

# CRS Report for Congress

## Operation Iraqi Freedom and Detainee Issues: Major Votes from the 110<sup>th</sup> Congress

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Prepared for Members and  
Committees of Congress

# Operation Iraqi Freedom and Detainee Issues: Major Votes from the 110<sup>th</sup> Congress

## Summary

Both the Iraq War and what the Bush Administration terms the Global War on Terror (GWOT) have been the subjects of considerable legislative activity since the opening days of the 110<sup>th</sup> Congress. After the Iraq Study Group released its recommendations on December 6, 2006, President Bush followed on January 10, 2007, with an announcement of a new strategy for the Iraq War. The President's plan proposed an increase of 28,500 U.S. troops to help improve security in Baghdad and counter Al Qaeda operatives in Anbar Province. After the President's announcement, a number of bills were introduced in the House and Senate that reflected congressional opposition to the "surge" of U.S. forces and that offered alternative plans for changing the U.S. forces' mission in Iraq.

This report consists of a series of tables that summarize the legislation concerning Operation Iraqi Freedom (OIF) considered to date during the 110<sup>th</sup> Congress, as well as a select group of amendments to H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008 (currently awaiting conference committee action), that relate to either OIF or the Global War on Terror.

The tables categorize the bills and amendments into the following groups based on their principal goal: Changing U.S. Forces' Mission; Reducing the Number of U.S. Forces in Iraq; Restricting the Use of Funds; Conditioning U.S. Action on Iraqi Government Benchmarks; Adjusting Legislative Authorization for the Mission; Other Legislation Concerning Iraq War Policy; and Rules for the Treatment of Detainees.

CRS has included the bill number, date introduced, sponsor, short title, key provisions, and vote or status for each piece of legislation covered. Key provisions highlight factors that could have an impact on the policy of or the course of events in the Iraq War or the GWOT.

This report will be updated on a regular basis. For further information on Iraq War policy and options, see also CRS Report RL31339, *Iraq: Post-Saddam Governance and Security*, by Kenneth Katzman; and CRS Report RL33793, *Iraq: Regional Perspectives and U.S. Policy*, coordinated by Christopher Blanchard. For further information on the National Defense Authorization Act for Fiscal Year 2008, see also CRS Report RL33999, *Defense: FY2008 Authorization and Appropriations*, by Pat Towell, Stephen Daggett, and Amy Belasco.

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## Introduction

Both the Iraq War and what the Bush Administration terms the Global War on Terror (GWOT) have been the subjects of considerable legislative activity since the opening days of the 110<sup>th</sup> Congress. After the Iraq Study Group released its recommendations on December 6, 2006,<sup>1</sup> President Bush followed on January 10, 2007, with an announcement of a new strategy for the Iraq War. The President's plan proposed an increase of 28,500 U.S. troops to help improve security in Baghdad and in Anbar Province. After the President's announcement, a number of bills were introduced in the House and Senate that reflected congressional opposition to the "surge" of U.S. forces and to an open-ended commitment of a high level of U.S. forces in Iraq, and that offered alternative plans for changing the U.S. forces' mission in Iraq.

This report consists of a series of tables that summarize the legislation concerning Operation Iraqi Freedom (OIF) considered to date during the 110<sup>th</sup> Congress, as well as a select group of amendments to H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008, that relate to either OIF or the Global War on Terror.

The tables categorize the bills and amendments into the following groups based on their principal goal: Changing U.S. Forces' Mission; Reducing the Number of U.S. Forces in Iraq; Restricting the Use of Funds; Conditioning U.S. Action on Iraqi Government Benchmarks; Adjusting Legislative Authorization for the Mission; Other Legislation Concerning Iraq War Policy; and Rules for the Treatment of Detainees.

CRS has included the bill number, date introduced, sponsor, short title, key provisions, and vote or status for each piece of legislation covered. Key provisions highlight factors that could have an impact on the policy of or the course of events in the Iraq War or the GWOT.

