



United States Department of State

Washington, D.C. 20520

MAR 05 2008

Dear Mr. Chairman:

Please find enclosed the answer to the question taken by Ambassador David M. Satterfield at the March 4, 2008 hearing.

If we can be of further assistance to you, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey T. Bergner".

Jeffrey T. Bergner
Assistant Secretary
Legislative Affairs

Enclosure:

As stated.

The Honorable

Gary Ackerman, Chairman,

Subcommittee on the Middle East and South Asia,

Committee on Foreign Affairs,

House of Representatives.

4 March 2008
Ambassador David M. Satterfield

Chairman Ackerman: Does the Administration believe it has the constitutional authority to continue combat operations in Iraq beyond the end of this year absent explicit additional authorization from the Congress?

Ambassador Satterfield: Yes. The United States remains actively engaged in our efforts to assist the Iraqi people in their transition to a working democracy that will be a source of stability in the region and that will not pose a threat to the national security of the United States or to our allies. Whether or not the authorization for the Multi-National Force in Iraq in United Nations Security Council Resolution (UNSCR) 1790 (2007) is extended, the U.S. military has the authority to continue its mission beyond the end of this year under the laws passed by Congress and the President's authority as Commander in Chief under the Constitution. Congress expressly authorized the use of force to "defend the national security of the United States against the continuing threat posed by Iraq" as well as to enforce all relevant UNSCRs concerning Iraq. Pub.L. 107-243 (Oct. 16, 2002). Congress also has authorized the President to use all necessary and appropriate force against nations, organizations, or persons involved in the

September 11, 2001 attacks on the United States, "in order to prevent any future acts of international terrorism against the United States" by those same entities. Pub.L. 107-40 (Sept. 18, 2001). On March 18, 2003, when the President made the determinations required by Pub.L. 107-243, he determined that the military operations in Iraq were "consistent with the United States and other countries continuing to take the necessary actions against international terrorists and terrorist organizations, including those nations, organizations, or persons who planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001." In addition, Congress has repeatedly provided funding for the Iraq war, both in regular appropriations cycles and in supplemental appropriations.