

119TH CONGRESS  
1ST SESSION

# S. J. RES. \_\_\_\_\_

A joint resolution to direct the removal of United States Armed Forces  
from hostilities that have not been authorized by Congress.

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## IN THE SENATE OF THE UNITED STATES

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Mr. SCHIFF (for himself and Mr. KAINE) introduced the following joint resolution;  
which was read twice and referred to the Committee on

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# JOINT RESOLUTION

A joint resolution to direct the removal of United States  
Armed Forces from hostilities that have not been authorized  
by Congress.

1       *Resolved by the Senate and House of Representatives*  
2       *of the United States of America in Congress assembled,*

3       **SECTION 1. FINDINGS.**

4       Congress makes the following findings:

5               (1) Congress has the sole power to declare war  
6       under Article I, section 8, clause 11 of the United  
7       States Constitution.

1           (2) Congress has not declared war upon, nor  
2           enacted a specific statutory authorization for use of  
3           military force against—

4                   (A) any organization designated on or  
5                   after February 20, 2025, as a foreign terrorist  
6                   organization pursuant to section 219(a) of the  
7                   Immigration and Nationality Act (8 U.S.C.  
8                   1189(a)) or as a specially designated global ter-  
9                   rorist pursuant to Executive Order 13224 (50  
10                  U.S.C. 1701 note; relating to blocking property  
11                  and prohibiting transactions with persons who  
12                  commit, threaten to commit, or support ter-  
13                  rorism);

14                   (B) any states in which those entities oper-  
15                  ate; or

16                   (C) any non-state organization engaged in  
17                  the promotion, trafficking, and distribution of  
18                  illegal drugs and other related activities.

19           (3) The designation of an entity as a foreign  
20           terrorist organization or specially designated global  
21           terrorist provides no legal authority for the Presi-  
22           dent to use force against members of designated or-  
23           ganizations or any foreign state.

24           (4) There has been no armed attack on the  
25           United States by—

1 (A) any organization designated on or  
2 after February 20, 2025, as a foreign terrorist  
3 organization or specially designated global ter-  
4 rorist;

5 (B) any states in which those entities oper-  
6 ate; or

7 (C) any non-state organization engaged in  
8 the promotion, trafficking, and distribution of  
9 illegal drugs and other related activities.

10 (5) The United States military strike on a ves-  
11 sel on September 2, 2025, and the subsequent  
12 United States military strike on a vessel on Sep-  
13 tember 15, 2025, constitute, within the meaning of  
14 section 4(a) of the War Powers Resolution (50  
15 U.S.C. 1543(a)), either hostilities or a situation  
16 where imminent involvement in hostilities is clearly  
17 indicated by the circumstances into which United  
18 States Armed Forces have been introduced. The ap-  
19 plication of the War Powers Resolution is without  
20 prejudice as to whether the strikes themselves vio-  
21 lated United States domestic law, international hu-  
22 manitarian law, or international human rights law.

23 (6) Congress has not received sufficient infor-  
24 mation regarding—

1 (A) the vessels' passengers, cargo, or affili-  
2 ation;

3 (B) the vessels' intended destinations;

4 (C) any threats the vessels posed to United  
5 States interests;

6 (D) any justification for the use of lethal  
7 force against the vessels;

8 (E) the availability of non-lethal means to  
9 interdict the vessels; or

10 (F) the purported domestic authority or  
11 international legal basis to conduct the strikes.

12 (7) Section 1013 of the Department of State  
13 Authorization Act, Fiscal Years 1984 and 1985 (50  
14 U.S.C. 1546a), provides that any joint resolution or  
15 bill to require the removal of United States Armed  
16 Forces engaged in hostilities without a declaration of  
17 war or specific statutory authorization shall be con-  
18 sidered in accordance with the expedited procedures  
19 of section 601(b) of the International Security and  
20 Arms Control Export Act of 1976.

21 (8) Congress is resolved to provide resources  
22 and authorities to the executive branch to prevent  
23 and mitigate drug and narcotics trafficking into the  
24 United States, including through the use of intel-  
25 ligence, law enforcement, personnel, and detection

1        technology at and between ports of entry and diplo-  
2        matic and military tools as appropriate to deter, pre-  
3        vent, and prosecute illicit drug and narcotics traf-  
4        ficking, and will consider providing additional re-  
5        sources and authorities if they are requested by the  
6        President to combat the spread of illegal drugs.

7            (9) On September 4, 2025, the President for-  
8        mally notified Congress of the September 2, 2025,  
9        strike, noted the potential for further military  
10       strikes, and stated that “it is not possible at this  
11       time to know the full scope and duration of military  
12       operations that will be necessary” to address the  
13       continuing threat of drug trafficking emanating  
14       from unspecified countries by unspecified organiza-  
15       tions.

16   **SEC. 2. TERMINATION OF USE OF ARMED FORCES.**

17        (a) TERMINATION.—Pursuant to section 1013 of the  
18       Department of State Authorization Act, Fiscal Years  
19       1984 and 1985 (50 U.S.C. 1546a) and in accordance with  
20       the provisions of section 601(b) of the International Secu-  
21       rity Assistance and Arms Export Control Act of 1976,  
22       Congress hereby directs the President to terminate the use  
23       of United States Armed Forces for hostilities against any  
24       organization designated on or after February 20, 2025,  
25       as a foreign terrorist organization or specially designated

1 global terrorist, any states in which those entities operate,  
2 or any non-state organization engaged in the promotion,  
3 trafficking, and distribution of illegal drugs and other re-  
4 lated activities, unless explicitly authorized by a declara-  
5 tion of war or specific authorization for use of military  
6 force.

7 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
8 tion shall be construed as preventing the United States  
9 from defending itself from an armed attack or threat of  
10 an imminent armed attack or using the United States  
11 Armed Forces in support of civil authorities as part of  
12 authorized counternarcotics operations. The trafficking of  
13 illegal drugs does not itself constitute such an armed at-  
14 tack or threat of an imminent armed attack.