

PENDING  
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AS MODIFIED

AMENDMENT NO. 2997

Calendar No.

Purpose: To express the sense of Congress on federalism in Iraq.

IN THE SENATE OF THE UNITED STATES—110th Cong., 1st Sess.

H. R. 1585

AMENDMENT No. 2997

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By Biden & others  
To: Amdt. No. 2011  
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Refer. to the Committee on

GPO: 2006 30-772 (Mac)

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AMENDMENT intended to be proposed by Mr. BIDEN (for himself, Mr. BROWNBACK, Mrs. BOXER, Mr. SPECTER, Mr. KERRY, Mr. SMITH, Mr. NELSON of Florida, Mrs. HUTCHISON, Mr. SCHUMER, Ms. MIKULSKI, Mrs. LINCOLN, Mr. REID, Mrs. FEINSTEIN, Mr. BINGAMAN, Mr. BROWN, Mr. CARPER, and Mr. SALAZAR)

Viz:

- 1 At the end of subtitle C of title XV, add the following:
- 2 **SEC. 1535. SENSE OF CONGRESS ON FEDERALISM IN IRAQ.**
- 3 (a) FINDINGS.—Congress makes the following find-
- 4 ings:

1           (1) Iraq continues to experience a self-sus-  
2           taining cycle of sectarian violence.

3           (2) The ongoing sectarian violence presents a  
4           threat to regional and world peace, and the long-  
5           term security interests of the United States are best  
6           served by an Iraq that is stable, not a haven for ter-  
7           rorists, and not a threat to its neighbors.

8           (3) A central focus of al Qaeda in Iraq has been  
9           to turn sectarian divisions in Iraq into sectarian vio-  
10          lence through a concentrated series of attacks, the  
11          most significant being the destruction of the Golden  
12          Dome of the Shia al-Askariyah Mosque in Samarra  
13          in February 2006

14          (4) Iraqis must reach a comprehensive and sus-  
15          tainable political settlement in order to achieve sta-  
16          bility, and the failure of the Iraqis to reach such a  
17          settlement is a primary cause of violence in Iraq.

18          (5) Article One of the Constitution of Iraq de-  
19          clares Iraq to be a “single, independent federal  
20          state”.

21          (6) Section Five of the Constitution of Iraq de-  
22          clares that the “federal system in the Republic of  
23          Iraq is made up of a decentralized capital, regions,  
24          and governorates, and local administrations” and  
25          enumerates the expansive powers of regions and the

1 limited powers of the central government and estab-  
2 lishes the mechanisms for the creation of new fed-  
3 eral regions.

4 (7) The federal system created by the Constitu-  
5 tion of Iraq would give Iraqis local control over their  
6 police and certain laws, including those related to  
7 employment, education, religion, and marriage.

8 (8) The Constitution of Iraq recognizes the ad-  
9 ministrative role of the Kurdistan Regional Govern-  
10 ment in 3 northern Iraqi provinces, known also as  
11 the Kurdistan Region.

12 (9) The Kurdistan region, recognized by the  
13 Constitution of Iraq, is largely stable and peaceful.

14 (10) The Iraqi Parliament approved a fed-  
15 eralism law on October 11th, 2006, which estab-  
16 lishes procedures for the creation of new federal re-  
17 gions and will go into effect 18 months after ap-  
18 proval.

19 (11) Iraqis recognize Baghdad as the capital of  
20 Iraq, and the Constitution of Iraq stipulates that  
21 Baghdad may not merge with any federal region.

22 (12) Despite their differences, Iraq's sectarian  
23 and ethnic groups support the unity and territorial  
24 integrity of Iraq.

1           (13) Iraqi Prime Minister Nouri al-Maliki stat-  
2           ed on November 27, 2006, “[t]he crisis is political,  
3           and the ones who can stop the cycle of aggravation  
4           and bloodletting of innocents are the politicians”.

5           (b) SENSE OF CONGRESS.—It is the sense of Con-  
6           gress that—

7           (1) the United States should actively support a  
8           political settlement in Iraq based on the final provi-  
9           sions of the Constitution of Iraq that create a fed-  
10          eral system of government and allow for the creation  
11          of federal regions, consistent with the wishes of the  
12          Iraqi people and their elected leaders;

13          (2) the active support referred to in paragraph  
14          (1) should include—

15                (A) calling on the international community,  
16                including countries with troops in Iraq, the per-  
17                manent 5 members of the United Nations Secu-  
18                rity Council, members of the Gulf Cooperation  
19                Council, and Iraq’s neighbors—

20                    (i) to support an Iraqi political settle-  
21                    ment based on federalism;

22                    (ii) to acknowledge the sovereignty  
23                    and territorial integrity of Iraq; and

24                    (iii) to fulfill commitments for the ur-  
25                    gent delivery of significant assistance and

1 debt relief to Iraq, especially those made  
2 by the member states of the Gulf Coopera-  
3 tion Council;

4 (B) further calling on Iraq's neighbors to  
5 pledge not to intervene in or destabilize Iraq  
6 and to agree to related verification mechanisms;  
7 and

8 (C) convening a conference for Iraqis to  
9 reach an agreement on a comprehensive polit-  
10 ical settlement based on the federalism law ap-  
11 proved by the Iraqi Parliament on October 11,  
12 2006;

13 (3) the United States should urge the Govern-  
14 ment of Iraq to quickly agree upon and implement  
15 a law providing for the equitable distribution of oil  
16 revenues, which is a critical component of a com-  
17 prehensive political settlement based upon fed-  
18 eralism;

19 (4) the steps described in paragraphs (1), (2),  
20 and (3) could lead to an Iraq that is stable, not a  
21 haven for terrorists, and not a threat to its neigh-  
22 bors; and

23 (5) nothing in this Act should be construed in  
24 any way to infringe on the sovereign rights of the  
25 nation of Iraq.