

119<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. J. RES. 123

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.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 10, 2026

Ms. DUCKWORTH (for herself, Mr. BOOKER, Mr. Kaine, Mr. MURPHY, Mr. SCHIFF, and Ms. BALDWIN) introduced the following joint resolution; which was read twice and referred to the Committee on Foreign Relations

---

## 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, service  
2 members, 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) The purpose of the War Powers Resolution,  
8 as stated in section 2(a) of such resolution (50  
9 U.S.C. 1541(a)), is to “insure that the collective  
10 judgment of both the Congress and the President  
11 will apply to the introduction of United States  
12 Armed Forces into hostilities.”.

13 (5) Section 3 of the War Powers Resolution (50  
14 U.S.C. 1542) states, “The President in every pos-  
15 sible instance shall consult with Congress before in-  
16 troducing United States Armed Forces into hos-  
17 tilities or into situations where imminent involve-  
18 ment in hostilities is clearly indicated by the cir-  
19 cumstances.”.

20 (6) On February 28, 2026, the Trump adminis-  
21 tration launched Operation Epic Fury, introducing  
22 the United States military into hostilities as part of  
23 a military campaign against the Government of Iran  
24 that he described as “major combat operations.”  
25 Since then, the President and various administration

1 officials have offered inconsistent timelines for the  
2 continuation of military operations against Iran with  
3 President Trump’s March 2, 2026, notification to  
4 Congress pursuant to the War Powers Resolution of  
5 1973 stating that “it is not possible at this time to  
6 know the full scope and duration of military oper-  
7 ations that may be necessary”.

8 (7) As of March 9, 2026, seven members of the  
9 United States Armed Forces have been killed as  
10 part of Operation Epic Fury, and President Trump  
11 has suggested there will likely be additional Amer-  
12 ican lives lost, stating on March 2, 2026, “We pray  
13 for the full recovery of the wounded and send our  
14 immense love and eternal gratitude to the families of  
15 the fallen. And, sadly, there will likely be more be-  
16 fore it ends. That’s the way it is. Likely be more.”.

17 (8) The use of military force within or against  
18 Iran constitutes the introduction of United States  
19 Armed Forces into hostilities within the meaning of  
20 section 4(a) of the War Powers Resolution (50  
21 U.S.C. 1543(a)).

22 (9) Section 1013 of the Department of State  
23 Authorization Act, Fiscal Years 1984 and 1985 (50  
24 U.S.C. 1546a) provides that any joint resolution or  
25 bill requiring the removal of United States Armed

1 Forces from imminent engagement in hostilities  
2 without a declaration of war or specific statutory au-  
3 thorization shall be considered in accordance with  
4 the expedited procedures under section 601(b) of the  
5 International Security and Arms Export Control Act  
6 of 1976 (Public Law 94–329).

7 **SEC. 2. REMOVAL OF UNITED STATES ARMED FORCES**  
8 **FROM HOSTILITIES WITHIN OR AGAINST THE**  
9 **ISLAMIC REPUBLIC OF IRAN.**

10 Pursuant to section 1013 of the Department of State  
11 Authorization Act, Fiscal Years 1984 and 1985 (50  
12 U.S.C. 1546a), and in accordance with section 601(b) of  
13 the International Security Assistance and Arms Export  
14 Control Act of 1976 (Public Law 94–329), Congress here-  
15 by directs the President to remove the United States  
16 Armed Forces from hostilities within or against Iran, un-  
17 less explicitly authorized by a declaration of war or a spe-  
18 cific authorization for use of military force.

19 **SEC. 3. RULE OF CONSTRUCTION.**

20 Nothing in this resolution may be construed to pre-  
21 vent the United States from—

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

24 (2) collecting, analyzing, or sharing intelligence,  
25 including with the State of Israel and United States

1 partners and allies, and international organizations  
2 as appropriate, related to defending against threats  
3 from Iran or its proxies;

4 (3) assisting partner countries who have been  
5 attacked by Iran since February 28, 2026, and other  
6 nations—

7 (A) in taking defensive measures to protect  
8 their territory from retaliatory attacks by Iran  
9 or its proxies; or

10 (B) by providing defensive materiel sup-  
11 port for such defensive measures; or

12 (4) providing assistance for the security, depar-  
13 ture, and evacuation to United States citizens af-  
14 fected by the hostilities.

○