

CRS Report for Congress

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Congressional Action on Iraq 1990-2002: A Compilation of Legislation

Jeremy M. Sharp
Middle East Policy Analyst
Foreign Affairs, Defense, and Trade Division

Summary

This report is a compilation of legislation on Iraq from 1990 to the present. The list is composed of resolutions and public laws relating to military action or diplomatic pressure to be taken against Iraq.¹ The list does not include foreign aid appropriations bills passed since FY1994 that deny U.S. funds to any nation in violation of the United Nations sanctions regime against Iraq.² Also, measures that were not passed only in either the House or the Senate are not included (with the exception of the proposals in the 107th Congress). For a more in-depth analysis of U.S. action against Iraq, see CRS Issue Brief IB92117, *Iraq, Compliance, Sanctions and U.S. Policy*. This report will be updated as developments unfold.

101st Congress

House

H.Con.Res. 382 Expressed the sense of the Congress that the crisis created by Iraq's invasion and occupation of Kuwait must be addressed and resolved on its own terms separately from other conflicts in the region. Passed in the House: October 23, 1990

¹ This compilation of legislation does not include bills related to humanitarian support for the Iraqi population and bills that call on Iraq to compensate victims of the 1991 Persian Gulf War.

² The following foreign aid appropriations bills each contain a section that denies foreign aid to nations deemed in violation of U.N. sanctions against Iraq: P.L. 103-87, P.L. 103-306, P.L. 104-107, P.L. 104-108, P.L. 105-118, P.L. 105-277, P.L. 106-113, P.L. 106-429, P.L. 107-115. The same restriction also appears in the House and Senate versions of current appropriations bills.

H.J.Res. 658 Supported the actions taken by the President with respect to Iraqi aggression against Kuwait and confirmed United States resolve. Passed in the House: October 1, 1990

Senate

S.Res. 318 Commended the President for his actions taken against Iraq and called for the withdrawal of Iraqi forces from Kuwait, the freezing of Iraqi assets, the cessation of all arms shipments to Iraq, and the imposition of sanctions against Iraq. Passed in the Senate: August 2, 1990

Public Laws

P.L. 101-509 (H.R. 5241). *Treasury, Postal Service, and General Government Appropriations Act FY1991* (Section 630). Urged the President to ensure that coalition allies were sharing the burden of collective defense and contributing financially to the war effort. Became public law: November 5, 1990

P.L. 101-510 (H.R. 4739). *Defense Authorization Act FY1991* (Section 1458). Empowered the President to prohibit any and all products of a foreign nation which has violated the economic sanctions against Iraq. Became public law: November 5, 1990

P.L. 101-513 (H.R. 5114). *The Iraq Sanctions Act of 1990* (Section 586). Imposed a trade embargo on Iraq and called for the imposition and enforcement of multilateral sanctions in accordance with United Nations Security Council Resolutions. Became public law: November 5, 1990

P.L. 101-515 (H.R. 5021). *Department of Commerce, Justice, and State Appropriations Act FY1991* (Section 608 a & b). Restricted the use of funds to approve the licensing for export of any supercomputer to any country whose government is assisting Iraq develop its ballistic missile program, or chemical, biological, and nuclear weapons capability. Became public law: November 5, 1990

102nd Congress

Public Laws

P.L. 102-1 (H.J.Res. 77). *Authorization for Use of Military Force Against Iraq Resolution*. Gave congressional authorization to expel Iraq from Kuwait in accordance with United Nations Security Council Resolution 678, which called for the implementation of eleven previous Security Council Resolutions. Became public law: January 12, 1991

- P.L. 102-138 (H.R. 1415). *The Foreign Relations Authorization Act for FY1992* (Section 301). Stated that the President should propose to the Security Council that members of the Iraqi regime be put on trial for war crimes. Became public law: October 28, 1991
- P.L. 102-190 (H.R. 2100). *Defense Authorization Act for FY1992* (Section 1095). Supported the use of “all necessary means to achieve the goals of United Nations Security Council Resolution 687 as being consistent with the Authorization for Use of Military Force Against Iraq Resolution (P.L. 102-1).” Became public law: December 5, 1991

