

**Testimony of Ambassador David M. Satterfield,
Senior Advisor to the Secretary of State and Coordinator for Iraq
Before the Senate Foreign Relations Committee**

April 10, 2008

Chairman Biden, Ranking Member Lugar, Members of the Committee:

Thank you for the opportunity to appear before you today to discuss the U.S. government's progress towards developing a basic framework for normalized relations with the Iraqi government, which would include what is known as a Status of Forces Agreement.

Our overarching goal in Iraq is to help the Iraqi people establish their country as a stable democratic nation, with an effective sovereign government that can meet its people's needs and play a positive role in the international system. Our efforts are now paying off. Not only have Iraq's army and police played an increasing role in dramatically improving security over the past year, but also Iraq's democratically elected government is increasingly providing services for the Iraqi people and building relationships with other nations to combat regional instability. More and more, the Iraqis are taking greater control of their own destiny, and they desire a more normal relationship with the United States.

There is healthy debate about the future presence and composition of U.S. forces in Iraq. However, it is clear that U.S. forces will need to operate in Iraq

beyond the end of this year. For nearly five years, the presence in Iraq of the United States and our coalition partners has been authorized by United Nations resolutions. The Government of Iraq has expressed its strong desire that the UN Chapter VII mandate expire at the end of this year. The U.S. and the UN Security Council support this goal. It is therefore imperative that the United States negotiate with the Iraqi government an agreement that would provide a post-Chapter VII framework applicable to U.S. forces, including Iraqi consent to the presence and operation of our forces and the protections necessary for our troops to continue to operate in Iraq. This agreement is similar to the many status of forces agreements (SOFAs) we have across the world, which address such matters as jurisdiction over U.S. forces; the movement of vehicles, vessels, and aircraft; non-taxation of U.S. activities and the ability of U.S. forces to use host-government facilities. The SOFA is also unique in that it also takes into account the particular circumstances and requirements for our forces in Iraq, in particular, by providing for consent by the Government of Iraq to the conduct of military operations. Neither we nor the Iraqis intend for this to be a permanent provision of the SOFA.

In addition to a status of forces agreement, we intend to establish a framework for a strong relationship with Iraq, reflecting our shared political, economic, cultural, and security interests. This strategic framework will broadly address the topics outlined in the Declaration of Principles signed by President Bush and Prime

Minister Maliki on November 26, 2007. Both the SOFA and the strategic framework, which will build upon the improving security in Iraq and the increased capabilities of the Iraqi government, come at the urging of the Iraqi government and moderate political forces from across the spectrum of Iraq's ethnic, religious and political communities. Together, they seek an accord that both affirms Iraqi sovereignty and continues to permit U.S. and coalition forces to assist in restraining extremists and outside actors who seek power through violence and terror. Strengthening those moderate political voices is vital to Iraq's long-term stability and regional security. And it is vital to our national security that they succeed.

On the U.S. side, Ambassador Crocker is the lead strategist, and he is assisted by an interagency team of subject-matter experts charged with negotiating the details of the SOFA. The Iraqis also have set up a broadly representative and technically capable team, and, together, we are in the initial stages of engaging and clarifying our positions on key issues.

The status of forces agreement will set the basic legal parameters for the U.S. military presence in Iraq, including the appropriate consent from the Government of Iraq and the protections essential for our troops to operate effectively. These provisions are vital for our military, and we owe it to our troops in Iraq to obtain for them the protections they have elsewhere in the world.

Far from constricting the policy options available to the next president, the SOFA and strategic framework will ensure that every policy option remains on the table. These options include a range of missions that the next administration may wish to pursue, such as helping the Iraqi government fight al Qaida, develop its security forces, and stop the flow of lethal training and aid from outside Iraq. As for the size of the U.S. presence in Iraq, the SOFA and the strategic framework will do nothing to limit the discretion of this President – or the next President – to make that important decision. Neither the framework nor the SOFA will include a binding commitment to defend Iraq or any other security commitments that would warrant Senate advice and consent. The SOFA, like all of our other bilateral SOFAs, will not contain provisions that govern the status for foreign forces in the United States and thus will differ from the NATO SOFA, which was concluded as a treaty because it does contain such reciprocal provisions. Also, let me be clear; the SOFA and strategic framework will not establish permanent bases in Iraq or specify the number of American troops to be stationed there.

In keeping with past practice, our intent is to conclude the SOFA as an executive agreement, rather than a treaty subject to Senate approval. We will continue to consult Congress throughout the entire process as negotiations proceed in the coming months. Background briefings by senior Administration officials have already begun, and Ambassador Ryan Crocker, our lead negotiator, testified before

both the House and the Senate this week. As with other negotiations, we will not publicly discuss our negotiating positions on key issues. But we will ensure that members of Congress are kept fully informed.

A bilateral security agreement with Iraq has long been noted as a necessary milestone in our relationship by bipartisan commissions and by leading members of Congress from both political parties. The Independent Commission on the Security Forces of Iraq, chaired by General James L. Jones, the former Marine Corps Commandant and NATO Commander, recommended negotiating a bilateral agreement. This echoed a call from a diverse group of senior Senators, including Carl Levin, John Warner, and Richard Lugar. The Baker-Hamilton Iraq Study Group similarly advocated a series of longer-term missions that would require agreement with the Iraqi government.

The United States has enduring national interests in Iraq. 2008 is a year of critical transition, both for the United States and Iraq. Next year will bring new Iraqi national elections and new tests for Iraqi Security Forces who are slated to assume the lead in security efforts in all of their country. Our primary objective now is to build a sustainable foundation for success. We are committed to doing everything we can to ensure that the situation in Iraq continues to stabilize and that the next administration has maximum flexibility to adapt its own policies to conditions and

circumstances on the ground. This is precisely what an agreement with Iraq must, and will, achieve.

Thank you very much. I look forward to your questions.