One bill, H.R. 1591, the first version of the FY2007 supplemental appropriations bill (which President Bush vetoed), is listed in two of the tables (**Tables 2** and **3**) because it includes some provisions that fall in each of two categories. Some provisions of the bill set readiness standards for U.S. forces

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<sup>1</sup> Lee H. Hamilton and Lawrence S. Eagleburger, *The Iraq Study Group Report* (2006). Available at [[http://www.usip.org/isg/iraq\\_study\\_group\\_report/report/1206/index.html](http://www.usip.org/isg/iraq_study_group_report/report/1206/index.html)], accessed November 27, 2007.

deployed to Iraq, while other provisions condition U.S. assistance on the Iraqi government's achievement of certain benchmarks of security and political reconciliation.

## Changes in the Mission of U.S. Forces in Iraq

Legislation included in this section covers those bills and amendments that address the overall strategy for the war in Iraq or that call for changes in that strategy. Several bills were introduced early in the 110<sup>th</sup> Congress that proposed comprehensive changes to the U.S. mission in Iraq, such as S. 433, S. 679, H.R. 1581, and S. 1545.<sup>2</sup> Most of this legislation, however, remains in committee and has not reached the floor for vote.

As is evident below (**Table 1**), the earliest legislation voted on was in direct reaction to President Bush's new strategy, revealed on January 10, 2007, which called for an increase in the number of U.S. combat troops in Iraq. Most of this legislation reflected ideas presented in the Iraq Study Group's findings, which entailed a comprehensive U.S. diplomatic, political, and economic strategy for dealing with the situation in Iraq.

**Table 1. Legislation Concerning Iraq Mission Changes**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<b>S.Con.Res.2</b> 01/17/07 Sen. Joseph R. Biden, Jr.	A concurrent resolution expressing the bipartisan resolution on Iraq	Sense of Congress that:  It is not in U.S. national interest to increase U.S. military presence in Iraq  Greater regional and international support would help Iraqis find a political solution  U.S. forces' mission should transition to border security, counter-terrorism activities, reduction of regional interference, and accelerated training of Iraqi forces  U.S. should shift responsibility for internal security and halting sectarian violence to Iraqi forces  U.S. should engage Middle Eastern nations to develop peace process	Motion to invoke cloture rejected: 0-97 02/01/07

<sup>2</sup> The full text of these bills is available online via the Legislative Information System (LIS) at [<http://www.congress.gov/>].

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<b>H.Con.Res. 63</b> 02/12/07 Rep. Ike Skelton	Disapproving of the Decision of the President announced on January 10, 2007, to deploy more than 20,000 additional U.S. combat troops to Iraq	Resolved that:  Congress and the American people continue to support the troops  Congress disapproves of President Bush's "surge" strategy	Passed House: 246-182 02/16/07
<b>S. 470</b> 01/31/07 Sen. Carl Levin	A bill to express the sense of Congress on Iraq	Sense of Congress that:  The Senate disagrees with President Bush's plan to increase troop levels in Iraq  The Senate believes U.S. should continue combating insurgency in Anbar province  The Senate believes a failed state in Iraq would threaten long-term U.S. security interests  Congress should not reduce or eliminate funding for U.S. forces in the field, as that would undermine their safety  U.S. military, diplomatic, and economic strategy should not be open-ended but conditioned on benchmarks being met by Iraqi government  Iraqi military should assume role of combating sectarian violence	Motion to invoke cloture rejected: 49-47 02/05/07
<b>S. 574</b> 02/13/07 Sen. Harry Reid	A bill to express the sense of Congress on Iraq	Sense of Congress that:  Congress and the American people continue to support the troops  Congress disapproves of President Bush's decision to deploy more U.S. combat troops to Iraq	Motion to invoke cloture rejected: 56-34 02/17/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<p><b>S.J.Res. 9</b> 03/08/07 Sen. Harry Reid</p>	<p>U.S. Policy in Iraq Resolution of 2007</p>	<p>President shall commence redeployment of U.S. troops from Iraq not later than 120 days after enactment with the goal of redeploying all U.S. combat forces from Iraq by March 31, 2008</p> <p>Exception for essential troops to protect U.S. personnel and infrastructure, train and equip Iraqi forces, and conduct targeted counter-terrorism operations</p> <p>Calls for comprehensive diplomatic, political, and economic strategy that includes sustained engagement with Iraq's neighbors and international community</p> <p>Not later than 60 days after enactment, President shall submit report to Congress on progress made on transitioning mission and implementing redeployment; report shall be updated quarterly</p>	<p>Senate rejected: 48-50 03/15/07</p>
<p><b>H.Amdt. 353, H.R. 2764</b> 06/21/07 Rep. Christopher Shays</p>	<p>Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008</p>	<p>Provide \$1 million to the U.S. Institute of Peace to reestablish the Iraq Study Group</p>	<p>Agreed to in House: 355-69 06-21-07</p>
<p><b>S.Amdt. 2100, H.R. 1585</b> 07/11/07 Sen. John Cornyn</p>	<p>National Defense Authorization Act for Fiscal Year 2008</p>	<p>Sense of the Senate that:</p> <p>Senate should commit to a strategy that will not leave a failed state in Iraq</p> <p>Senate should not pass legislation that will undermine the military's ability to prevent a failed state in Iraq</p>	<p>Senate passed: 94-3 07/17/07</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<b>H.R. 3087</b> 07/18/07 Rep. John Tanner	To require the President, in coordination with the Secretary of State, the Secretary of Defense, the Joint Chiefs of Staff, and other senior military leaders, to develop and transmit to Congress a comprehensive strategy for the redeployment of United States Armed Forces in Iraq	Directs the Secretary of Defense, within 60 days after the enactment of the act and every 90 days thereafter, to report to the congressional defense and appropriations committees on the status of planning for the redeployment of Armed Forces from Iraq	Passed House: 377-46 10/02/07

