

**Congress of the United States**  
**House of Representatives**  
Washington, DC 20515

February 08, 2008

The Honorable George W. Bush  
The White House  
1600 Pennsylvania Ave., NW  
Washington, D.C. 20500

Dear Mr. President:

We write to express our deep concern over the "Declaration of Principles for a Long-Term Relationship of Cooperation and Friendship Between the Republic of Iraq and the United States of America" that you and Iraqi Prime Minister Nouri al-Maliki signed on November 26, 2007. Specifically, we seek to understand the parameters of the document and the reported provisions you are seeking to include in the final agreement. We believe an agreement of such immense importance to the long-term interests of the United States deserves close consultation with Congress.

Most disconcerting to us are the security-related obligations laid out in the Declaration of Principles, including a commitment to support "the Republic of Iraq in defending its democratic system against internal and external threats," to provide "security assurances and commitments to the Republic of Iraq to deter foreign aggression," to support Iraq "in its efforts to combat all terrorist groups" including "Saddamists, and all other outlaw groups regardless of affiliation," and to support Iraq in "training, equipping, and arming the Iraqi Security Forces." Foremost amongst our concerns is that such terms will commit U.S. forces to combat any internal armed faction or external enemy that is deemed a threat by the al-Maliki government regardless of whether such action is clearly in our national interest.

We note that Secretary of Defense Robert Gates asserted in Congressional testimony this week that the agreement "will not contain a commitment to defend Iraq," yet we remain concerned that such a commitment is nevertheless included in a written document signed by two heads of state. We are left to question whether his comments indicate that you will renounce the parameters laid out in the Declaration of Principles. Regardless, we believe it is clear that any agreement with Iraq would likely authorize our forces to engage in combat. Currently U.S. forces in combat are operating under a U.N. mandate. Should that mandate end as proposed in the Declaration of Principles, we believe such authority should be approved by legislatures in both Iraq and the United States.

Such assurances and commitments could also very well in our view necessitate the continued deployment of a substantial number of troops in Iraq, a policy that directly conflicts with the wishes of a majority of both the Senate and House of Representatives and, more importantly, the wishes of the majority of Americans. In addition, such an agreement could lead to permanent bases in Iraq despite bipartisan legislation that you signed into law restricting funding for any permanent U.S. installation in Iraq.

While Secretary Gates also testified that your Administration will not “seek permanent bases in Iraq,” that commitment is contradicted by an earlier statement from your Assistant to the President and Deputy National Security Advisor for Iraq and Afghanistan, Lieutenant General Douglas E. Lute who called permanent bases “a key item for negotiation.” Moreover, Secretary Gates’ comment is further contradicted by the signing statement you issued along with the 2008 National Defense Authorization Act in which you declared that you have the power to bypass a provision in the bill barring the establishment of “any military installation or base for the purpose of providing for the permanent stationing of United States Armed Forces in Iraq.”

Along with these provisions in the Declaration of Principles, recent media reports point to how your Administration is seeking to guarantee civilian contractors specific legal protections from Iraqi law. We question the wisdom of pursuing such negotiations when such an agreement to date has protected Blackwater employees who killed 17 Iraqi civilians on September 16, 2007 causing substantial damage to America’s image, and when in no other country are American military contractors granted such protection from domestic law.

Unfortunately, these and other questions pertaining to the proposed long-term agreement with Iraq have not been answered because, to our knowledge, your Administration has refused to consult with the Congress. General Lute stated at the outset that he does not “anticipate now that these negotiations will lead to the status of a formal treaty which would then bring us to formal negotiations or formal inputs from the Congress.” Moreover, your Administration declined four separate invitations, including one to General Lute, to participate in a joint hearing of the House Foreign Affairs Subcommittee on International Organizations, Human Rights and Oversight and the Subcommittee on the Middle East and South Asia on January 23, 2008, as well as additional invitations to a subsequent hearing today.

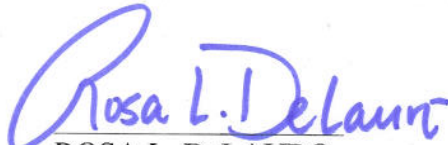
This refusal to engage with Congress contradicts the Department of State’s “Circular 175” regulations, which implement U.S. laws on the handling of international agreements. These regulations require that the relevant Committees be “advised of the intention to negotiate significant new international agreements, consulted concerning such agreements, and kept informed of developments affecting them, especially whether any legislation is considered necessary or desirable for the implementation of the new treaty or agreement.” While you are now offering to provide closed door briefings to Members of the House Foreign Affairs Committee, we believe this offer falls well short of the “openness and transparency” in the negotiations promised by Secretary Gates in his Congressional testimony this week.



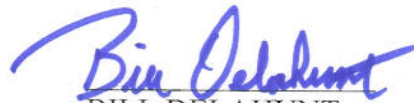
Furthermore, we are deeply troubled by your decision not to provide a full and detailed supplemental war funding request with the fiscal year 2009 annual budget. As you know, under the fiscal year 2007 defense authorization (PL 109-364), you are required to include a war cost estimate in the budget, a law that you did comply with last year. In light of the fact that you and Prime Minister al-Maliki are proposing to enact this pact beginning in fiscal year 2009, we believe this decision only further leaves the Congress and the American people in the dark with regard to this agreement.

Secretary Gates has discussed a “long and enduring presence” in Iraq of which the “Korea model” and the “security relationship that we have with Japan” are examples. Both of these relationships were established after consultations with Congress and after two-thirds of the Senate had given its advice and consent to ratification of a treaty. While we agree that it is in our national interest to map out our future relationship with Iraq, in light of the long-term repercussions the agreement you are currently negotiating will have on the United States, we strongly urge you to enter serious consultations with and seek the approval of Congress rather than unilaterally locking in commitments that constrain your successor’s ability to forge a new direction in Iraq.

Sincerely,



ROSA L. DeLAURO  
Member of Congress



BILL DELAHUNT  
Member of Congress



RAHM EMANUEL  
Member of Congress



GEORGE MILLER  
Member of Congress

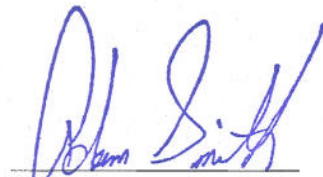


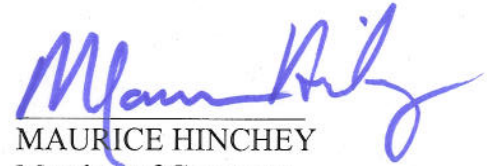
JOHN B. LARSON  
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MICHAEL CAPUANO  
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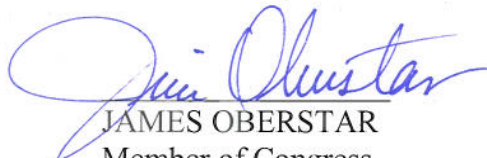
  
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