



Legislative Bulletin.....May 10, 2007

Contents:

H.R. 2237—To provide for the redeployment of United States Armed Forces and defense contractors from Iraq

Summary of the Bill 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. 2237—To provide for the redeployment of United States Armed Forces and defense contractors from Iraq (*McGovern, D-MA*)

Order of Business: The bill is scheduled to be considered on Thursday, May 10th, subject to a closed rule (H.Res. 387). The rule waives all points of order (including PAYGO and earmarks), provides for one motion to recommit, with or without instructions, and deems the previous question as ordered. **NOTE:** H.Res. 387 is also the closed rule for H.R. 2206 (U.S. Troop Readiness, Veterans' Care, Katrina Recovery, and Iraq Accountability Appropriations Act, 2007) and H.R. 2207 (Agricultural Disaster Assistance and Western States Emergency Unfinished Business Appropriations Act, 2007). **The rule would merge these three bills together into one**

after passage of all three. Specifically, H.R. 2237 and H.R. 2207 would be appended to H.R. 2206.

Summary: H.R. 2237 would direct the Secretary of Defense to commence—not more than 90 days after its legislation’s enactment—the redeployment of units and members of the Armed Forces deployed in Iraq as part of Operation Iraqi Freedom and Defense Department-funded contractors operating in Iraq. The withdrawal would have to be completed within 180 days after its commencement.

H.R. 2237 would prohibit the obligation or expenditure of Department of Defense (DoD) funds to increase the number of members of the Armed Forces serving in Iraq in excess of the number of members serving in Iraq as of January 1, 2007, unless the increase has been specifically authorized in advance by an Act of Congress. (In other words, President Bush’s current troop-reinforcement policy would have to stop.)

Troops withdrawn from Iraq could be redeployed anywhere, including to Afghanistan or to a country neighboring Iraq (at its invitation).

The Secretary of Defense could retain troops in Iraq only to:

- provide security for the U.S. Embassy and other U.S. diplomatic missions in Iraq;
- protect American citizens, including members of the Armed Forces;
- serve in roles consistent with customary diplomatic positions;
- engage in targeted special actions limited in duration and scope to killing or capturing members of al-Qaeda and other terrorist organizations with global reach; and
- train and equip members of the Iraqi Security Forces.

The Secretary of Defense could, at the request of the Iraqi Government, retain in Iraq members of the Army Corps of Engineers and defense contractors engaged in reconstruction projects in Iraq, to the extent necessary to complete such projects.

The bill deems any appropriated funds from any law as available for the planning and execution of the withdrawal required above.

The President of the United States would have to transfer to the Iraqi Government all right, title, and interest held by the United States in any military facility in Iraq that was constructed, repaired, or improved using DoD appropriations and occupied by a unit of the Armed Forces.

Once the withdrawal is complete, no funds from any law could be obligated or expended to further deploy troops to Iraq, including through participation in any multinational force in Iraq, except as provided above or unless such deployment is specifically authorized in advance by an Act of Congress. The U.S. could continue to provide financial assistance or equipment, at the Iraqi Government’s request, to the Iraqi Security Forces or to multinational forces providing security or training in Iraq. Any U.S. department or agency (other than DoD) could use appropriated funds to carry out diplomatic, social, and economic reconstruction activities in Iraq at the request of the Iraqi Government of Iraq.

The President of the United States could still arrange asylum or other means of protection for Iraqi citizens who might be physically endangered by the withdrawal of U.S. Armed Forces from Iraq.

NOTE: This legislation is nearly identical to the withdrawal language included in the first Iraq Supplemental (H.R. 1591) this year. See the RSC Legislative Bulletin on the conference report for H.R. 1591 here:

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

Committee Action: On May 9, 2007, the bill was introduced and referred to the Committees on Agriculture and Foreign Affairs, neither of which took subsequent public action on it.

Possible Conservative Concerns: Some conservatives might be concerned that this legislation would undermine the constitutional authority of the President as Commander-in-Chief. Furthermore, some conservatives might be concerned that this bill would give strength to our enemy by showing American weakness through artificial deadlines and by giving advance notice to our enemies of when we are departing, encouraging them to wait and gather strength for attacks after the withdrawal.

Administration Position: The Administration is strongly opposed to artificial withdrawal deadlines and congressional micro-managing of the war.

Cost to Taxpayers: H.R. 2237 would not authorize any new appropriations.

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. The special rule for consideration of this bill waives all points of order against the bill and its consideration, including the point of order against failure to adhere to the earmarks-revenue benefits rule.

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

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