

113TH CONGRESS
2D SESSION

S. J. RES. 44

To authorize the use of United States Armed Forces against the Islamic State in Iraq and the Levant.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 17 (legislative day, SEPTEMBER 16), 2014

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

JOINT RESOLUTION

To authorize the use of United States Armed Forces against the Islamic State in Iraq and the Levant.

Whereas that the Islamic State in Iraq and the Levant (ISIL), also known as ISIS or the Islamic State, is a terrorist organization committing daily acts of barbarity currently encompassing large portions of Syria and Iraq, and is a serious threat to the United States and the international community;

Whereas ISIL's violence is destructive of religious freedom, the equality of women, protections against genocide, principles of national sovereignty, freedom of expression, and other core human rights protected by international law;

Whereas ISIL's grisly execution of United States hostages, recruitment of United States citizens and others to serve as foreign fighters that threaten to return to the United

States and other nations, and pledges to carry out additional acts of violence directly against the United States make it a threat of growing significance to the United States; and

Whereas United Nations Security Council Resolutions 2169 (2014) and 2170 (2014) note that ISIL’s advancement is a major threat to Iraq’s future, condemn attacks by ISIL, reiterate international community support for Iraq’s security and territorial integrity, and emphasize the need for the international community to work together to help stabilize Iraq and combat ISIL: 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. SHORT TITLE.**

4 This joint resolution may be cited as the “Authoriza-
 5 tion for Use of Military Force against the Islamic State
 6 in Iraq and the Levant”.

7 **SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES**
 8 **ARMED FORCES AGAINST THE ISLAMIC**
 9 **STATE IN IRAQ AND THE LEVANT.**

10 (a) IN GENERAL.—In order to protect the United
 11 States and other countries from terrorist attacks by the
 12 Islamic State in Iraq and the Levant (ISIL), and in order
 13 to protect individuals from acts of violence in clear con-
 14 travention of international law and basic human rights,
 15 the President is authorized, as part of a multinational coa-
 16 lition, subject to the limitations in subsection (b)—

1 (1) to use all necessary and appropriate force to
2 participate in a campaign of airstrikes in Iraq, and
3 if the President deems necessary, in Syria, to de-
4 grade and defeat ISIL; and

5 (2) to provide military equipment and training
6 to forces fighting ISIL in Iraq or Syria, including
7 the Iraqi security forces, Kurdish fighters, and other
8 legitimate, appropriately vetted, non-terrorist opposi-
9 tion groups in Syria.

10 (b) NO AUTHORIZATION FOR USE OF GROUND
11 FORCES OR FORCE AGAINST ASSOCIATED FORCES.—The
12 authorization in this section does not include—

13 (1) authorization for the use of United States
14 ground combat forces, except for the purposes set
15 forth in subsection (a)(2) or as necessary for the
16 protection or rescue of members of the United
17 States Armed Forces or United States citizens from
18 imminent danger posed by ISIL, or for limited oper-
19 ations against high value targets; or

20 (2) authorization for the use of force against
21 forces associated with ISIL, unless such forces are
22 identified in a report submitted under section 4 as
23 individuals or organizations that are immediately
24 and directly fighting alongside ISIL in Iraq and
25 Syria.

1 (c) EXPIRATION.—The authorization in this section
2 shall expire on the date that is one year after the date
3 of the enactment of this joint resolution.

4 (d) WAR POWERS RESOLUTION REQUIREMENTS.—

5 (1) SPECIFIC STATUTORY AUTHORIZATION.—

6 Consistent with section 8(a)(1) of the War Powers
7 Resolution, the Congress declares that this section is
8 intended to constitute specific statutory authoriza-
9 tion within the meaning of section 5(b) of the War
10 Powers Resolution.

11 (2) APPLICABILITY OF OTHER REQUIRE-
12 MENTS.—Nothing in this resolution supercedes any
13 requirement of the War Powers Resolution.

14 **SEC. 3. REPEAL OF PRIOR AUTHORIZATION FOR USE OF**
15 **UNITED STATES ARMED FORCES AGAINST**
16 **IRAQ.**

17 The Authorization for the Use of Military Force
18 Against Iraq Resolution of 2002 (Public Law 107–243;
19 50 U.S.C. 1541 note) is hereby repealed.

20 **SEC. 4. DESIGNATION OF ORGANIZATIONS AND INDIVID-**
21 **UALS IMMEDIATELY AND DIRECTLY FIGHT-**
22 **ING ALONGSIDE ISIL.**

23 Not later than 90 days after the date of the enact-
24 ment of this resolution, and every 90 days thereafter, the
25 President shall submit to Congress a list of those organi-

1 zations or individuals immediately and directly fighting
2 alongside ISIL for purposes of actions taken pursuant to
3 this joint resolution. The list shall be maintained in un-
4 classified form but may contain a classified annex.

5 **SEC. 5. REPORTS.**

6 The President shall report to Congress every 90 days
7 after enactment of this resolution regarding the progress
8 of the effort against ISIL.

9 **SEC. 6. RULES OF CONSTRUCTION.**

10 Nothing in this resolution shall be construed as—

11 (1) authorizing support for force in support of,
12 or in cooperation with, the national government of
13 Syria that was in power as of the date of the enact-
14 ment of this resolution, or its security services; or

15 (2) limiting the constitutional or statutory pow-
16 ers of the President or Congress, or any additional
17 powers held by the United States pursuant to inter-
18 national law or treaty.

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