategy, and led many
21 members of Congress to express outright opposition
22 to augmenting our troops by 21,500.

23 (20) The Government of Iraq has promised re-
24 peatedly to assume a greater share of security re-
25 sponsibilities, disband militias, consider Constitu-

1 tional amendments and enact laws to reconcile sec-
2 tarian differences, and improve the quality of essen-
3 tial services for the Iraqi people; yet, despite those
4 promises, little has been achieved.

5 (21) The President said on January 10, 2007,
6 that “I’ve made it clear to the Prime Minister and
7 Iraq’s other leaders that America’s commitment is
8 not open-ended” so as to dispel the contrary impres-
9 sion that exists.

10 (22) The recommendations in this Act should
11 not be interpreted as precipitating any immediate re-
12 duction in, or withdrawal of, the present level of
13 forces.

14 (b) SENSE OF CONGRESS.—It is the sense of Con-
15 gress that—

16 (1) the Senate disagrees with the “plan” to
17 augment our forces by 21,500, and urges the Presi-
18 dent instead to consider all options and alternatives
19 for achieving the strategic goals set forth below;

20 (2) the Senate believes that the United States
21 should continue vigorous operations in Anbar prov-
22 ince, specifically for the purpose of combating an in-
23 surgency, including elements associated with the Al
24 Qaeda movement, and denying terrorists a safe
25 haven;

1 (3) the Senate believes a failed state in Iraq
2 would present a threat to regional and world peace,
3 and the long-term security interests of the United
4 States are best served by an Iraq that can sustain,
5 govern, and defend itself, and serve as an ally in the
6 war against extremists;

7 (4) the Congress should not take any action
8 that will endanger United States military forces in
9 the field, including the elimination or reduction of
10 funds for troops in the field, as such action with re-
11 spect to funding would undermine their safety or
12 harm their effectiveness in pursuing their assigned
13 missions;

14 (5) the primary objective of the overall U.S.
15 strategy in Iraq should be to encourage Iraqi leaders
16 to make political compromises that will foster rec-
17 onciliation and strengthen the unity government, ul-
18 timately leading to improvements in the security sit-
19 uation;

20 (6) the military part of this strategy should
21 focus on maintaining the territorial integrity of Iraq,
22 denying international terrorists a safe haven, con-
23 ducting counterterrorism operations, promoting re-
24 gional stability, supporting Iraqi efforts to bring
25 greater security to Baghdad, and training and

1 equipping Iraqi forces to take full responsibility for
2 their own security;

3 (7) United States military operations should, as
4 much as possible, be confined to these goals, and
5 should charge the Iraqi military with the primary
6 mission of combating sectarian violence;

7 (8) the military Rules of Engagement for this
8 plan should reflect this delineation of responsibil-
9 ities, and the Secretary of Defense and the Chair-
10 man of the Joint Chiefs of Staff should clarify the
11 command and control arrangements in Baghdad;

12 (9) the United States Government should trans-
13 fer to the Iraqi military, in an expeditious manner,
14 such equipment as is necessary;

15 (10) the United States Government should en-
16 gage selected nations in the Middle East to develop
17 a regional, internationally sponsored peace-and-rec-
18 onciliation process for Iraq;

19 (11) the Administration should provide regular
20 updates to the Congress, produced by the Com-
21 mander of United States Central Command and his
22 subordinate commanders, about the progress or lack
23 of progress the Iraqis are making toward this end;
24 and

1 (12) our overall military, diplomatic and eco-
2 nomic strategy should not be regarded as an “open-
3 ended” or unconditional commitment, but rather as
4 a new strategy that hereafter should be conditioned
5 upon the Iraqi government’s meeting benchmarks
6 that must be delineated in writing and agreed to by
7 the Iraqi Prime Minister. Such benchmarks should
8 include, but not be limited to, the deployment of
9 that number of additional Iraqi security forces as
10 specified in the plan in Baghdad, ensuring equitable
11 distribution of the resources of the Government of
12 Iraq without regard to the sect or ethnicity of recipi-
13 ents, enacting and implementing legislation to en-
14 sure that the oil resources of Iraq benefit Sunni
15 Arabs, Shia Arabs, Kurds, and other Iraqi citizens
16 in an equitable manner, and the authority of Iraqi
17 commanders to make tactical and operational deci-
18 sions without political intervention.

19 (c) FREQUENCY OF REPORTS ON CERTAIN ASPECTS
20 OF POLICY AND OPERATIONS.—The United States Policy
21 in Iraq Act (section 1227 of Public Law 109–163; 119
22 Stat. 3465; 50 U.S.C. 1541 note) is amended by adding
23 at the end the following new subsection:

24 “(d) FREQUENCY OF REPORTS ON CERTAIN AS-
25 PECTS OF UNITED STATES POLICY AND MILITARY OPER-

1 ATIONS IN IRAQ.—Not later than 30 days after the date
2 of the enactment of this subsection, and every 30 days
3 thereafter until all United States combat brigades have
4 redeployed from Iraq, the President shall submit to Con-
5 gress a report on the matters set forth in paragraphs
6 (1)(A), (1)(B), and (2) of subsection (c). To the maximum
7 extent practicable each report shall be unclassified, with
8 a classified annex if necessary.”.

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