



FRIENDS COMMITTEE ON NATIONAL LEGISLATION

... a Quaker lobby in the public interest

March 10, 2009

Dear President Obama,

We welcome and applaud your statement of February 27, 2009 that under the U.S.-Iraq withdrawal agreement you intend to remove all U.S. troops from Iraq by the end of 2011.

We note that the agreement states that "All the United States Forces shall withdraw from all Iraqi territory no later than December 31, 2011." This does not rule out an earlier withdrawal, and we urge you to complete the removal of U.S. troops well before this deadline.

We urge you, as well, to submit the November 2008 agreement, officially titled "Agreement Between the United States of America and the Republic of Iraq On the Withdrawal of United States Forces from Iraq and the Organization of Their Activities during Their Temporary Presence in Iraq" either to the United States Senate for ratification as a treaty, consistent with Article II or to both houses of Congress for authorization under Article I of the Constitution.

Provisions of the agreement for maintaining security and stability in Iraq, cooperating with Iraq in the conduct of operations against al-Qaeda and other groups, and deterring internal and external threats against Iraq combine to raise the agreement above the level that can be sustained by executive authority alone. Maintenance of a proper constitutional balance between the executive and legislative branches of government, we believe, requires that the agreement be approved by Congress.

A little over a year ago, as a senator, you cosponsored S. 2426, the "Congressional Oversight of Iraq Agreements Act." S. 2426, introduced by then Senator and now Secretary of State Hillary Clinton, would have prohibited funding to "carry out any bilateral agreement between the United States and Iraq involving 'commitments or risks affecting the nation as a whole', including a status of forces agreement, that is not a treaty approved by two-thirds of the Senate under Article II of the Constitution or authorized by legislation passed by both houses of Congress." In November 2008, on your transition website, change.gov, you stated that you and Vice President-elect Joseph Biden "believe that any security accord must be subject to Congressional approval."

When the United States made security commitments to Japan, South Korea, the Philippines, Australia, New Zealand, and NATO members, Presidents Truman and Eisenhower designated the agreements as treaties requiring Senate ratification. You now have an important opportunity to reaffirm the historic balance between executive and legislative branches inherent in the actions of your predecessors. We urge you to withdraw the exaggerated claims for executive powers of your immediate predecessor by submitting the U.S.-Iraq withdrawal agreement to Congress for approval, thus, upholding our Constitution.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe Volk".

Joe Volk
Executive Secretary