a. Generally, it requires 60 votes to invoke cloture, or end debate, on a measure or matter in the Senate.

## Reducing the Number of U.S. Troops in Iraq and Afghanistan

The legislation that would reduce the number of U.S. troops falls into two groups. One set of proposals calls for withdrawal of U.S. troops from Iraq starting at a specific point in time, with some bills setting either a binding deadline or a nonbinding goal for completion of the drawdown. Most of these bills exclude from the withdrawal requirement any U.S. troops assigned to certain limited missions including the defense of U.S. facilities and the conduct of targeted anti-terrorist missions of limited duration.

A second set of proposals would indirectly compel a reduction in the number of U.S. troops in Iraq by prohibiting the deployment of units that did not meet certain standards of combat-readiness, by requiring that units be deployed for no longer than the maximum length of time allowed by the policy of their parent service, and by barring the return to Iraq of units previously deployed there unless they had a minimum period of time at their home station (or “dwell time”) before the second Iraq deployment. The Army is unable to sustain its current level of deployments in Iraq unless units are deployed for longer periods and/or are redeployed after shorter dwell times than Army policy dictates. Moreover, the tempo at which units have to return to Iraq has reportedly inhibited most Army brigades from meeting some of the established readiness criteria.



The first version of the emergency supplemental appropriations bill, H.R. 1591, included both types of troop reduction requirements. It required a withdrawal to proceed according to one of two alternative timetables, depending on the extent to which the Iraqi government met certain benchmarks of security and political reconciliation. It also prohibited the deployment of units that did not meet readiness standards and the deployment of any unit for longer than was called for by its parent service (365 days in the case of Army units and 210 days for Marine Corps units). An amendment to H.R. 1591 introduced by Senator Cochran that would strike the language setting a timetable for redeployment was defeated in the Senate by a vote of 82-16. The bill narrowly passed both the House and the Senate in March, but was vetoed by President Bush on May 2, 2007.

