

108TH CONGRESS
1ST SESSION

S. J. RES. 9

Requiring the President to report to Congress specific information relating to certain possible consequences of the use of United States Armed Forces against Iraq.

IN THE SENATE OF THE UNITED STATES

MARCH 13, 2003

Mr. FEINGOLD introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Requiring the President to report to Congress specific information relating to certain possible consequences of the use of United States Armed Forces against Iraq.

Whereas Saddam Hussein is a repressive dictator who has demonstrated through his own actions, including the invasion of Kuwait and the oppression of the Iraqi people, that it is necessary for the international community to ensure that his conduct accords with international law;

Whereas on September 12, 2002, President Bush committed the United States to “work with the United Nations Security Council to meet our common challenge” posed by Iraq and to “work for the necessary resolutions”, while also making clear that “the Security Council resolutions

will be enforced, and the just demands of peace and security will be met, or action will be unavoidable”;

Whereas the Authorization for Use of Military Force Against Iraq Resolution of 2002 (Public Law 107–243; 116 Stat. 1498), enacted into law on October 16, 2002, authorizes the President to use the United States Armed Forces to defend the national security of the United States against the threat posed by Iraq and to enforce all relevant United Nations Security Council resolutions regarding Iraq;

Whereas section 2 of Public Law 107–243 supports efforts by the President to obtain prompt and decisive action by the United Nations Security Council to ensure that Iraq complies with all such relevant Security Council resolutions;

Whereas Congress recognizes the efforts of the President to obtain unanimous approval for United Nations Security Council Resolution 1441 (2002) which affords Iraq “a final opportunity to comply with its disarmament obligations under relevant resolutions of the Council”;

Whereas section 4 of Public Law 107–243 states that “[t]he President shall, at least once every 60 days, submit to the Congress a report on matters relevant to this joint resolution, including actions taken pursuant to the exercise of authority granted in section 3 [to use the Armed Forces against Iraq] and the status of planning for efforts that are expected to be required after such actions are completed”;

Whereas section 3(b) of Public Law 107–243 states that “[i]n connection with the exercise of the authority granted in subsection (a) to use force the President shall, prior

to such exercise” make available to Congress his determination that “acting pursuant to this joint resolution is consistent with the United States and other countries continuing to take the necessary actions against international terrorist[s] and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed or aided the terrorist attacks that occurred on September 11, 2001”;

Whereas section 3 of the War Powers Resolution (Public Law 93–148; 87 Stat. 555) states that “[t]he President in every possible instance shall consult with Congress before introducing United States Armed Forces into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances”;

Whereas section 4(b) of the War Powers Resolution states that “[t]he President shall provide such other information as the Congress may request in the fulfillment of its constitutional responsibilities with respect to committing the Nation to war”; and

Whereas additional information needed for Congress to fulfill its constitutional responsibilities with respect to committing the Nation to war has not been provided to Congress: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This joint resolution may be cited as the “Presi-
5 dential Report on Iraq Resolution of 2003”.

1 **SEC. 2. REPORTING REQUIREMENT.**

2 (a) REPORT.—The President shall, prior to using
3 United States Armed Forces against Iraq pursuant to sec-
4 tion 3(a) of the Authorization for Use of Military Force
5 Against Iraq Resolution of 2002 (Public Law 107–243;
6 116 Stat. 1498), report to Congress the following:

7 (1) A determination that further diplomatic or
8 other peaceful means will not adequately protect the
9 national security of the United States against the
10 threat posed by Iraq.

11 (2) A full accounting of the implications, both
12 positive and negative, of initiating military action
13 against Iraq in regard to homeland security, the war
14 on terrorism, regional stability in the Middle East,
15 the Middle East peace process, and proliferation of
16 weapons of mass destruction.

17 (3) The steps the United States and its allies
18 will take to ensure that any and all weapons of mass
19 destruction and the related knowledge base will be
20 safeguarded from dispersal to other rogue states or
21 international terrorist organizations.

22 (4) The United States plan for achieving long-
23 term social, economic, and political stabilization of a
24 post-conflict Iraq, including a plan to provide hu-
25 manitarian assistance to the Iraqi people, to ensure
26 respect of their human rights, and to bring to justice

1 the individuals responsible for serious violations of
2 international humanitarian and human rights law
3 committed in Iraq.

4 (5) The nature and extent of the international
5 support for military action against Iraq and the im-
6 pact of military action against Iraq on allied support
7 for the broader war on terrorism.

8 (6) The steps the United States and its allies
9 will take to protect United States military personnel,
10 allied forces, and Iraqi civilians from any known or
11 suspected environmental hazards resulting from mili-
12 tary operations, an estimate of the American and al-
13 lied military casualties, Iraqi military casualties, and
14 Iraqi civilian casualties resulting from military ac-
15 tion against Iraq, and measures that will be taken
16 to prevent civilian casualties and adhere to inter-
17 national humanitarian law.

18 (7) An estimate of the full costs associated with
19 military action against Iraq, including providing hu-
20 manitarian aid to the Iraqi people and to neigh-
21 boring nations in light of possible refugee flows, re-
22 constructing Iraq with or without allied support, and
23 securing long-term political stability in Iraq and the
24 region insofar as it is affected by such military ac-
25 tion.

4 SEC. 3. RULE OF CONSTRUCTION.

5 Nothing in this joint resolution supersedes any re-
6 quirement of the War Powers Resolution (Public Law 93–
7 148; 87 Stat. 555).

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