

S. 6

To withdraw American troops from Iraq.

IN THE SENATE OF THE UNITED STATES

OCTOBER 21, 2020

Mr. KOAY of Maryland (for himself, Mr. LOULOU, Mr. ROMERIO)
introduced the following bill, which was subsequently referred to the
Senate;

A BILL

To withdraw American troops from Iraq.

*Be it enacted by the Senate and House of Representatives of the United States of America in
Congress assembled,*

SEC. 1. SHORT TITLE.

This Act may be cited as the “Iraqi Withdrawal Act”.

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term—

- (a) “Department” means the Department of Defense;
- (b) “Secretary” means the Secretary of Defense;
- (c) “State Secretary” means the Secretary of State;
- (d) “NATO” means the North Atlantic Treaty Organisation;
- (e) “Iraqi civilians” means all civilians under territories internationally recognized as the Republic of Iraq, including those administered by the Kurdish Peshmerga;

- (f) “Military installation” means any infrastructure administered by the Department of Defense, including Air Bases, Naval Bases, Military Bases, and Military Training Sites;
- (g) “Iraq” means the territories internationally recognized as the Republic of Iraq, including those currently administered by the Kurdish Peshmerga;
- (h) “Iraqi Kurdistan” means the territories currently administered by the Kurdish Peshmerga, but not including territories administered by the United States recognised Republic of Kurdistan in Northeastern Syria;
- (i) “Israel-Palestine” means all the territories part of either Israel or Palestine; and
- (j) “Islamic State” means the Islamic State in Iraq and the Levant and Tanzim Qaidat.

SEC. 3. FINDINGS.

Congress finds that —

- (a) The United States has been deeply involved in the current undeclared civil conflict in Iraq between the Iraqi Armed Forces and the Kurdish Peshmerga since the 2003 invasion of Iraq to topple the regime of Saddam Hussein.
- (b) The United States has been deeply involved in the current undeclared interstate conflict between the Iraqi Armed Forces, the Kurdish Peshmerga, and the Republic of Turkey since the 2014 authorizations to Iraq to fight the Islamic State.
- (c) The Islamic State no longer holds significant territory in Iraq, nor is it currently in the position to resurge into contention in any significant territory.
- (d) The United States currently administers multiple military installations in land currently governed by Iraqi Kurdistan.
- (e) The United States has been privy to the harsh treatment of civilians on behalf of the Iraqi government since 2014 throughout Iraq’s period of political instability and infighting.
- (f) The United States military involvement in Iraq has directly led to the deaths of civilians, and continues in every concurrent year in which significant United States military involvement is sustained and reauthorized.
- (g) The United States military involvement in Iraq has primarily been used in ways not benefitting United States interests, and to the detriment of American international relationships around the world, most importantly with our allies in the NATO alliance.

- (h) The United States position is currently untenable and must be corrected for the sake of not only American national security, but also the security of Iraqi civilians.

SEC. 4. AUTHORIZATION FOR A WITHDRAWAL.

- (a) IN GENERAL.—Congress urges the Secretary to withdraw the 5,200 active-duty troops approved by Congress to prevent the rise of the Islamic State of Iraq and Syria.
- (b) INITIAL DECREASE.—Congress recommends that the number of active-duty troops in Iraq shall be no more than 3,200 by the mark of six months following the enactment of this piece of legislation.
 - (i) Congress recommends that 500 troops are to be withdrawn from Iraq per 3-week period.
- (c) CONTINUED DECREASE.—The number of active-duty troops in Iraq is recommended to be no more than that which it is determined by the Department to be sufficient to maintain the military bases continually reauthorized in Iraq by the mark of one year following the enactment of this piece of legislation.
 - (i) This withdrawal shall see no less than one half of the troops in Iraq at the beginning of this withdrawal period withdrawn per quarter, with all troops withdrawn by the end of one year.
 - (ii) The Department is to evaluate and oversee that sole troops remaining in Iraq following the mark of one year listed in this Act shall be reserve troops and maintenance staff required for the upkeep of United State military bases.