**Table 2. Legislation Regarding Reducing the Number of U.S. Forces in Iraq and Afghanistan**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<p><b>H.R. 1591</b> 03/20/07 Rep. David R. Obey (see also <b>Table 3</b>)</p>	<p>U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007</p>	<p>Requires the President to report by July 1, 2007 whether the Iraqi government is making "substantial progress" toward meeting certain benchmarks of improvement in security and political reconciliation. If substantial progress is not reported, the withdrawal of U.S. troops from Iraq (except for specific, limited missions) must begin by July 1 with a goal of being completed within 180 days. If substantial progress is reported, the withdrawal must begin by Oct. 1, 2007.</p> <p>The withdrawal requirement exempts units remaining in Iraq for protection of U.S. diplomatic facilities and citizens, for customary diplomatic positions, for targeted operations of limited duration against terrorist organizations with global reach, and for training and equipping Iraqi security forces</p> <p>No funds may be used to deploy to Iraq a unit not rated "fully mission capable," to deploy any Army unit for more than 35 days, or to deploy a Marine Corps unit for more than 210 days</p> <p>The President may waive the readiness requirement and deployment time limits on grounds of national security</p>	<p>Passed House: 218-212 03/23/07</p> <p>Adopted conference report: 218-208, 2 Present 4/25/07</p> <p>Passed Senate: 51-47 03/29/07</p> <p>Adopted conference report: 51-46 04/26/07</p> <p>Veto Override Rejected: 222-203, 1 Present 05/02/07</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<p><b>S.Amdt. 643,</b> <b>H.R. 1591</b> 03/26/07 Sen. Thad Cochran</p>	<p>U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007</p>	<p>Strike language that would require withdrawal of U.S. forces from Iraq on a mandatory timetable</p>	<p>Senate rejected: 48-50 03/27/07</p>
<p><b>S.Amdt. 1098 to S.Amdt. 1097, H.R. 1495</b> 05/14/07 Sen. Russell D. Feingold</p>	<p>Water Resources Development Act of 2007</p>	<p>Redeploy U.S. troops from Iraq beginning no later than 120 days after enactment</p> <p>Exceptions include conducting targeted operations against Al Qaeda and other international terrorist organizations, providing security for U.S. personnel and infrastructure, and training and equipping Iraqi security forces</p>	<p>Motion on cloture rejected: 29-67 Amendment withdrawn 05/16/07</p>
<p><b>H.R. 2237</b> 5/29/07 Rep. James P. McGovern</p>	<p>To provide for the redeployment of U.S. Armed Forces and defense contractors from Iraq</p>	<p>Redeployment to begin no later than 90 days after enactment and be completed within 180 days</p> <p>Funds may not be used to increase level of U.S. troops from that number in place as of January 1, 2007</p> <p>Some exceptions for retaining limited U.S. armed forces in Iraq for diplomatic security, targeted terrorist actions, training Iraqi Security Forces, etc.</p> <p>All military facilities must be turned over to Iraq government</p>	<p>House rejected: 171-255 05/10/07</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<p><b>S.Amdt. 2012, H.R. 1585</b> 07/09/07 Sen. Jim Webb</p>	<p>National Defense Authorization Act for Fiscal Year 2008</p>	<p>Requires that period between deployments to Iraq (or “dwell time”) for any active component unit must be as long as the duration of the unit’s previous deployment</p> <p>Sense of Congress that the optimum dwell time between deployments for any active component unit is at least twice the duration of the previous deployment</p> <p>Requires that the dwell time between deployments to Iraq for any reserve component unit must be at least three years</p> <p>Sense of Congress that no reserve component unit should be mobilized for deployment to Iraq for longer than one year at a time or within five years of its previous mobilization</p> <p>Sets out optimal periods of deployment for U.S. military troops and reservists as well as periods between deployment</p>	<p>Motion on cloture rejected: 56-41 Amendment withdrawn 07/11/07</p>
<p><b>H.R. 2956</b> 07/10/07 Rep. Ike Skelton</p>	<p>Responsible Redeployment from Iraq Act</p>	<p>Begin reduction of U.S. forces serving in Iraq by no later than 120 days after enactment</p> <p>Complete reduction to a limited presence in Iraq by no later than April 1, 2008</p> <p>President to submit comprehensive strategy for Iraq to Congress by January 1, 2008 and quarterly thereafter, including number of troops deployed to Iraq and the mission for which they were deployed</p>	<p>House passed: 223-201 07-12-07</p>
<p><b>S.Amdt.2032, H.R. 1585</b> 07/10/07 Sen. Chuck Hagel</p>	<p>National Defense Authorization Act for Fiscal Year 2008</p>	<p>Army unit or individual may not be deployed for more than 12 consecutive months</p> <p>Marines may not be deployed for more than seven consecutive months</p> <p>President can waive these provisions</p>	<p>Senate rejected: 52-45 07/11/07</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<b>S.Amdt.2078, H.R. 1585</b> 07/11/07 Sen. Lindsey Graham	National Defense Authorization Act for Fiscal Year 2008	Sense of Congress that:  The goal for active components units should be a dwell time of no less than 12 months between deployments  For members of the reserve components, the goal should be a dwell time of no less than five years between deployments	Senate rejected: 41-55 07/11/07