103rd Congress

Public Laws

- P.L. 103-160 (H.R. 2401). *Defense Authorization Act FY1994* (Section 1164). Denied defectors of the Iraqi military entry into the United States unless those persons had assisted U.S. or coalition forces and had not committed any war crimes. Became public law: November 30, 1993
- P.L. 103-236 (H.R. 2333). *Foreign Relations Authorization Act FY1994, 1995* (Section 507). Expressed the sense of Congress that the United States should continue to advocate the maintenance of Iraq’s territorial integrity and the transition to a unified, democratic Iraq. Became public law: April 30, 1994

104th Congress

House

- H.Res. 120 Urged the President to take “all appropriate action” to secure the release and safe exit from Iraq of American citizens William Barloon and David Daliberti, who had mistakenly crossed Iraq’s border and were detained. Passed in the House: April 3, 1995

Senate

- S.Res. 288 Commended the military action taken by the United States following U.S. air strikes in northern Iraq against Iraqi radar and air defense installations. This action was taken during the brief Kurdish civil war in 1996. Passed in the Senate: September 5, 1996

105th Congress

House

- H.Res. 322 Supported the pursuit of peaceful and diplomatic efforts in seeking Iraqi compliance with United Nations Security Council Resolutions regarding the destruction of Iraq’s capability to deliver and produce

weapons of mass destruction. However, if such efforts fail, “multilateral military action or unilateral military action should be taken.” Passed in the House: November 13, 1997

H.Res. 612 Reaffirmed that it should be the policy of the United States to support efforts to remove the regime of Saddam Hussein in Iraq and to promote the emergence of a democratic government to replace that regime. Passed in the House: December 17, 1998

H.Con.Res.137 Expressed concern for the urgent need of a criminal tribunal to try members of the Iraqi regime for war crimes.
Passed in the House: January 27, 1998

Senate

S.Con.Res. 78 Called for the indictment of Saddam Hussein for war crimes.
Passed in the Senate: March 13, 1998

Public Laws

P.L. 105-174 (H.R. 3579). *1998 Supplemental Appropriations and Rescissions Act* (Section 17). Expressed the sense of Congress that none of the funds appropriated or otherwise made available by this act be used for the conduct of offensive operations by the United States Armed Forces against Iraq for the purpose of enforcing compliance with United Nations Security Council Resolutions, unless such operations are specifically authorized by a law enacted after the date of the enactment of this act. Became public law: May 1, 1998

P.L. 105-235 (S.J.Res. 54). *Iraqi Breach of International Obligations*. Declared that by evicting weapons inspectors, Iraq was in “material breach” of its cease-fire agreement. Urged the President to take “appropriate action in accordance with the Constitution and relevant laws of the United States, to bring Iraq into compliance with its international obligations.” Became public law: August 14, 1998

P.L. 105-338 (H.R. 4655). *Iraq Liberation Act of 1988* (Section 586). Declared that it should be the policy of the United States to “support efforts” to remove Saddam Hussein from power in Iraq and replace him with a democratic government. Authorized the President to provide the Iraqi democratic opposition with assistance for radio and television broadcasting, defense articles and military training, and humanitarian assistance. Became public law: October 31, 1998

107th Congress

House

H.R. 4 Would prohibit the direct or indirect importation of Iraqi-origin petroleum into the United States, notwithstanding action by the

Committee established by United Nations Security Council Resolution 661 authorizing the export of petroleum products from Iraq in exchange for humanitarian assistance. Passed in the House: August 2, 2001. Last major action: Passed in the Senate in lieu of S. 517 with an amendment: April 25, 2002 (currently in conference).

