To declare that a state of war exists between the organization referring
to itself as the Islamic State and the Government and the people of
the United States, and to make provisions to prosecute the same.

IN THE SENATE OF THE UNITED STATES

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

JOINT RESOLUTION

To declare that a state of war exists between the organization referring to itself as the Islamic State and the
Government and the people of the United States, and
to make provisions to prosecute the same.

Whereas Article I, section 8, of the United States Constitution provides, “The Congress shall have the Power to . . . declare war”;

Whereas President George Washington, who presided over
the Constitutional Convention, lectured: “The Constitution vests the power of declaring war with Congress.
Therefore no offensive expedition of importance can be undertaken until after they have deliberated upon the
subject, and authorized such a measure.”;
Whereas James Madison, father of the Constitution, elaborated in a letter to Thomas Jefferson: “The constitution supposes, what the History of all Governments demonstrates, that the Executive is the branch of power most interested in war, and most prone to it. It has accordingly with studied care vested the question of war in the Legislature.”;

Whereas James Madison wrote in his Letters of Helvidius: “In this case, the constitution has decided what shall not be deemed an executive authority; though it may not have clearly decided in every case what shall be so deemed. The declaring of war is expressly made a legislative function.”;

Whereas the organization referring to itself as the Islamic State has declared war on the United States and its allies; and

Whereas the Islamic State presents a clear and present danger to United States diplomatic facilities in the region, including our embassy in Baghdad, Iraq, and consulate in Erbil, Iraq: Now, therefore, be it

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

SECTION 1. SHORT TITLE.

This joint resolution may be cited as the “Declaration of War against the Organization known as the Islamic State”.

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 “Declaration
5 of War against the Organization known as the Islamic
6 State”. 
SEC. 2. DECLARATION OF A STATE OF WAR BETWEEN THE
PEOPLE AND GOVERNMENT OF THE UNITED
STATES AGAINST THE ORGANIZATION
KNOWN AS THE ISLAMIC STATE.

(a) DECLARATION.—The state of war between the
United States and the organization referring to itself as
the Islamic State, also known as the Islamic State of Iraq
and the Levant (ISIL) and the Islamic State of Iraq and
Syria (ISIS), which has been thrust upon the United
States, is hereby formally declared pursuant to Article I,
section 8, clause 11, of the United States Constitution.

(b) AUTHORIZATION.—The President is hereby au-
thorized and directed to use the Armed Forces of the
United States to protect the people and facilities of the
United States in Iraq and Syria against the threats posed
thereto by the organization referring to itself as the Is-
lamic State, also known as the Islamic State of Iraq and
the Levant (ISIL) and the Islamic State of Iraq and Syria
(ISIS).

(c) RULES OF CONSTRUCTION.—

(1) SCOPE OF AUTHORITY.—Nothing in this
section shall be construed as declaring war or au-
thorizing force against any organization—

(A) other than the organization referring
to itself as the Islamic State, also known as the
Islamic State of Iraq and the Levant (ISIL)
and the Islamic State of Iraq and Syria (ISIS);

or

(B) based on affiliation with the organization referring to itself as the Islamic State, also known as the Islamic State of Iraq and the Levant (ISIL) and the Islamic State of Iraq and Syria (ISIS).

(2) LIMITATION ON USE OF GROUND COMBAT FORCES.—Nothing in this section shall be construed as authorizing the use of ground combat forces except—

(A) as necessary for the protection or rescue of members of the United States Armed Forces or United States citizens from imminent danger posed by the organization referring to itself as the Islamic State, also known as the Islamic State of Iraq and the Levant (ISIL) and the Islamic State of Iraq and Syria (ISIS);

(B) for limited operations against high value targets; or

(C) as necessary for advisory and intelligence gathering operations.

(d) WAR POWER RESOLUTION REQUIREMENTS.—

(1) SPECIFIC STATUTORY AUTHORIZATION.— Consistent with section 8(a)(1) of the War Powers
Resolution (50 U.S.C. 1547(a)(1)), Congress declares that this section is intended to constitute specific statutory authorization within the meaning of section 5(b) of the War Powers Resolution (50 U.S.C. 1544(b)).

(2) Applicability of other requirements.—Nothing in this resolution supersedes any requirement of the War Powers Resolution (50 U.S.C. 1541 et seq.).

SEC. 3. REPEAL OF PRIOR AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES AGAINST IRAQ.

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

SEC. 4. NO EXISTING AUTHORITY.

The Authorization for the Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) does not provide any authority for the use of military force against the organization referring to itself as the Islamic State, and shall not be construed as providing such authority.

SEC. 5. SUNSET OF 2001 AUTHORIZATION FOR THE USE OF MILITARY FORCE.

The Authorization for the Use of Military Force (Public Law 107–40; 50 U.S.C. 1541 note) shall termi-
nate on the date that is one year after the date of the enactment of this joint resolution.

SEC. 6. EXPIRATION.

The declaration and authorization in this joint resolution shall expire on the date that is one year after the date of the enactment of this joint resolution.