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Appropriations Policy Brief

H.R. 2206 — U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007 *Amendment 2*

BY THE NUMBERS:

In millions

| | Request | Senate | House | Conference | H.R. 2206 |
|------------------------------------|----------------|----------------|----------------|----------------|----------------|
| GWOT (including Foreign Aid) | 99,620 | 103,981 | 111,303 | 109,295 | 94,319 |
| Misc. (including Hurricane Relief) | 3,400 | 14,196 | 8,838 | 10,995 | 3,400 |
| <i>Amendment 1 Funding</i> | | | | | 22,165 |
| Total | 103,020 | 122,817 | 124,330 | 124,183 | 120,009 |

Budget Compliance: H.R. 2206 designates the entire \$120 billion in funding as an emergency to avoid the constraints of the FY 2008 budget resolution (the recently passed budget that supersedes the FY 2007 budget resolution, under which prior supplementals were governed by).

PAYGO Compliance: According to the Budget Committee (Minority), H.R. 2206 includes at least \$3 billion over eleven years in new entitlement spending that should be paid for under the Majority's PAYGO rule. Since the legislation does not offset this funding, a PAYGO point of order should be in order against the bill. However, the rule waives all points of order.

Global War on Terror Funding (Title I):

In millions

| Department of Defense | Request | Senate | House | Conference | H.R. 2206 |
|--|---------|--------|--------|------------|-----------|
| Military Personnel | 12,145 | 13,435 | 13,566 | 13,508 | 12,360 |
| Operations & Maintenance | 50,316 | 48,784 | 52,499 | 50,430 | 45,973 |
| <i>Afghanistan Security Fund</i> | 5,906 | 5,906 | 5,906 | 5,906 | 5,906 |
| <i>Iraq Security Fund</i> | 3,842 | 3,842 | 3,842 | 3,842 | 3,842 |
| <i>Iraq Freedom Fund</i> | 206 | 456 | 156 | 356 | 356 |
| <i>Joint Improvised Explosive Device Defeat Fund</i> | 2,433 | 2,433 | 2,433 | 2,433 | 2,433 |

| | | | | | |
|---|--------|--------|--------|--------|--------|
| Procurement | 24,900 | 24,508 | 24,814 | 25,592 | 23,682 |
| R&D, Test & Evaluation | 1,448 | 1,190 | 1,035 | 1,099 | 1,099 |
| Defense Working Capital Fund | 1,316 | 1,321 | 1,316 | 1,321 | 1,116 |
| Drug Interdiction & Counter Drug Activities | 259 | 255 | 259 | 255 | 255 |
| Intelligence Community Management Account | 67 | 72 | 57 | 72 | 72 |
| Defense Health Program | 1,073 | 2,467 | 2,790 | 3,252 | 1,123 |
| National Defense Sealift Fund | 5 | 5 | 5 | 5 | 5 |
| Military Construction | 1,854 | 4,914 | 4,916 | 4,806 | 1,670 |
| <i>DoD Base Closure Account</i> | 0 | 3,136 | 3,136 | 3,136 | |

| Department of Agriculture | Request | Senate | House | Conference | H.R. 2206 |
|---|----------------|---------------|--------------|-------------------|------------------|
| P.L. 480, Title II Grants | 350 | 475 | 450 | 460 | 350 |
| Department of Energy | | | | | |
| Defense Nuclear Nonproliferation | 63 | 63 | 150 | 150 | 63 |
| Department of Justice | | | | | |
| General Legal Activities, Salaries & Expenses | 4 | 4 | 2 | 2 | 2 |
| U.S. Attorneys, Salaries & Expenses | 5 | 13 | 5 | 5 | 5 |
| U.S. Marshals, Salaries & Expenses | 15 | 33 | 3 | 6 | 6 |
| National Security Division | 2 | 2 | 2 | 2 | 2 |
| FBI, Salaries & Expenses | 118 | 348 | 118 | 268 | 118 |
| Drug Enforcement Administration | 8 | 25 | 8 | 12 | 8 |
| Bureau of Alcohol, Tobacco, Firearms, and Explosives, Salaries and Expenses | 4 | 4 | 4 | 4 | 4 |
| Federal Prison System | 17 | 17 | 17 | 17 | 17 |
| Department of State | | | | | |
| Diplomatic and Consular Affairs | 913 | 816 | 967 | 871 | 837 |
| Inspector General | 35 | 37 | 47 | 37 | 35 |
| Education and Cultural Exchange Programs | 20 | 10 | 20 | 20 | 20 |
| International Peacekeeping Activities | 200 | 200 | 288 | 288 | 283 |
| International Broadcasting Operations | 10 | 10 | 10 | 10 | 10 |
| Bilateral Economic Assistance, Child Survival and Health Programs Fund | 0 | 161 | 161 | 161 | 161 |
| International Disaster and | 0 | 187 | 135 | 165 | 105 |