<b>S.Amdt.2087, H.R. 1585</b> 07/11/07 Sen. Carl Levin	National Defense Authorization Act for Fiscal Year 2008	Commence reduction of forces no later than 120 days after enactment  Limited U.S. forces may remain in Iraq to protect U.S. personnel and infrastructure, train Iraqi Security Forces, and engage in targeted counter-terrorism activities against Al Qaeda and other international terrorist organizations  Complete transition of U.S. forces to a limited presence by April 30, 2008  Reduction implemented as part of a comprehensive diplomatic, political, and economic strategy including sustained engagement with Iraq's neighbors and international community  Appoint an international mediator to Iraq under auspices of the United Nations Security Council	Motion on cloture rejected: 52-47 07/18/07
<b>H.R. 3159</b> 07/24/07 Rep. Ellen Tauscher	Ensuring Military Readiness Through Stability and Predictability Deployment Policy Act of 2007	Prohibits any unit of the regular Armed Forces from being deployed unless the period between the most recent previous deployment and a subsequent deployment is equal to or longer than the period of the most recent previous deployment  Prohibits any unit of the reserves from being deployed unless the period between the most recent previous deployment and a subsequent deployment is at least three times longer than the period of the most recent previous deployment  Provides for exceptions and presidential waivers for these deployment requirements	Passed House: 229-194, 3 Present 08/02/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<b>S.Amdt. 2909, H.R. 1585</b> 09/19/07 Sen. Jim Webb	National Defense Authorization Act for Fiscal Year 2008	<p>[same as <b>S.Amdt.2012</b>, above] except for the following changes:</p> <p>Special Operations forces are exempt from the dwell time requirements</p> <p>Provision would take effect 120 days after the enactment of the bill</p>	Senate rejected: 54-44 Amendment withdrawn 09/19/07
<b>S.Amdt. 2918, H.R. 1585</b> 09/19/07 Sen. John McCain	National Defense Authorization Act for Fiscal Year 2008	<p>Sense of the Senate that:</p> <p>The goal for active component units should be a dwell time no less than the previous deployment period</p> <p>For members of the reserve components, the goal should be a dwell time of no less than three years between deployments</p>	Senate rejected: 55-45 Amendment withdrawn 09/19/07
<b>S.Amdt. 2924, H.R. 1585</b> 09/20/07 Sen. Russell Feingold	National Defense Authorization Act for Fiscal Year 2008	<p>Redeploy U.S. troops from Iraq beginning no later than 90 days after enactment</p> <p>No funds expended for the deployment of U.S. Armed Forces in Iraq after June 20, 2008</p> <p>Exceptions include conducting targeted operations against Al Qaeda and other international terrorist organizations, providing security for U.S. personnel and infrastructure, and training and equipping Iraqi security forces</p>	Senate rejected: 28-70 Amendment withdrawn 09/20/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<p><b>S.Amdt. 2898,</b>  <b>H.R. 1585</b>            09/20/07            Sen. Carl Levin</p>	<p>National Defense Authorization Act for Fiscal Year 2008</p>	<p>Commence reduction of forces no later than 90 days after enactment</p> <p>Reduction implemented as part of a comprehensive diplomatic, political, and economic strategy including sustained engagement with Iraq's neighbors and international community</p> <p>Appoint an international mediator to Iraq under auspices of the United Nations Security Council</p> <p>Limited U.S. forces may remain in Iraq to protect U.S. personnel and infrastructure, train Iraqi Security Forces, and engage in targeted counter-terrorism activities against Al Qaeda and other international terrorist organizations</p> <p>Complete transition of U.S. forces to a limited presence no later than nine months after enactment</p>	<p>Senate rejected: 47-47            Amendment withdrawn 09/21/07</p>
<p><b>H.R. 4156</b>            11/13/07            Rep. David Obey</p>	<p>Orderly and Responsible Iraq Redeployment Appropriations Act, 2008</p>	<p>Expresses the sense of Congress that the war in Iraq should end as safely and quickly as possible, and U.S. troops should be brought home</p> <p>Prohibits funds from being used to deploy any U.S. military unit to Iraq unless the President has certified such unit as "fully mission capable"</p> <p>Makes funds immediately available to plan and execute a safe and orderly redeployment of U.S. Armed Forces from Iraq. Directs the President to commence such redeployment within 30 days after this act's enactment. Sets as a goal to realize a limited presence and missions by December 15, 2008</p>	<p>Passed House 218 - 203, 1 Present 11/14/07</p> <p>Cloture on the motion to proceed not invoked in Senate: 53-45 11/16/07</p>