SEC. 5. AUTHORIZATION FOR DECOMMISSION OF MILITARY BASES

- (a) IN GENERAL.—The Department, with no further boots on the ground required to execute active-duty operations, shall be recommended by Congress to waive statutory requirements for the disestablishment of multiple military installations in Iraq.
- (b) On account of the following installations being in territory administered by Iraqi Kurdistan, an entity with which the Department has no formal military convention, the incumbent Secretary is recommended by Congress in the strongest terms possible to:
 - (i) Decommission the Harir Air Base;
 - (ii) Decommission the Qayara Air Base;

- (iii) Decommission the Erbil International Airport Military Base; and
 - (iv) Decommission the Kirkuk 1 Military Base.
- (c) On account of the following installations being in territory which, under the provisions of this Act, would no longer have adequate personnel to maintain, the incumbent Secretary is recommended by Congress in the strongest terms possible to:
- (i) Decommission the Balad Air Base;
 - (ii) Decommission the Ain Al-Asad Air Base; and
 - (iii) Decommission the Habbaniyah Air Base.
- (d) Congress makes no further recommendation to the Secretary or Department at this time as to the stature of the military installations at Camp Victory and Al-Taji on account of their proximity to the seat of the Iraq government and Congress' confidence in adequate personnel required for maintenance.

SEC. 6. DIPLOMATIC RELATIONS WITH IRAQI KURDISTAN.

- (a) DIPLOMATIC COMMITMENT.— The United States shall not commit to establishing formal diplomatic relations with Iraqi Kurdistan at this time.
- (i) The United States shall not commit to recognizing the formality of the sovereignty of Kurdistan at this time.
 - (ii) The United States shall not commit to requesting United Nations membership for Iraqi Kurdistan at this time.
- (b) RESPECT FOR SOVEREIGNTY.— The Department shall commit to refraining from the establishment or recommission of further military installations in territories currently administered by Iraqi Kurdistan until a formal military contract has been negotiated upon and ratified by the United States Government.

SEC. 7. DIPLOMATIC APPROACH TO THE IRAQI CIVIL WAR.

- (a) The policy of the United States is now, in compliance with the provisions of this Act—
- (i) Formal neutrality in the undeclared Iraqi civil conflict between the Iraqi Armed Forces and the Kurdish Peshmerga.
 - (ii) Formal state apology for United States involvement in the undeclared Iraqi civil conflict between the Iraqi Armed Forces and the Kurdish Peshmerga.

- (iii) Formal neutrality in the undeclared Iraqi interstate conflict between the Iraqi Armed Forces, the Kurdish Peshmerga, and the Republic of Turkey.
 - (iv) Formal state apology for United States involvement in the undeclared Iraqi interstate conflict between the Iraqi Armed Forces, the Kurdish Peshmerga, and the Republic of Turkey.
 - (v) Condemnation of all acts of violence and violations of international conduct committed by the Iraqi Armed forces against civilians of Iraq, regardless of religious or ethnic affiliation.
 - (vi) Willingness to provide solely peacekeeping and humanitarian assistance to Iraq with Iraqi and Kurdish civilians in mind at the sole prerogative of assistance-requesting the seat of Iraqi government.
- (b) It shall be the responsibility of the State Secretary to enact the above diplomatic recommendations in compliance of the provisions of this Act.

SEC. 8. SEVERABILITY.

- (a) CONSTITUTIONALITY.—Should any clause or portion of this Act be declared unconstitutional, the rest of the Act shall remain in full effect to the maximum extent allowed by the Constitution, excepting only the extension of the authorization to deploy, which shall be null and without further effect if the Congressional recommendations contained within this Act are all declared unconstitutional.

SEC. 9. ENACTMENT.

EFFECTIVE DATE.— The provisions of this Act shall come into force immediately upon passage.

President of the United States of America