| | | | | | |
|---|-------|-------|-------|-------|-------|
| Famine Assistance | | | | | |
| US Agency for International Development, Operating Expenses | 0 | 6 | 11 | 9 | 6 |
| Economic Support Fund | 3,025 | 2,602 | 2,953 | 2,649 | 2,502 |
| Assistance for Eastern Europe | 279 | 214 | 239 | 229 | 214 |
| Department of State Democracy Fund | 0 | 465 | 0 | 260 | 255 |
| International Narcotics Control | 260 | 210 | 335 | 257 | 210 |
| Migration and Refugee Assistance | 72 | 143 | 112 | 131 | 72 |
| U.S. Emergency Refugee & Migration Assistance | 30 | 55 | 35 | 55 | 30 |
| Nonproliferation, Antiterrorism, & Demining | 28 | 28 | 88 | 58 | 28 |
| Department of Treasury | | | | | |
| International Affairs Technical Assistance | 3 | 3 | 3 | 3 | 3 |
| Funds Appropriated to the President | | | | | |
| Foreign Military Financing Program | 220 | 220 | 260 | 265 | 220 |
| Peacekeeping Operations | 278 | 323 | 225 | 230 | 190 |

Iraq Policy Section:

Findings: The Iraq policy section (pages 18-30 of House amendment 2 to the Senate version of H.R. 2206) includes a dozen findings, including:

- “Iraq is experiencing a deteriorating problem of sectarian and intrasectarian violence based upon political distrust and cultural differences among factions of the Sunni and Shia populations.
- “Iraqis must reach political and economic settlements in order to achieve reconciliation, for **there is no military solution**. The failure of the Iraqis to reach such settlements to support a truly unified government greatly contributes to the increasing violence in Iraq. (emphasis added)
- “The responsibility for Iraq’s internal security and halting sectarian violence rests with the sovereign Government of Iraq.
- “It is essential that the sovereign Government of Iraq set out measurable and achievable benchmarks and President Bush said, on January 10, 2007, that ‘America will change our approach to help the Iraqi government as it works to meet these benchmarks’.”

Benchmarks: Conditions future U.S. strategy in Iraq on the Iraqi Government’s meeting the following 18 benchmarks:

- “Forming a Constitutional Review Committee and then completing the constitutional review;
- “Enacting and implementing legislation on de-Baathification;

- “Enacting and implementing legislation to ensure the equitable distribution of hydrocarbon resources of the people of Iraq without regard to the sect or ethnicity of recipients, and enacting and implementing legislation to ensure that the energy resources of Iraq benefit Sunni Arabs, Shia Arabs, Kurds, and other Iraqi citizens in an equitable manner;
- “Enacting and implementing legislation on procedures to form semi-autonomous regions;
- “Enacting and implementing legislation establishing an Independent High Electoral Commission, provincial elections law, provincial council authorities, and a date for provincial elections;
- “Enacting and implementing legislation addressing amnesty;
- “Enacting and implementing legislation establishing a strong militia disarmament program to ensure that such security forces are accountable only to the central government and loyal to the Constitution of Iraq;
- “Establishing supporting political, media, economic, and services committees in support of the Baghdad Security Plan;
- “Providing three trained and ready Iraqi brigades to support Baghdad operations;
- “Providing Iraqi commanders with all authorities to execute this plan and to make tactical and operational decisions, in consultation with U.S commanders, without political intervention, to include the authority to pursue all extremists, including Sunni insurgents and Shiite militias;
- “Ensuring that the Iraqi Security Forces are providing even handed enforcement of the law;
- “Ensuring that, according to President Bush, Prime Minister Maliki said ‘the Baghdad security plan will not provide a safe haven for any outlaws, regardless of [their] sectarian or political affiliation’;
- “Reducing the level of sectarian violence in Iraq and eliminating militia control of local security;
- “Establishing all of the planned joint security stations in neighborhoods across Baghdad;
- “Increasing the number of Iraqi security forces units capable of operating independently;
- “Ensuring that the rights of minority political parties in the Iraqi legislature are protected;
- “Allocating and spending \$10 billion in Iraqi revenues for reconstruction projects, including delivery of essential services, on an equitable basis; and
- “Ensuring that Iraq’s political authorities are not undermining or making false accusations against members of the Iraqi Security Forces.”