a. Generally, it requires 60 votes to invoke cloture, or end debate, on a measure or matter in the Senate.

## Iraq War Funding

The legislation in **Table 3** concerns the use of congressionally authorized and appropriated funds for the war in Iraq. The bills range from prohibiting funding for extended deployments to restricting funds being used for operations in Iran.

**Table 3. Legislation Concerning Funding of Iraq War**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Con.Res. 20</b> 03/15/07 Sen. Judd Gregg	Expressing the sense of Congress that no funds should be cut off or reduced for American troops in the field which would result in undermining their safety or their ability to complete their assigned mission	Sense of Congress that Congress should not take any action that would endanger American troops in the field, including eliminating or reducing funding	Passed Senate: 82-16 03/15/07
<b>H.R. 1591</b> 03/20/07 Rep. David R. Obey (see also <b>Table 2</b> )	U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007	Prohibits use of funds for deploying military units if they are not certified as fully mission capable  Prohibits funds from being used for deployment after 210 days  Makes funds available for immediate redeployment  Allows presidential waiver for national security purposes  Prohibits redeployment of Army units that have served within the past 365 days and Marines who have served within the past 210 days  Specific benchmarks for Iraqi government that must be certified by President Bush	Passed House: 218-212 03/23/07  Adopted conference report: 218-208, 2 Present 4/25/07  Passed Senate: 51-47 03/29/07  Adopted conference report: 51-46 04/26/07  Veto Override Rejected: 222-203, 1 Present 05/02/07
<b>H.Amdt. 186, H.R. 1585</b> 05/16/07 Rep. Robert E. Andrews	National Defense Authorization Act for Fiscal Year 2008	Prohibits the use of funds authorized for military operations in Iraq and Afghanistan from being used for operations in Iran	House rejected: 202-216 05/16/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.R. 3222</b> 07/30/07 Rep. John Murtha	Department of Defense Appropriations Act, 2008	<p>Funds appropriated by the act shall not be used to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq or to exercise U.S. control over Iraqi oil resources</p> <p>After FY2008, any request for funds for an ongoing military operation overseas, including operations in Afghanistan and Iraq, shall be included in the annual budget of the President</p>	<p>Passed House: 395-13 08/05/07</p> <p>Senate passed by voice vote: 10/03/07</p> <p>House adopted conference report: 400-15 11/08/07</p> <p>Senate adopted conference report by voice vote: 11/08/07</p>
<b>S. 2340</b> 11/13/07 Sen. Mitch McConnell	A bill making emergency supplemental appropriations for the Department of Defense for the fiscal year ending September 30, 2008, and for other purposes	Provides \$70 billion in emergency supplemental appropriations and requires Secretary of Defense to submit quarterly reports to Congress on progress toward stability in Iraq	Cloture on the motion to proceed not invoked in Senate: 45-53 11/16/07

## Establishing Benchmarks for the Iraqi Government

Legislation that specifically addressed the issue of the Iraqi government meeting benchmarks of improved security and political reconciliation is listed below. Several other pieces of legislation covered in the sections above entitled “Mission in Iraq” and “Redeployment” also had benchmarks as part of their criteria. The pieces below differ in that benchmarks are the centerpiece of these particular bills.

For additional information about the benchmarks, see CRS Report RS21968, *Iraq: Government Formation and Benchmarks*, by Kenneth Katzman.



