

119TH CONGRESS  
2D SESSION

# S. J. RES. 171

To direct the removal of United States Armed Forces from hostilities within or against the Islamic Republic of Iran that have not been authorized by Congress.

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IN THE SENATE OF THE UNITED STATES

APRIL 13, 2026

Mr. KIM introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

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## JOINT RESOLUTION

To direct the removal of United States Armed Forces from hostilities within or against the Islamic Republic of Iran 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.

8               (2) The President has a constitutional responsi-  
9       bility to take actions to defend the United States

1       and     its     territories,     possessions,     citizens,  
2       servicemembers, and diplomats from attack.

3           (3) Congress has not declared war upon Iran or  
4       any person or organization within Iran, nor enacted  
5       a specific statutory authorization for the use of mili-  
6       tary force within or against Iran.

7           (4) Section 3 of the War Powers Resolution (50  
8       U.S.C. 1542) states, “The President in every pos-  
9       sible instance shall consult with Congress before in-  
10      troducing United States Armed Forces into hos-  
11      tilities or into situations where imminent involve-  
12      ment in hostilities is clearly indicated by the cir-  
13      cumstances.”.

14          (5) The Trump administration has, on multiple  
15      occasions, referred to this operation as a “war,” in-  
16      cluding—

17           (A) President Donald J. Trump’s state-  
18      ment on February 28, 2026, that the United  
19      States was engaged in “a war with Iran that we  
20      did not want but that we are going to win very  
21      quickly”; and

22           (B) Secretary of Defense Pete Hegseth’s  
23      statement on March 4, 2026, that “the terms  
24      of this war will be set by us at every step”.

1           (6) President Donald J. Trump and senior ex-  
2           ecutive branch officials have also repeatedly referred  
3           to the existence of a state of “war” when describing  
4           this operation, including—

5                   (A) President Trump, on February 28,  
6                   2026, stating, “The lives of courageous Amer-  
7                   ican heroes may be lost, and we may have cas-  
8                   ualties. That often happens in war.”;

9                   (B) Secretary of State Rubio, on March 3,  
10                  2026, stating, “As of a few minutes ago, before  
11                  I left, 9,000 Americans have been able to leave  
12                  the region since the start of this war.”;

13                  (C) President Trump, on March 4, 2026,  
14                  stating, “We are doing very well on the  
15                  warfront, to put it mildly, I would say.”; and

16                  (D) Secretary of Defense Hegseth, on  
17                  March 4, 2026, stating “The terms of this war  
18                  will be set by us at every step.”.

19           (7) As result of this use of military force, as of  
20           April 10, 2026, 13 members of the United States  
21           Armed Forces have been killed and at least 350  
22           servicemembers have been wounded.

23           (8) The use of military force within or against  
24           Iran constitutes the introduction of United States  
25           Armed Forces into hostilities within the meaning of

1       section 4(a) of the War Powers Resolution (50  
2       U.S.C. 1543(a)).

3           (9) Section 1013 of the Department of State  
4       Authorization Act, Fiscal Years 1984 and 1985 (50  
5       U.S.C. 1546a) provides that any joint resolution or  
6       bill requiring the removal of United States Armed  
7       Forces from imminent engagement in hostilities  
8       without a declaration of war or specific statutory au-  
9       thorization shall be considered in accordance with  
10      the expedited procedures under section 601(b) of the  
11      International Security and Arms Export Control Act  
12      of 1976 (Public Law 94–329).

13 **SEC. 2. REMOVAL OF UNITED STATES ARMED FORCES**  
14                   **FROM HOSTILITIES WITHIN OR AGAINST**  
15                   **IRAN.**

16       (a) REMOVAL.—Pursuant to section 1013 of the De-  
17      partment of State Authorization Act, Fiscal Years 1984  
18      and 1985 (50 U.S.C. 1546a), and in accordance with sec-  
19      tion 601(b) of the International Security Assistance and  
20      Arms Export Control Act of 1976 (Public Law 94–329),  
21      Congress hereby directs the President to remove the  
22      United States Armed Forces from hostilities within or  
23      against Iran, unless explicitly authorized by a declaration  
24      of war or a specific authorization for use of military force.

1 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
2 tion may be construed to prevent the United States  
3 from—

4 (1) defending against an attack on the United  
5 States or its personnel or facilities in other nations;

6 (2) collecting, analyzing, or sharing intelligence,  
7 including with the State of Israel and United States  
8 partners and allies, and international organizations  
9 as appropriate, related to defending against threats  
10 from Iran or its proxies;

11 (3) assisting Israel and other nations—

12 (A) in taking defensive measures to protect  
13 their territory from retaliatory attacks by Iran  
14 or its proxies; or

15 (B) by providing defensive materiel sup-  
16 port for such defensive measures; or

17 (4) providing assistance for the security, depar-  
18 ture, and evacuation to United States citizens af-  
19 fected by the hostilities.

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