- H.Con.Res. 286 Expresses the support for the President in using all means at his disposal to encourage the establishment of a democratically elected government in Iraq. Last major action: December 11, 2001 (referred to House Committee on International Relations).
- H.Con.Res. 460 Expresses the sense of Congress that the President may order acts of war against a foreign or other entity only in the following circumstances: in compliance with a treaty obligation or to repel a military attack against U.S. territory, possessions, or armed forces engaged in peaceful maneuvers; to participate in humanitarian rescue operations; or in response to a declaration or resolution of prior specific approval by a majority of the Members of each House of Congress. Last major action: September 4, 2002 (referred to House Committee on International Relations).
- H.Con.Res. 473 Expressed the sense of Congress that the United States should work through the United Nations through mechanisms such as the resumption of weapons inspections, negotiation, and other peaceful means to ensure that Iraq is not developing weapons of mass destruction. Last major action: September 19, 2002 (referred to House Committee on International Relations).
- H.Con.Res. 518 Expressed the sense of Congress that the deployment of United States Armed Forces against Iraq without prior specific authorization by the United Nations Security Council and specific congressional authorization pursuant to a declaration of war would constitute a violation of the obligations of the United States under the United Nations Charter and a violation of the United States Constitution, respectively. Last major action: November 14, 2002 (referred to House Committee on International Relations).
- H.J.Res. 75 Stated that Iraq's refusal to allow weapons inspectors was a material breach of its international obligations and constituted "a mounting threat to the United States, its friends and allies, and international peace and security."
Passed in the House: December 20, 2001
- H.J.Res. 110 Calls on the President to exhaust all diplomatic avenues before using military force against Iraq, obtain allied support for any preemptive strike against Iraq through a U.N. Security Council Resolution, and consider a post-invasion plan for ensuring democracy and stability in Iraq. Authorizes the use of force against Iraq only after certifying that Iraq is continuing to obtain weapons of mass destruction and only after transmitting a plan that contains a commitment to the war on

terrorism and provisions for the stabilization of Iraq. Last major action: September 23, 2002 (referred to House Committee on International Relations).

H.J.Res. 118 Requires that the use of force against Iraq be determined to be necessary before authorization is granted. Calls for a second congressional resolution to approve the determination of the President that the U.S. has attempted to seek the adoption of a United Nations Security Council resolution authorizing the use of force against Iraq and that Iraq poses a grave threat to U.S. national security. Last major action: October 7, 2002 (referred to House Committee on International Relations).

Senate

S. 3079 Expresses the sense of Congress that key scientists, engineers, and technicians in Saddam Hussein's weapons of mass destruction programs should be encouraged to leave and provide information to governments and international institutions that are committed to such programs' dismantling. Stipulates that the alien and any immediate family members shall be eligible for U.S. permanent residence admission. Passed in the Senate: November 20, 2002

S.J.Res. 41 (H.J. Res.109 Companion Bill). Calls for the "consideration and vote on a resolution for the use of force of the United States against Iraq before such force is deployed." Last major action: July 18, 2002 (referred to Senate Committee on Foreign Relations).

S.J.Res. 45 "The President is authorized to use all means that he determines to be appropriate, including force, in order to enforce the United Nations Security Council Resolutions referenced above, defend the national security interests of the United States against the threat posed by Iraq, and restore international peace and security in the region." Last major action: October 11, 2002 (indefinitely postponed by Senate by Unanimous Consent).

S.Con.Res. 133 Expresses the sense of Congress that "the United States should not use force against Iraq, outside of the existing rules of engagement, without specific statutory authorization or a declaration of war under Article I, Section 8, Clause 11 of the Constitution of the United States." Last major action: July 30, 2002 (referred to Senate Committee on Foreign Relations).

Public Laws

P.L. 107-243 (H.J.Res. 114). *To Authorize the Use of United States Armed Forces against Iraq*. Authorizes the President to use armed force to defend the national security of the United States against the threat posed by Iraq and to enforce all relevant U.N. resolutions regarding Iraq. Became public law: October 16, 2002