**Table 4. Legislation Concerning Establishing Benchmarks for the Iraqi Government**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<p><b>H.R. 2206</b> 05/08/07 Rep. David R. Obey</p>	<p>U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act of 2007 (P.L. 110-28)</p>	<p>\$52.8 billion for U.S. military operations is available only after the President reports, by July 13, 2007, whether Iraqi government is achieving progress toward 16 benchmarks of security and political reconciliation, and after Congress approves and the President signs a joint resolution releasing the funds</p> <p>No unit may be deployed not fully mission capable (President may waive this limit)</p> <p>No Army unit may be deployed for longer than 365 days or redeployed within 365 days of a previous deployment; nor may a Marine Corps unit be deployed for longer than 270 days or redeployed within 270 days of a previous deployment (President may waive these limits)</p> <p>Sense of Congress that, as Iraqi security forces achieve proficiency in independent combat operations, U.S. forces should be withdrawn. Requires monthly reports by President on capability of Iraqi security forces.</p> <p>Requires independent, private sector assessment of Iraqi security forces</p> <p>No funds may be used for permanent stationing of U.S. forces in Iraq or to exercise control over Iraq's oil resources</p> <p>No funds may be used in contravention of U.S. laws implementing the United Nations Torture Convention</p>	<p>Passed House: 221-205 05/10/07</p> <p>Passed Senate with an amendment by voice vote 05/17/07</p>

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote <sup>a</sup>
<b>S.Amdt.1134, H.R. 1495</b> 05/15/07 Sen. John Warner	Water Resources Development Act of 2007	Requires President to withhold funding if Iraqi government fails to meet 18 benchmarks  President must submit reports assessing status of each benchmark; if unsatisfactory progress has been made, then President will outline revision of strategy	Motion to invoke cloture rejected: 52-44 05/16/07

- a. Generally, it requires 60 votes to invoke cloture, or end debate, on a measure or matter in the Senate.

## Authorization of Use of Military Forces

The Authorization for the Use of Military Force Against Iraq Resolution of 2002 (P.L. 107-243) was passed by Congress and signed by the President on October 16, 2002. The legislation requires the President to submit mandatory reports to Congress, but does not include a time limit on deployment of U.S. troops or criteria for deciding when to withdraw them. It appears that the legislation authorizes the President to use force as long as Iraq remains a threat to the United States and the U.S. presence does not conflict with relevant U.N. resolutions.

Although legislation that would repeal the original authorization or require new authorization to maintain U.S. forces in Iraq has been introduced in the 110<sup>th</sup> Congress (e.g., S.Amdt. 2003 and S.Amdt. 2146 to H.R. 1585, the National Defense Authorization Act for Fiscal Year 2008), none has been subject to a vote. (For further background information, please see CRS Report RL33837, *Congressional Authority to Limit U.S. Military Operations in Iraq*, by Jennifer K. Elsea, Michael John Garcia, and Thomas J. Nicola.)

## Other Legislation Concerning Iraq War Policy

This group of legislation covers a broad range of topics ranging from the medical care and equipping of U.S. troops, to relocation of endangered Iraqi citizens, to control of Iraqi oil resources and establishment of permanent U.S. bases in Iraq.