Reports Required: Directs the President to submit reports to Congress on the extent to which the Government of Iraq is meeting such benchmarks and whether such progress, or lack thereof, merits changes to the American commitment in Iraq.

- First report due by July 15, 2007: Assessing the status of each of the 18 benchmarks above, declaring whether satisfactory progress is being made, describing such revisions to American policy necessary to meet benchmarks on

which there has been unsatisfactory progress, and including the advisability of implementing such aspects of the Iraq Study Group as appropriate.

- Second report due September 15, 2007: Same procedures and criteria as the July 15th report.

Testimony Before Congress: Requires that the U.S. Ambassador to Iraq and the Commander of Multinational Forces in Iraq testify in open and closed sessions before the relevant congressional committees at a time before September 15, 2007, to be agreed upon by congressional leadership and the Administration.

Funding Limitations: Prohibits funds for the Economic Support Fund from being obligated or expended for Iraq unless and until the President certifies in each of the two required reports above that Iraq is making progress on each of the 18 benchmarks. The President could waive these funding limitations, if he submits to Congress an unclassified written certification justifying the waiver in detail, including detailed descriptions of the U.S. actions being taken to bring the Iraqi Government into compliance with the 18 benchmarks.

Withdrawal from Iraq: Directs the President to withdraw U.S. forces from Iraq, if the Iraqi Government passes a constitutional resolution directing such a withdrawal.

Independent Assessments: Requires two independent assessments, as follows:

- Directs the Comptroller General to report to Congress by September 1, 2007, on the status of the achievement of the 18 benchmarks above and whether each benchmark has been met.
- Authorizes \$750,000 for the Department of Defense to commission a 501(c)(3) entity with “recognized credentials and expertise in military affairs” to report to Congress on:
 - “The readiness of the Iraqi Security Forces (ISF) to assume responsibility for maintaining the territorial integrity of Iraq, denying international terrorists a safe haven, and bringing greater security to Iraq’s 18 provinces in the next 12 to 18 months, and bringing an end to sectarian violence to achieve national reconciliation;
 - “The training, equipping, command, control and intelligence capabilities, and logistics capacity of the ISF; and
 - “The likelihood that, given the ISF’s record of preparedness to date, following years of training and equipping by U.S. forces, the continued support of U.S. troops will contribute to the readiness of the ISF to fulfill the missions outlined in [the first clause of the report requirements above].”

To read the RSC summary of the Iraq policy section of the last supplemental appropriations bill, visit this webpage:

http://www.house.gov/hensarling/rsc/doc/LB_051007_IraqSupp2.doc.

To read the RSC summary of the stand-alone Iraq-withdrawal legislation that the House considered on May 10, 2007, visit this webpage:

http://www.house.gov/hensarling/rsc/doc/LB_051007_IraqWithdrawal.doc.

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Items of Note:

Transfer of Funds: Allows the Secretary of Defense to transfer up to \$3.5 billion of the funds made available to the Department of Defense upon his determination that it is in the national interest to do so. During FY07, the Secretary of Defense may also transfer \$6.3 billion in of the amounts credited to Defense Cooperation Account.

Commander’s Emergency Response Program: Provides \$456 million for the Commander’s Emergency Response Program to allow military commanders in Iraq and Afghanistan to respond to urgent humanitarian and reconstruction needs.

Transfer of Funds to Pakistan: Allows up to \$110 million to be transferred from the Department of State Economic Support Fund to support programs in Afghanistan.

Assistance to Government of Iraq to Support Disarmament: Allows \$156 million of funding provided for Iraq Security Forces Fund to be used to provide assistance to the government of Iraq to support the “disarmament, demobilization, and reintegration of militias and illegal armed groups.

Hurricane Relief (Title II):

In millions

| | Request | Senate | House | Conference | H.R. 2206 |
|----------------------------|----------------|---------------|--------------|-------------------|------------------|
| FEMA, Disaster Relief Fund | 3,400 | 4,310 | 4,310 | 4,610 | 3,400 |