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United States Senate

COMMITTEE ON ARMED SERVICES

WASHINGTON, DC 20510-6050

June 9, 2008

The Honorable Condoleezza Rice
U.S. Department of State
2201 C Street NW
Washington, DC 20520

Dear Madam Secretary:

We are writing to you today about the Administration's consultation with Congress during the ongoing bilateral negotiations between the United States and the Government of Iraq on our long term mutual relations which are expected to result in a Strategic Framework Agreement (SFA) and Status of Forces Agreement (SOFA) later this year.

Iraq's leaders have asked for an enduring relationship with America and in response to that request, President Bush and Prime Minister Maliki signed a "Declaration of Principles" in November 2007. We understand that this was a shared statement of intent that established common principles to frame our future relationship. This was aimed at normalizing U.S. - Iraqi relations in a way which is consistent with Iraq's sovereignty and will help Iraq regain its full status in the international community.

Administration officials have told Congress that the SFA and SOFA will be similar to agreements we have with countries around the world which will provide basic legal authorities and protections for U.S. military and civilian personnel serving in Iraq beyond Dec. 31, 2008, when the present United Nations authorization will expire.

In April 2008, Ambassador Crocker testified that the agreements being negotiated "will not establish permanent bases in Iraq, and we anticipate that it will expressly foreswear them. The agreement will not specify troop levels, and it will not tie the hands of the next Administration. Our aim is to ensure that the next President arrives in office with the stable foundation upon which to base policy decisions, and that is precisely what this agreement will do. Congress will remain fully informed as these negotiations proceed in the coming weeks and months."

The situation in Iraq is extremely complex and Congress, in exercising its constitutional responsibilities, has legitimate concerns about the authorities, protections,

and understandings that might be made in the SFA and SOFA. Even though the Administration currently believes it does not need to seek the authorization of Congress to ratify the SFA and SOFA either as treaties approved by two-thirds of the Senate or as congressional-executive agreements approved by both houses, we believe that the content of these agreements will be determinative. Accordingly, it is essential that the Administration be more transparent with Congress, with greater consultation, about the progress and content of these deliberations.

We urge that the Administration more fully adhere to the promise of Ambassador Crocker's testimony and ensure that Congress remains "fully informed as these negotiations proceed."

We look forward to working with you on this and other issues affecting our policies in Iraq and our Nation's security.

With kind regards, we are



John Warner



Carl Levin

cc: The Honorable Robert M. Gates
The Honorable Stephen J. Hadley