**Table 5. Other Legislation Concerning Iraq War Policy**

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>S.Res.107</b> 03/15/07 Sen. Patty Murray	Expressing the sense of the Senate that no action should be taken to undermine the safety of the Armed Forces of the United States or impact their ability to complete their assigned or future missions	Sense of Senate that:  Necessary funding will be supplied for training, equipping, and supporting U.S. troops in the field  President and Congress should ensure adequate medical care for troops returning from Iraq  President and Congress should ensure that U.S. troops have what they need to perform successfully in Iraq and that U.S. strategy is adjusted as necessary to ensure success in Iraq	Senate passed: 96-2 03/15/07
<b>H.Amdt. 196, H.R. 1585</b> 05/16/07 Rep. Steve King	National Defense Authorization Act for Fiscal Year 2008	The provision of the bill prohibiting establishment of permanent military bases in Iraq is not to be construed to prevent the United States from entering into a basing rights agreement with Iraq for the establishment of temporary bases	Rejected in House: 201-219 05/17/07
<b>H.Amdt. 352, H.R. 2764</b> 06/21/07 Rep. Frank R. Wolf	Department of State, Foreign Operations, and Related Programs Appropriations Act, 2008	Amendment increases funding for assistance programs for Iraq by \$158 million	Rejected in House: 205-219 06/21/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.R. 2929</b> 06/28/07 Rep. Barbara Lee	To limit the use of funds to establish any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq or to exercise United States economic control of the oil resources of Iraq	Declares that it is the policy of the United States not to establish any military installation or base for providing for the permanent stationing of U.S. Armed Forces in Iraq, and prohibits use of funds for such installations or bases	Passed House: 399-24 07/25/07
<b>S.Amdt. 2934, H.R. 1585</b> 09/19/07 Sen. John Cornyn	National Defense Authorization Act for Fiscal Year 2008	Expresses the sense of the Senate that General Petraeus deserves the full support of the Senate and condemns personal attacks on Petraeus and all members of the U.S. Armed Forces	Agreed to in Senate: 72-25 09/20/07
<b>S.Amdt. 2947, H.R. 1585</b> 09/20/07 Sen. Barbara Boxer	National Defense Authorization Act for Fiscal Year 2008	Expresses the sense of the Senate to reaffirm support for the U.S. Armed Forces and to condemn all personal attacks on members of the Armed Forces	Rejected by Senate: 50-47 <sup>a</sup> Amendment withdrawn 09/20/07
<b>S.Amdt.2997, H.R. 1585</b> 09/21/07 Sen. Joseph Biden	National Defense Authorization Act for Fiscal Year 2008	Expresses the sense of the Senate that the United States should actively support creation of a federal system of government in Iraq	Agreed to in Senate: 75-23 09/26/07
<b>H.R. 2740 (motion to recommit with instructions)</b> 10/04/07 Rep. J. Randy Forbes	MEJA Expansion and Enforcement Act of 2007	Amends the bill to provide that nothing in the act shall be construed to affect intelligence activities that are otherwise permissible prior to its enactment	Motion agreed to: 342-75 10/04/07

Bill, Date Introduced, and Sponsor	Short Title	Key Provisions	Status/Vote
<b>H.R. 2740</b> 06/15/07 Rep. David E. Price	MEJA Expansion and Enforcement Act of 2007	<p>Provides that federal contract employees in an area where U.S. forces are engaged in military operations who engage in activity that would be punishable by imprisonment for more than one year if engaged in within U.S. jurisdiction, shall be punished as if the activity had occurred within U.S. jurisdiction</p> <p>Department of Justice Inspector General shall report to Congress on the status of investigations of alleged contractor abuses</p> <p>FBI shall create "Theater Investigative Units" to investigate allegations of criminal misconduct by contractor personnel in theaters of contingency operations</p>	House passed: 389-30 10/04/07
<b>H.R. 400</b> 01/11/07 Rep. Neil Abercrombie	War Profiteering Prevention Act of 2007	Prohibits fraud (including knowingly overvaluing goods or services) under a contract in connection with an overseas mission of the U.S. government	Motion to suspend the rules and pass the bill agreed to: 375-5 10/09/07

a. In the affirmative, 60 votes required for passage.

## Global War on Terror (GWOT)

The legislation in **Table 7** directly addresses the treatment of detainees and their rights under the Geneva Convention, as well as the U.S. Constitution. One amendment also proposes closing the Department of Defense's detention center at Guantanamo Bay, Cuba.

**Table 6. Legislation Concerning the Global War on Terror**

<b>Bill, Date Introduced, and Sponsor</b>	<b>Short Title</b>	<b>Key Provisions</b>	<b>Status/Vote<sup>a</sup></b>
<b>S.Amdt. 2022, H.R. 1585</b> 07/09/07 Sen. Arlen Specter	To restore habeas corpus for those detained by the United States	Restores the right of habeas corpus for detainees	Motion on cloture rejected: 56-43 09/19/07
<b>S.Amdt.2351, H.R. 2669</b> 07/19/07 Sen. Mitch McConnell	College Cost Reduction Act of 2007	Expressing the sense of the Senate that detainees housed at Guantanamo Bay, Cuba, including senior members of Al Qaeda, should not be released into American society, nor should they be transferred stateside into facilities in American communities and neighborhoods	Agreed to in Senate: 94-3 07/19/07

a. Generally, it requires 60 votes to invoke cloture, or end debate, on a measure or matter in the Senate.