



Legislative Bulletin.....July 12, 2007

Contents:

H.R. 2956—Responsible Redeployment from Iraq Act

Summary of the Bills Under Consideration Today:

Total Number of New Government Programs: 0

Total Cost of Discretionary Authorizations: \$0

Effect on Revenue: \$0

Total Change in Mandatory Spending: \$0

Total New State & Local Government Mandates: 0

Total New Private Sector Mandates: 0

Number of *Bills* Without Committee Reports: 1

Number of *Reported* Bills that Don't Cite Specific Clauses of Constitutional Authority: 0

H.R. 2956—Responsible Redeployment from Iraq Act (*Skelton, D-MO*)

Order of Business: The bill is reportedly scheduled to be considered on Thursday, July 12th, subject to a likely closed rule, providing for extended debate time. As details on the consideration of this bill become more certain, the RSC will provide updates accordingly.

Summary: H.R. 2956 would direct the Secretary of Defense to commence the reduction of the number of Armed Forces in Iraq beginning not later than 120 days after the date of the enactment of this legislation and to complete the reduction and “transition to a limited presence” (not defined) of the U.S. Armed Forces in Iraq by not later than April 1, 2008. This reduction and transition would have to “be implemented in a safe and orderly manner, with maximum attention

paid to protection of the Armed Forces that are being redeployed from Iraq.” The bill does not define “safe and orderly manner.”

The bill would also direct the President to transmit to Congress a comprehensive United States strategy for Iraq, not later than January 1, 2008. The strategy, which would have to be unclassified (with a classified annex, if necessary), would have to include:

- “A discussion of United States national security interests in Iraq and the broader Middle East region and the diplomatic, political, economic, and military components of a comprehensive strategy to maintain and advance such interests as the Armed Forces are redeployed from Iraq...”;
- “A justification of the minimum force levels required to protect United States national security interests in Iraq after April 1, 2008, including a description of the specific missions of the Armed Forces to be undertaken. The justification shall include--
 - the projected number of Armed Forces necessary to carry out the missions;
 - the projected annual cost of the missions; and
 - the expected duration of the missions;
- “...at a minimum, [an] address[ing of] whether it is necessary for the Armed Forces to carry out the following missions:
 - Protecting United States diplomatic facilities and United States citizens, including members of the Armed Forces who are engaged in carrying out other missions;
 - Serving in roles consistent with customary diplomatic positions;
 - Engaging in actions to disrupt and eliminate al-Qaeda and its affiliated organizations in Iraq; and
 - Training and equipping members of the Iraqi Security Forces; and
- “Specific plans for diplomatic initiatives to engage United States allies and others in the region to bring stability to Iraq.”

Not later than July 1, 2008, and every 90 days thereafter, the President would be required to transmit to Congress an update of this comprehensive strategy, including a description of the number of Armed Forces deployed to Iraq and the missions for which such Armed Forces are so deployed.

The bill would also express four senses of Congress implying that the authorization for the war in Iraq is no longer applicable since the government of Iraq in power at the time of the authorization is no longer there. The bullet-points are:

- “the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107-243), enacted into law on October 16, 2002, authorized the President to use the Armed Forces as the President determined necessary and appropriate in order to defend the national security of the United States against the continuing threat posed by the Government of Iraq at that time;
- “the Government of Iraq which was in power at the time the Authorization for Use of Military Force Against Iraq Resolution of 2002 was enacted into law has been removed from power and its leader indicted, tried, convicted, and executed by the new freely-elected democratic Government of Iraq;

- “the current Government of Iraq does not pose a threat to the United States or its interests; and
- “after more than four years of valiant efforts by members of the Armed Forces and United States civilians, the Government of Iraq must now be responsible for Iraq’s future course.”

Additional Background: The House has passed Iraq-withdrawal legislation in various iterations several times this year already. See the RSC Legislative Bulletins on such legislation here:

http://www.house.gov/hensarling/rsc/doc/LB_021307_iraq.doc

http://www.house.gov/hensarling/rsc/doc/LB_032207_IraqSuppUpdated.doc

http://www.house.gov/hensarling/rsc/doc/LB_042507_IraqSuppUpdated.doc

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

http://www.house.gov/hensarling/rsc/doc/LB_052407_Supp2.doc

RSC Bonus Fact: The last of the 21,500 combat troops ordered into Baghdad and other locations for troop reinforcement (“surge”) operations arrived in Iraq just three weeks ago.

<http://www.defenselink.mil/news/newsarticle.aspx?id=46686>

Committee Action: On July 10, 2007, the bill was referred to the Foreign Affairs and Armed Services Committees, neither of which took subsequent public action.

Possible Conservative Concerns: Some conservatives might be concerned that this legislation would undermine the constitutional authority of the President as Commander-in-Chief.

(Congress has “the power of the purse” and could cut off funding for the operations in Iraq. However, Congress recently appropriated tens of billions of dollars for ongoing operations in Iraq.)

Furthermore, some conservatives might be concerned that this bill would give strength to our enemy by showing American weakness and encouraging our enemy to wait until after the April 1, 2008 deadline to launch more attacks. Some conservatives may see this legislation as the military equivalent of a football team giving its opposing team its playbook.

Lastly, some conservatives may be concerned at certain undefined, but critical, terms in this bill. “Limited presence” (regarding what troops the U.S. *can* leave in Iraq) is not defined, and “safe and orderly manner” (regarding the nature of the U.S. withdrawal) is also not defined (yielding questions of whether the authors of this legislation expect our troops and military commanders to conduct an unsafe and chaotic withdrawal).

Administration Position: The Administration is strongly opposed to this legislation and anything that dictates military tactics to the Commander-in-Chief.

Cost to Taxpayers: The resolution would authorize no new expenditures, as any activities in this bill would presumably be funded using already-authorized funds for Defense Department and State Department operations.

Does the Bill Expand the Size and Scope of the Federal Government?: No.

Does the Bill Contain Any New State-Government, Local-Government, or Private-Sector Mandates?: No.

Does the Bill Comply with House Rules Regarding Earmarks/Limited Tax Benefits/Limited Tariff Benefits?: An earmarks/revenue benefits statement required under House Rule XXI, Clause 9(a) was not available at press time. Nonetheless, it is evident that the bill contains no earmarks or tariff/revenue benefits.

Constitutional Authority: A committee report citing constitutional authority is unavailable.

Note: Article VI, Clause 3 of the U.S. Constitution states that, “The Senators and Representatives...and all executive and judicial Officers...shall be bound by Oath or Affirmation, to support this Constitution.”

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