

119TH CONGRESS  
2D SESSION

# S. J. RES. 181

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.

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IN THE SENATE OF THE UNITED STATES

APRIL 13, 2026

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

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## 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) Congress has not declared war upon Iran or  
9       any person or organization within Iran, nor enacted

1 a specific statutory authorization for the use of mili-  
2 tary force within or against Iran.

3 (3) On February 28, 2026, the Trump Admin-  
4 istration launched Operation Epic Fury, introducing  
5 the United States Armed Forces into hostilities as  
6 part of an ongoing and wide-reaching military cam-  
7 paign against the Government of Iran.

8 (4) The Trump Administration has repeatedly  
9 referred to this operation as a “war,” including  
10 President Donald J. Trump’s statement on Feb-  
11 ruary 28, 2026, that the United States has entered  
12 into “a war with Iran that we did not want but that  
13 we are going to win very quickly,” and Secretary of  
14 Defense Pete Hegseth’s statement on March 4,  
15 2026, that “the terms of this war will be set by us  
16 at every step”.

17 (5) Immediately following the initial attacks of  
18 Operation Epic Fury, the Islamic Revolutionary  
19 Guard Corps (IRGC) transmitted warnings via VHF  
20 radio to all vessels in the Strait of Hormuz that the  
21 passage was “currently unsafe.” The Islamic Revolu-  
22 tionary Guard Corps (IRGC)’s messaging resulted in  
23 a 70 percent drop in maritime traffic within 24  
24 hours. By March 2, 2026, satellite traffic showed  
25 zero merchant ships appearing in the Strait of

1       Hormuz. On March 27, 2026, the IRGC officially  
2       announced that the Strait was closed to any vessel  
3       going “to and from” ports belonging to the United  
4       States, Israel, and United States allies.

5           (6) The closure of the Strait of Hormuz is con-  
6       sidered the largest disruption to the global energy  
7       supply in history. By March 8, 2026, oil prices ex-  
8       ceeded \$100 per barrel for the first time in nearly  
9       four years. The United Nations World Food Pro-  
10      gramme predicts that if the conflict continues, an  
11      additional 45,000,000 people worldwide could face  
12      food insecurity by the end of the year because  
13      roughly one third of the world’s internationally trad-  
14      ed fertilizer is carried through the Strait.

15          (7) President Trump set an April 7, 2026, 8  
16      p.m. Eastern Standard Time deadline for Iran to re-  
17      open the Strait of Hormuz, and in order to force  
18      Iran’s compliance, President Trump threatened on  
19      social media that “a whole civilization will die to-  
20      night, never to be brought back again”. He added  
21      that he “didn’t want that to happen, but it probably  
22      will”. On April 7, 2026, President Trump agreed to  
23      a two-week ceasefire to permit peace negotiations  
24      but threatened “total destruction” if his terms are  
25      not met. On April 8, 2026, President Trump posted

1 on Truth Social, “the Strait must open now. If it  
2 stays closed, the two-week deal is over and destruc-  
3 tion begins again.”.

4 (8) Later on April 8, 2026, President Trump  
5 threatened on social media again that if a final deal  
6 is not made, “then the ‘Shootin’ Starts,’ bigger, and  
7 better, and stronger than anyone has ever seen be-  
8 fore”. He added that the “Military is Loading Up  
9 and Resting, looking forward, actually, to its next  
10 Conquest”. However, no request for a declaration of  
11 war or an authorization to use military force has  
12 been submitted to Congress.

13 (9) Reports from the Pentagon on April 4,  
14 2026, indicate that more than 50,000 members of  
15 the United States Armed Forces have participated  
16 in the unprecedented operation. In March, approxi-  
17 mately 2,000 soldiers from the United States Army’s  
18 82nd Airborne Division deployed to the region in  
19 support of Operation Epic Fury.

20 (10) As of April 8, 2026, seven members of the  
21 United States Armed Forces have been killed in  
22 combat as part of Operation Epic Fury, and six  
23 more crewmembers of a KC-135 refueling aircraft  
24 died in a crash in western Iraq. Officially, the Pen-

1 tagon reports 381 wounded members of the Armed  
2 Forces involved in Operation Epic Fury.

3 (11) The use of military force within or against  
4 Iran constitutes the introduction of United States  
5 Armed Forces into hostilities within the meaning of  
6 section 4(a) of the War Powers Resolution (50  
7 U.S.C. 1543(a)).

8 (12) Section 1013 of the Department of State  
9 Authorization Act, Fiscal Years 1984 and 1985 (50  
10 U.S.C. 1546a) provides that any joint resolution or  
11 bill requiring the removal of United States Armed  
12 Forces from imminent engagement in hostilities  
13 without a declaration of war or specific statutory au-  
14 thorization shall be considered in accordance with  
15 the expedited procedures under section 601(b) of the  
16 International Security and Arms Export Control Act  
17 15 of 1976 (Public Law 94–329).

18 **SEC. 2. REMOVAL OF UNITED STATES ARMED FORCES**  
19 **FROM HOSTILITIES WITHIN OR AGAINST**  
20 **IRAN.**

21 (a) REMOVAL.—Pursuant to section 1013 of the De-  
22 partment of State Authorization Act, Fiscal Years 1984  
23 and 1985 (50 U.S.C. 1546a), and in accordance with sec-  
24 tion 601(b) of the International Security Assistance and  
25 Arms Export Control Act of 1976 (Public Law 94–329),

1 Congress hereby directs the President to remove the  
2 United States Armed Forces from hostilities within or  
3 against Iran, unless explicitly authorized by a declaration  
4 of war or a specific authorization for use of military force.

5 (b) RULE OF CONSTRUCTION.—Nothing in this sec-  
6 tion may be construed to prevent the United States  
7 from—

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

10 (2) collecting, analyzing, or sharing intelligence,  
11 including with Israel and partner countries who have  
12 been attacked by Iran since February 28, 2026, and  
13 other nations and international organizations as ap-  
14 propriate, related to threats from Iran or its proxies;  
15 or

16 (3) assisting Israel and partner countries who  
17 have been attacked by Iran since February 28,  
18 2026, and other nations—

19 (A) in directly defending against retalia-  
20 tory attacks upon their territories by Iran or its  
21 proxies; or

22 (B) by providing defensive materiel sup-  
23 port for such defensive measures.

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