

119TH CONGRESS
1ST SESSION

S. J. RES. 5

Directing the removal of United States Armed Forces from hostilities in
Ukraine that have not been authorized by Congress.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2025

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

JOINT RESOLUTION

Directing the removal of United States Armed Forces from
hostilities in Ukraine that have not been authorized by
Congress.

Whereas Congress has the sole power to declare war under
the War Powers Clause of section 8 of article I of the
Constitution of the United States;

Whereas, since February 2022, Congress has appropriated
nearly \$183,000,000,000 in support of Ukraine;

Whereas the United States actively provides Ukraine with
real-time intelligence and targeting information and has
done so throughout the duration of the Russo-Ukraine
war;

Whereas, on November 17, 2024, President Joseph R. Biden
authorized Ukraine to use United States-provided Army

Tactical Missile System (ATACMS) to strike targets inside Russia;

Whereas United States forces contribute intelligence and targeting information, which is provided via United States military satellites, global positioning systems, and other intelligence sources, for Ukraine to effectively use precision-guided munitions, including ATACMs, to strike targets inside Ukraine and Russia;

Whereas, on November 19, 2024, Ukraine used ATACMS missiles to strike a weapons depot in Russia's Bryansk region;

Whereas, on November 23, 2024, Ukraine used ATACMS missiles to strike a S-400 air defense system in Russia's Kursk region;

Whereas, on November 25, 2024, Ukraine used ATACMS missiles to strike the Kursk-Vostochny Airbase in Russia's Kursk region;

Whereas, on October 2, 2024, Ukraine's General Staff stated they used ATACMS missiles to strike a Russian Nebo-M radar system in an undisclosed location;

Whereas, on December 11, 2024, Ukraine used ATACMS missiles to strike a military airfield in Russia's Rostov region;

Whereas, on December 18, 2024, Ukraine used ATACMS missiles to strike one of Russia's largest chemical plants located in the Rostov region;

Whereas, on January 2, 2025, Russian officials claimed to have intercepted 8 ATACMS missiles fired by Ukraine toward Russia's Belgorod region;

Whereas Russian President Vladimir Putin stated that the United States decision to authorize Ukraine to strike Russia with United States-provided ATACMS would be “tantamount to NATO directly entering the war. This will mean that NATO countries, the United States, and European countries, are fighting Russia.”;

Whereas, on November 19, 2024, President Putin signed a decree updating Russia’s nuclear doctrine to consider a conventional-weapons attack by a non-nuclear state that is supported by a nuclear-armed state as a joint attack on Russia, which could meet the conditions for a nuclear response;

Whereas, on December 16, 2024, President-elect Donald J. Trump described President Biden’s decision to allow Ukraine to use United States-provided ATACMS to strike Russia as “a very stupid thing to do” and a “big mistake”;

Whereas, on November 1, 2022, Pentagon Spokesman Major General Pat Ryder confirmed that United States military personnel were deployed in Ukraine, stating, “These are personnel that are assigned to conduct security cooperation and assistance as part of the Defense Attache Office.”;

Whereas documents from the Department of Defense, as well as current and former United States Government officials, indicate that, as of March 2023, a team of 14 United States special forces operators were deployed to Ukraine;

Whereas a former United States Government official told ABC News, “In addition to providing assistance with the oversight of U.S. equipment and supplies being sent to

Ukraine, the team has assisted Ukrainian military planners with operations that have resulted in hundreds, if not thousands, of Russian military casualties.”;

Whereas, in November 2024, President Biden authorized United States military contractors to deploy to Ukraine to provide technical expertise for advanced weapon systems, reversing a long-standing policy preventing such deployments;

Whereas section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c)) defines the term “introduction of United States Armed Forces” to include “the assignment of members of such Armed Forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities,” and activities that the United States Armed Forces have conducted in Ukraine fall within such definition, as is evidenced by United States support and coordination of Ukrainian precision strikes on Russian targets and United States special forces security cooperation;

Whereas the United States Armed Forces have been introduced into active or imminent hostilities within the meaning of section 4(a) of the War Powers Resolution (50 U.S.C. 1543(a)), and activities that the United States Armed Forces have conducted in Ukraine fall within such definition, as evidenced by United States support and coordination of Ukrainian precision strikes on Russian targets and United States special forces security cooperation;

Whereas section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)) states that “at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs”; and

Whereas section 1013 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a) provides that “[a]ny joint resolution or bill [to require] the removal of United States Armed Forces engaged in hostilities . . . without a declaration of war or specific statutory authorization shall be considered in accordance with the procedures of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976”: Now, therefore, be it

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

3 **SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES**
 4 **FROM HOSTILITIES IN UKRAINE THAT HAVE**
 5 **NOT BEEN AUTHORIZED BY CONGRESS.**

6 Pursuant to section 1013 of the Department of State
 7 Authorization Act, Fiscal Years 1984 and 1985 (50
 8 U.S.C. 1546a) and in accordance with the provisions of
 9 section 601(b) of the International Security Assistance
 10 and Arms Export Control Act of 1976 (Public Law 94–
 11 329; 90 Stat. 765), Congress hereby directs the President
 12 to remove United States Armed Forces from hostilities in
 13 or affecting Ukraine by not later than the date that is

1 30 days after the date of the adoption of this joint resolu-
2 tion (unless the President requests and Congress author-
3 izes a later date), and unless and until a declaration of
4 war or specific authorization for such use of United States
5 Armed Forces has been enacted.

6 **SEC. 2. RULE OF CONSTRUCTION REGARDING AUTHORIZA-**
7 **TIONS FOR USE OF MILITARY FORCE.**

8 Consistent with section 8(a)(1) of the War Powers
9 Resolution (50 U.S.C. 1547(a)(1)), nothing in this joint
10 resolution may be construed as authorizing the use of mili-
11 tary force.

