

110TH CONGRESS
1ST SESSION

S. J. RES. 23

Clarifying that the use of force against Iran is not authorized by the Authorization for the Use of Military Force Against Iraq, any resolution previously adopted, or any other provision of law.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 1, 2007

Mr. REID (for Mr. OBAMA) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

JOINT RESOLUTION

Clarifying that the use of force against Iran is not authorized by the Authorization for the Use of Military Force Against Iraq, any resolution previously adopted, or any other provision of law.

Whereas the Authorization for the Use of Military Force Against Iraq (Public Law 107–243) authorized the President “to use the Armed Forces of the United States as he determines to be necessary and appropriate in order to—(1) defend the national security of the United States against the continuing threat posed by Iraq; and (2) enforce all relevant United Nations Security Council resolutions regarding Iraq”;

Whereas, on September 26, 2007, the Senate agreed to a provision, Senate Amendment 3017 to Senate Amend-

ment 2011 to H.R. 1585, stating the sense of the Senate that “the manner in which the United States transitions and structures its military presence in Iraq will have critical long-term consequences for the future of the Persian Gulf and the Middle East, in particular with regard to the capability of the Government of the Islamic Republic of Iran to pose a threat to the security of the region”;

Whereas, on September 26, 2007, the Senate also stated the sense of the Senate “that it is a critical national interest of the United States to prevent the Government of the Islamic Republic of Iran from turning Shi’a militia extremists in Iraq into a Hezbollah-like force that could serve its interests inside Iraq”;

Whereas, on October 25, 2007, the Department of State designated the Islamic Revolutionary Guard Corps (IRGC) and the Ministry of Defense and Armed Forces Logistics (MODAFL) as proliferators of weapons of mass destruction under Executive Order 13382 in relation to concerns about their role in proliferation activities;

Whereas, on October 25, 2007, the Department of the Treasury also designated 9 IRGC-affiliated entities and 5 IRGC-affiliated individuals, as derivatives of the IRGC, as well as Iran’s state-owned Bank Melli and Bank Mellat and 3 individuals affiliated with Iran’s Aerospace Industries Organization (AIO), as proliferators of weapons of mass destruction or supporters of terrorism under Executive Order 13382;

Whereas, on October 25, 2007, the Department of the Treasury also designated the IRGC–Qods Force (IRGC–QF) as a supporter of terrorism for providing material support to the Taliban and other terrorist organizations, and

designated Iran's state-owned Bank Saderat as a terrorist financier, under Executive Order 13224; and

Whereas any offensive military action taken by the United States against Iran must be explicitly authorized by Congress: Now, therefore, be it

1 *Resolved by the Senate and House of Representatives*
2 *of the United States of America in Congress assembled,*
3 That nothing in the Authorization for the Use of Military
4 Force Against Iraq (Public Law 107–243), any act that
5 serves as the statutory authority for Executive Order
6 13382 or Executive Order 13224, any resolution pre-
7 viously adopted, or any other provision of law including
8 the terms of Executive Order 13382 or Executive Order
9 13224 shall be construed to authorize, encourage, or in
10 any way address the use of the Armed Forces of the
11 United States against Iran.

○