

116TH CONGRESS
1ST SESSION

H. CON. RES. 77

Directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from hostilities in the Syrian Arab Republic that have not been authorized by Congress.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 21, 2019

Ms. GABBARD submitted the following concurrent resolution; which was referred to the Committee on Foreign Affairs

CONCURRENT RESOLUTION

Directing the President pursuant to section 5(c) of the War Powers Resolution to remove United States Armed Forces from hostilities in the Syrian Arab Republic that have not been authorized by Congress.

1 *Resolved by the House of Representatives (the Senate*
2 *concurring),*

3 **SECTION 1. REMOVAL OF UNITED STATES ARMED FORCES**
4 **FROM HOSTILITIES IN THE SYRIAN ARAB RE-**
5 **PUBLIC THAT HAVE NOT BEEN AUTHORIZED**
6 **BY CONGRESS.**

7 (a) FINDINGS.—Congress finds the following:

1 (1) Congress has the sole power to declare war
2 under article I, section 8 of the Constitution.

3 (2) Congress has not declared war with respect
4 to, or provided any specific statutory authorization
5 for, United States military participation in any ac-
6 tivity related to securing, guarding, possessing, prof-
7 iting off of, or developing the oil fields of the Syrian
8 Arab Republic.

9 (3) President Donald Trump stated on October
10 27, 2019, regarding Syria that “we are leaving sol-
11 diers to secure the oil. Now, we may have to fight
12 for the oil. That’s OK. Maybe somebody else wants
13 the oil, in which case they have a hell of a fight.”
14 and that “it can help us, because we should be able
15 to take some also. And what I intend to do, perhaps,
16 is make a deal with an ExxonMobil or one of our
17 great companies to go in there and do it properly.
18 Right now it’s not big. It’s big oil underground but
19 it’s not big oil up top.”.

20 (4) When asked by CNN on October 28, 2019,
21 whether the United States will prevent any Russian
22 or Syrian Government forces from gaining access to
23 the oil, Secretary of Defense Esper said, “The short
24 answer is yes, it presently does.”.

1 (5) Section 8(c) of the War Powers Resolution
2 (50 U.S.C. 1547(c)) defines the introduction of
3 United States Armed Forces to include “the assign-
4 ment of members of such armed forces to command,
5 coordinate, participate in the movement of, or ac-
6 company the regular or irregular military forces of
7 any foreign country or government when such mili-
8 tary forces are engaged, or there exists an imminent
9 threat that such forces will become engaged, in hos-
10 tilities.”.

11 (6) Section 5(c) of the War Powers Resolution
12 (50 U.S.C. 1544(c)) states that “at any time that
13 United States Armed Forces are engaged in hos-
14 tilities outside the territory of the United States, its
15 possessions and territories without a declaration of
16 war or specific statutory authorization, such forces
17 shall be removed by the President if the Congress so
18 directs”.

19 (b) REMOVAL OF ARMED FORCES.—Pursuant to sec-
20 tion 5(c) of the War Powers Resolution (50 U.S.C.
21 1544(c)), Congress hereby directs the President to remove
22 United States Armed Forces from hostilities in the Syrian
23 Arab Republic, except for United States Armed Forces en-
24 gaged in operations directed at al Qaeda or associated
25 forces, not later than 60 days after the date of the adop-

1 tion of this concurrent resolution, unless a declaration of
2 war or specific authorization for such use of United States
3 Armed Forces has been enacted into law.

4 (c) RULE OF CONSTRUCTION.—Nothing in this con-
5 current resolution may be construed—

6 (1) to limit, expand, or otherwise modify the
7 scope of the Authorization for Use of Military Force
8 (Public Law 107–40; 50 U.S.C. 1541 note); or

9 (2) consistent with section 8(a)(1) of the War
10 Powers Resolution (50 U.S.C. 1547(a)(1)), to au-
11 thorize the use of military force.

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