

109TH CONGRESS
2D SESSION

H. CON. RES. 501

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

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 7, 2006

Mr. ISRAEL (for himself, Mrs. TAUSCHER, and Mr. LARSEN of Washington) submitted the following concurrent resolution; which was referred to the Committee on International Relations

CONCURRENT RESOLUTION

Expressing the sense of Congress that the Government of the United States should submit the Government of Iraq a draft bilateral status-of-forces agreement by not later than June 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 the Government of Iraq a draft bilateral sta-
5 tus-of-forces agreement by not later than June 1,
6 2007; and

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

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

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

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

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